

Dumfries and Galloway Council
LOCAL DEVELOPMENT PLAN 2

Main Issues Report - Representations Report

JANUARY 2018



DUMFRIES AND GALLOWAY LOCAL DEVELOPMENT PLAN 2

MAIN ISSUES REPORT – REPRESENTATIONS REPORT

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The Representations Report contains a summary of the representation received to the Main Issues Report along with the Council's response to that representation.

Issue 1	General Comments - Support, Consultation, Proposals Maps and Action Programme
Main Issues Report reference:	Section 1.5: Consultation Process Section 2.9.17: Delivering Development
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Network Rail (0002.003) Historic Environment Scotland (0012.004) Robert Potter & Partners obo Calmac (0064.032) Martin Robertson (0146.002) Carlisle City Council (0189.001) Judy Spinks (0243.010) Young Planning obo SP Energy Networks (0272.004) Marie Stein (0295.001)</p>	
Summary of the representation(s):	
<p>Support <u>Network Rail (0002.003)</u> - Broadly support the Main Issues Report. However, it should set out and prioritise the need for investment in infrastructure to support the Region.</p> <p><u>Historic Environment Scotland (0012.004)</u> - The Main Issues Report presents a thorough appraisal of key issues in the development of the Council's second LDP. Welcome where the document has been informed through close review of relevant information, broad consultation, and is underpinned by Strategic Environmental Assessment (SEA). As a result of this, consider that historic environment issues are well embedded within the document, with many of the emerging policies and proposals seeking to protect and enhance heritage assets.</p> <p><u>Martin Robertson (0146.002)</u> - The Main Issues Report seems in the main an excellent document and one which shows sensible development beyond LPD1. The biggest challenge for the next five years would appear to be town centres/retail which needs a whole new approach, very interested to see how this develops.</p> <p><u>Carlisle City Council (0189.001)</u> - Consider that the range of issues identified is broad enough to capture key areas of change, and provide a forum for public engagement. Cross border thinking is demonstrated in the settlement hierarchy diagram where Carlisle is listed as a main employment centre. In addition, by referencing the outcomes from the Borderlands Initiative Report, value will be added to policy formulation work further on in the LDP process.</p> <p>Consultation <u>Marie Stein (0295.001)</u> - Object to the cunning way of giving the development access for information to the public in places as far as Gretna Green, Langholm, Stranraer , Whithorn and Annan to list the more obvious places where nobody would bother to turn up for Penpont.</p>	

Not one Drop-In session available in Thornhill, Penpont, Moniaive and Dunscore. The approach taken is a very clever way of avoiding public awareness and oppositions from the locals. It is very obvious that the Local Development Plan team wanted to avoid reactions from people living very close to the proposed development.

Proposals Maps

Young Planning obo SP Energy Networks (0272.004) - It is essential that developments identified in NPF3 are safeguarded from conflicting development proposals which would jeopardise their delivery. The Proposals Map should identify Kendoon to Tongland 132kV Reinforcement Project routes with cross reference to relevant policy safeguarding against conflicting developments.

Action Programme

Judy Spinks (0243.010) - The wording of 2.9.17 refers to an Action Programme. Welcome the Council working more closely with landowners, developers and infrastructure providers. However, it is important that Community Councils are also consulted at an early stage before plans are drawn up. Local knowledge and wishes should be instrumental at the pre planning stage. This chimes with the Community Empowerment Act (Part 2 Community Planning), and is supported by the PAS Community Placemaking recommendations (Sept 2016): 'Improve transparency/general communication with all stake holders' & 'Encourage community groups to lead on local projects'.

Process

Robert Potter & Partners obo Calmac (0064.032) - The initial Call for Sites and Further Call for Sites were both defective and each indicated that the Council had pre judged the spatial strategy. This has now been borne out by this MIR. Morton Fraser (a specialist in planning law) advised that applying such a restriction was wrong and that by doing so that the Council was pre-judging LDP 2. That initial legal analysis was confirmed as correct in an opinion from Counsel Alasdair Burnet for another party.

The MIR that was approved by the full Council did not present to Elected Members the document "Sites submitted through the Call for Sites not included in the Main Issues Report" January 2017 (or equivalent) and all the SEA assessments of sites. This means that perhaps 50% of the MIR that has been the subject of this public consultation was not approved by Elected Members. The legal advice that Calmac Developments Limited has received from Morton Fraser is that this has rendered the approval of the MIR unlawful.

Representor concludes that the Council only ever intended to largely recycle the adopted LDP or alternatively ensure that the mainly ineffective sites in the adopted LDP in which the Council have a financial interest would continue to be allocated in LDP2 to the detriment of more marketable sites in which they do not have a financial interest, or both.

Council response and proposed modifications:

Support

Network Rail (0002.003) - Broad support noted. No modification(s) proposed.

Historic Environment Scotland (0012.004); Martin Robertson (0146.002); Carlisle

City Council (0189.001) - Broad endorsement noted. No modification(s) proposed.

Consultation

Marie Stein (0295.001) - Section 3 of the Development Plan Scheme, updated and published in November 2016 sets out the standards for participation on the plan. This includes consultation with local communities and interested parties who are informed in various ways, including newspaper adverts and press releases. Especially in times of financial stringency it is necessary to consider the balance between the provision of consultation opportunities and process efficiency. There was a drop-in session in Dumfries, which in practical terms is considered to be acceptably accessible for Penpont and other mid-Nithsdale settlements. There was also a drop-in session in Sanquhar.

All people who neighbour a proposed development site were advised by letter of the proposed development and how they could contact the LDP team.

No modification(s) proposed.

Proposals Maps

Young Planning obo SP Energy Networks (0272.004) - Paragraph 1.3.1 in the MIR notes that NPF3 identifies 'the key infrastructure needed to ensure that each part of the country can develop to its full potential' and also that 'Planning authorities are required to take the Framework into account when preparing development plans'. It is considered that in respect of infrastructure the direction of travel supported by the policies in LDP1 is being carried forward into LDP2. No modification proposed.

Action Programme

Judy Spinks (0243.010) - The Action Programme for LDP1 is available from the LDP part of the Council website. It is agreed that all relevant parties should, in terms of their interest, have the opportunity to be part of processes associated with the generation of, decisions on, and implementation of development proposals. It is agreed that Community Councils and others should be consulted at an early stage before plans are drawn up and the Council already undertakes an extensive consultation programme using a wide range of methods in this regard. Responses at this stage help in the preparation of the Proposed Plan. The standard for consultation, including with communities, is set out in the Development Plan Scheme, most recently published November 2016. No modification(s) proposed.

Process

Robert Potter & Partners obo Calmac (0064.032) – Following comments received to the way the initial Call for Sites was run, the Council decided to re-run the process. It was acknowledged that it might have been concluded from the original approach that some landowners or others may have felt excluded from the process. The criteria based approach was intended to avoid raising expectations and simply reflects the long term spatial strategy within the adopted LDP. The Call for Sites is a non statutory process which does not form part of the adopted Plan nor the Main Issues Report. It is a matter of discretion to the Planning Authority as to how to run such a process. Notwithstanding this, and in order to ensure that as many sites were available for consideration as possible, The Council decided to re-run the process. Clarification wording was put on the website explicitly stating that there were no criteria restrictions on submissions. All

reference to criteria was also removed from the submission forms, and all sites which were previously considered ineligible were taken into the process and the owners/ agents advised accordingly. The Council are of the view that the process is open and transparent, and reflects the guidance contained in Circular 6/2013.

It should be noted that the representor submitted their site during the second call for sites process. All submissions received to the call for sites process along with sites allocated in the adopted LDP were assessed using the same criteria and the assessment forms were published alongside the MIR. Circular 6/2013 states that the MIR should identify the planning authority's preferred options but it also needs to consider reasonable alternatives, where these are available. The MIR that was agreed by Full Council followed this approach. Given the number of sites that were considered there were some that were not considered to be preferred or alternative options. To ensure that all the information that had been considered when preparing the MIR was available, the Sites submitted through the Call for Sites not included in the Main Issues Report was published as a supporting document to the MIR.

The Council is of the opinion that it has followed the requirements as set out in the Planning Act and Regulations. Ultimately, decisions about the final content of LDP2 will be made by full Council and may be modified following Examination by the Scottish Government Reporter.

Issue 2	Vision and Spatial Strategy, and Sustainability
Main Issues Report reference:	Section 2.1 Vision and Spatial Strategy Section 2.11: Main Issue 4 – Sustainability, Renewable Energy and Climate Change
Body or person(s) submitting a representation raising the issue (including reference number):	
<p> Network Rail (0002.003) Historic Environment Scotland (0012.004) David Fallas (Planning) (0071.012) GVA obo Aldi Stores (0079.004) GVA obo NDA and Magnox (0079.005) Natural Power (0080.006) (0080.010) Natural Power obo Fred Olsen Renewables (0080.014) Dumfries & Galloway Council Sustainable Development Team (0100.033) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) Banks Group (0127.002) RSPB Scotland (0133.007) Penelope Coles (0135.002) (0135.003) (0135.004) (0135.006) (0135.010) (0135.011) (0135.013) Martin Robertson (0146.002) Woodland Trust (0152.001) Carlisle City Council (0189.001) Auldgirth and District CC (0237.001) Judy Spinks (0243.011) (0243.013) Turley Associates obo Story Homes (0263.009) Young Planning obo SP Energy Networks (0272.001) (0272.002) Ian Richmond (0285.001) Homes for Scotland (0287.001) Ryden obo Wallets Marts (0292.001) Nigel Emslie (0301.001) Theatres Trust (0304.001) Rapleys obo Caravan & Motorhome Club (0312.001) Canonbie & District Residents Association (0313.001) Ryden obo NHS Dumfries (0325.001) Holder Planning obo Sandy Robson (0332.002) </p>	
Summary of the representation(s):	
<p>Vision and Spatial Strategy</p> <p><u>Network Rail (0002.003)</u> - The rail network provides a key contribution to the aims and objectives of the LDP's vision and spatial strategy. Network Rail broadly supports the Main Issues Report. However, it should set out and prioritise the need for investment in infrastructure to support the Region.</p> <p><u>Historic Environment Scotland (0012.004)</u> - Welcome proposals to carry forward the Vision and Spatial Strategy included in the adopted LDP. These over-arching</p>	

elements of the plan seek to safeguard and enhance the quality of the region's historic environment.

GVA obo Aldi Stores (0079.004); Fully support the Vision and Spatial Strategy as set out the MIR.

GVA obo NDA and Magnox (0079.005) - Fully support the Vision and Spatial Strategy as set out the MIR. It is important that the LDP2 Vision recognises the on-going decommissioning and remediation process at Chapelcross itself, together with the economic opportunity that it provides in employment terms, through the decommissioning process and future employment uses at the site.

Natural Power (0080.010); Natural Power obo Fred Olsen Renewables (0080.014) - The Vision and Spatial Strategy should be altered to take account of the Scottish Government's Draft Energy Strategy. In doing so greater emphasis should be given to the whole system view of energy generation, distribution and use at a local level and to the place that this could play in moving towards a decarbonised economy for Dumfries and Galloway.

Scottish Environment Protection Agency (0120.002) - While generally supportive of the approach, the LDP2 Vision and Spatial Strategy should include a specific reference to the measures to be included to support mitigation and adaptation to the impacts of climate change. Acknowledge that this outcome will partially be achieved through an appropriate policy framework however would also expect that these issues receive coverage within the overarching vision, and associated objectives, of the plan. It is acknowledged that it is intended to embed sustainability into all land-use planning processes it is not apparent from this, or the range of preferred options, that dealing with climate change will form part of the vision.

Scottish Natural Heritage (0122.002) - Agree with the Monitoring Statement that insufficient time has passed since adoption of the current LDP to determine if the Vision has been achieved or to make major changes to it.

Note that the main difference between Preferred and Alternative Approach is in presentation of the Vision and Spatial Strategy. Both propose no change to the content but the Alternative Approach suggests that, without amending the wording of the Vision or Spatial Strategy, there could be a change to how the Vision is set out by arranging it by theme and associated outcomes.

It is not clear whether links with community planning has been considered as part of the Alternative Approach but it may be a more effective means of linking the spatial plan to Single Outcome Agreement and community plan.

Martin Robertson (0146.002) - Agree that the Vision and Spatial Strategy should be carried forward because it is too soon to make a change, since there has not been sufficient time to measure its success or otherwise. This should be revisited next time in 5 years.

The Vision is difficult in one way, however, as it cannot continue to say this 'What will Dumfries and Galloway look like in 20 years time.' as it should now be 15 years. The answer to the question, of course, is 'Much the same as it does now' and will suggest immediately that LDP1 has had little or no effect, which you presumably wish to avoid. Suggest the following text;

“With LDP2 we are now entering the second phase of the planned vision which we designed to reach fruition over the 20 years following the inauguration of LDP1. By then Dumfries and Galloway will aim to have become a thriving region etc.”

Woodland Trust (0152.001) - Broadly agree with the proposed Vision and Spatial Strategy. Particularly welcome the fact that the Vision includes “sustainable principles that safeguard the landscape, natural and historic environment...” Sustainable development, the natural environment and carbon reduction appear to have been given consideration throughout this section of the Main Issues Report which is good.

Turley Associates obo Story Homes (0263.009); Homes for Scotland (0287.001) - Support the existing Vision and Spatial Strategy, which it is proposed to replicate in LDP2. Support the promotion of a sustainable pattern of development sought by the Spatial Strategy. It is acknowledged that this approach complies with placemaking policy principles set out in Scottish Planning Policy (2014), which requires planning to direct the right development to the right place.

Ryden obo Wallets Marts (0292.001) - Generally supportive of the Vision and Spatial Strategy contained within LDP 1 and are, therefore, supportive of it being carried forward into LDP 2. In particular, welcome the continued recognition of Castle Douglas as a District Centre. It clearly benefits from a good range of services and facilities, employment opportunities, and has the physical ability to grow and for the surrounding landscape to absorb the development proposed.

Rapleys obo Caravan & Motorhome Club (0312.001) - Greater clarity is desired regarding the envisioned economic and recreational development. The LDP2 proposes to unify business, tourism and recreation within the rural area under a single policy (Policy ED2, discussed below). Amending the Vision and Spatial Strategy to address this, and provide clearer guidance on proposals which seek to improve the local tourism industry, would be welcomed.

Vision - General

RSPB Scotland (0133.007) - The Vision contains following statement - A viable rural economy and community characterised by – more woodlands While RSPB Scotland supports the creation of broadleaf woodlands where this is targeted in the right location, would advise that increased woodland resource in Dumfries and Galloway should be appropriately targeted to avoid impact to sensitive habitat/species and that the appropriate level of environmental impact assessment is carried out to achieve this.

Theatres Trust (0304.001) - The Trust has no view on the format of the Vison, however, recommend that it also reference culture, cultural opportunities and cultural facilities. Culture helps build social capital, the glue that holds communities together. By bringing people together, cultural activities such as festivals, fairs, or classes create social solidarity and cohesion, fostering social inclusion, community empowerment, and capacity-building, and enhancing confidence, civic pride, and tolerance. The social capital created through culture increases with regular

participation in cultural activities. Cultural engagement also plays a key role in poverty reduction and communities-at-risk strategies.

Culture is important to the vitality of all communities. At a local level, culture and the creative industries play a key role in developing vibrant city, town and village centres which are the economic and social heart of sustainable communities, and cultural development can be the catalyst for wider town centre regeneration.

Benefits include improved well-being and quality of life for local residents, a feeling of pride, identification with the past, and a sense of belonging to a wider community.

Culture helps towns and villages to develop a sense of place, which is what makes communities unique and special, and helps attract tourism and business investment. Culturally rich places also enhance competitiveness by attracting and retaining talent and businesses. Cultural heritage is also a factor in rural development, supporting tourism, community renewal, and farmstead conservation.

The LDP should therefore support arts and culture at all levels to support the local economy and ensure that all residents and visitors, and future generations, have access to cultural opportunities. This is particularly important, given Main Issue 1 seeks to grow the Cultural Industries.

Spatial Strategy - General

Judy Spinks (0243.013) - Agree the LDP Spatial Strategy should be laid out as in 2014. The other way is harder to follow.

Canonbie & District Residents Association (0313.001) - Given the relatively brief period since this strategy was adopted it seems entirely sensible to roll it forward. Altering the layout to follow the themed approach is unlikely to contribute anything more.

Natural Power (0080.010); Natural Power obo Fred Olsen Renewables (0080.014) - Energy development is a key component of infrastructure but does not feature in the 'Spatial Strategy'. It may be appropriate to include transmission lines, district heating and areas of strategic capacity, areas such as the Windy Standard Wind Farm development area where a hub of appropriately designed wind turbines have been established.

Given the release of national policy documents by the Scottish Government for consultation on Scotland's energy strategy and policy framework it is essential that the LDP2 reflects the general direction and approach as well as any specific requirements of these important national policy documents. Whilst it is recognised that these national policy documents are currently still in draft stage, they nevertheless represent a significant milestone in the development of a national energy strategy and must therefore be reflected in the final version of the LDP2. If the final LDP2 is adopted ahead of these national documents being finalised, then a commitment should be made that the Council's policies and guidance will be updated in accordance with updated national policy.

The Outcome to the LDP2 Theme 'Renewable Energy and Resource Management' is underwhelming. It is not an aspirational outcome. Dumfries and Galloway is already contributing a great deal towards national renewable energy and carbon reduction targets. It should embrace the renewable energy development it has, particularly onshore wind which is maturing and becoming the cheapest form of electricity generation in the UK. The current text specifically

mentions 'waste recycling'. The outcome should focus on helping to deliver low carbon energy infrastructure including onshore wind, battery storage, renewable district heating systems. For example:

'A region that capitalises on its renewable energy resources driving the region and nation towards a low carbon place. Onshore wind energy will be the primary source of electricity and large scale district heating will service industry and housing. There will be new and improved grid infrastructure and energy storage to store and distribute electricity across the region and elsewhere. Development will be sustainable and incorporate principles such as waste recycling.'

Carlisle City Council (0189.001) - Map 1 – Dumfries and Galloway Spatial Strategy may benefit from a repositioned 'key' so that Carlisle could be identified.

Spatial Strategy – Housing Strategy

David Fallas (Planning) (0071.012) - The current overall housing strategy is directly responsible for the low levels of activity in 'local' housing market' across the whole of the region as it promotes either large site allocations that are not attractive propositions to the 'local builders' because they are too large and therefore too much of a financial risk/burden for the smaller scaled local firms to take on board; or only single/double plot opportunities on infill/gap sites within settlements.

Penelope Coles (0135.011) - Housing should be encouraged in areas that are sustainable. The settlement hierarchy has identified district and local centres that contain facilities useful for a growing population. Emphasising housing growth in these areas will create a more sustainable, low carbon economy and decrease costs for the Local authority through school transport and community transport to health centres. By allowing 10% growth in villages and small housing groups with few community facilities you are encouraging reliance on cars and journeys for every need. I recommend that 5% is the figure for growth in villages and small housing groups. Extra allowance should be given to district and local centres with existing community facilities.

Development should be encouraged along public transport routes and cycling and walking routes to community facilities. Mapping the bus routes and bus stops and encouraging development within walking distance of these would help reduce car journeys and so support a lower carbon economy.

Judy Spinks (0243.011) - As a resident of Auchencairn, I think the % allocation of the housing land requirement figure, must consider the size of each settlement, and the relative increase in each individual settlement size. Local Centres vary in size from small villages to small towns. Therefore the 30% allocation in Local Centres must not be evenly spread around the Centres, but nuanced in each Centre to reflect its current size.

Spatial Strategy – Transport Strategy

Network Rail (0002.003) - Keen to seek continued support 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 and appropriate strategic assessment and to feed in to and mitigate the infrastructure and capacity issues required.

Given, the proposed growth strategy of the MIR is related to the existing rail network with future development, there will be an increase in demand for rail services. This increased service provision may result in the requirement for upgraded rail infrastructure or to upgrade facilities at stations.

The MIR should recognise that by directing growth towards urban centres and public nodes and corridors, without the provision of additional capacity or where required, improved facilities, the network will become constrained and will not be able to provide increased service. Accordingly Network Rail considers that the MIR requirement that development must be accountable for resultant requirements to railway infrastructure and facilities.

The Spatial Strategy approach should maximise the use of existing infrastructure, promote the efficient use of land and buildings and make travel smarter and more sustainable by providing the opportunity to link trips and promoting a choice of travel modes.

Penelope Coles (0135.013) - Prefer the thematic approach rather than using the four areas. The Council Committee structure is now working on region wide issues and the role of the Area Committees diminished and becoming unnecessary.

Young Planning obo SP Energy Networks (0272.002) - The bullet points in paragraph 2.1.2 should reference the infrastructure essential to delivering the wider aspirations of the LDP and in particular, the delivery of nationally significant infrastructure developments, as defined as national developments by NPF3.

LDP Vision: What will Dumfries and Galloway look like in 20 years time?

The first sentence of the LDP Vision should be amended to include reference to the need for new and upgraded infrastructure, as follows: "It will be a thriving region with a sustainable economy built on sustainable principles that safeguard the landscape, natural and historic environment, promote growth, maximise the use of existing infrastructure and (where necessary,) facilitate the delivery of new infrastructure, and enhance connectivity."

Nigel Emslie (0301.001) - Although starting with a bright and aspirational 'Vision' in Section 2.1, as further developed elsewhere (notably in Section 2.10 entitled 'Creating Places'), the Main Issues Report (MIR) is, in the end, a disappointing and unsatisfactory document. Laudable planning aspirations bearing to apply over a 20 year period swiftly give way to the inflexible pursuit of formulaic national and regional policies, targets and requirements on a much shorter timescale. In the context of housing provision only lip-service is paid to the actual needs of individual communities or of current or future inhabitants. Put shortly, there is a 'Main Issue' yet to be addressed here, namely the glaring disconnect between these two conflicting aspects of the exercise.

While the comments which follow are submitted from an Auchencairn perspective, they may be thought to highlight and exemplify wider issues affecting communities throughout Dumfries & Galloway.

On the positive side, Section 2.1 of the MIR bears to promote an entirely welcome 'Vision' of "... vibrant towns and villages that have ...housing developments of a scale appropriate to their location " and also ..."a distinctive landscape setting or sense of place". This echoes Scottish Planning Advice Note 2/2010, quoted at p.34 of the Housing Land Requirements Technical Paper (HLRTP), to the effect that a generous supply of land should be identified for the provision of a range of

housing, including affordable housing ...”in the right places”. Section 2.10.1 of the MIR goes on to describe how it is the interaction between people and their environment which leads to a high quality of life, how successful places are...”locally distinctive and attractive, welcoming with easy access”, and how the...”visual character and identity of a place” may be maintained through good design. Section 2.10.5 notes that ...”(effective) engagement with communities is at the heart of recent reforms to community planning”, and Section 2.10.7 expressly states that ...”(the) policies in the LDP intend to direct development to support the immediate needs of communities and to support development which will safeguard the role of places, enhance existing places and create quality new places”. According to Section 3.1.1, moreover, “(the) current strategy promotes a pattern of development that seeks to minimise the need to travel by directing development to those settlements with a good range of services and facilities and employment opportunities”.

Ryden obo NHS Dumfries (0325.001) - Support the aim to minimise travel by private car and to have sustainable transport as part of development. We also support new development within existing developments. Do not support a Alternative Strategy where the key aims noted above would be diluted.

Holder Planning obo Sandy Robson (0332.002) - Support the aspirations of the Vision, although question whether the emerging Local Development Plan (LDP) will achieve it.

The MIR states that preferred approach is for the Vision and Spatial Strategy to remain the same as the adopted LDP. However, since the current LDP was adopted, there have been significant changes in Dumfries.

Also question the validity of the evidence base to justify simply applying the present spatial strategy to Dumfries in the continued absence of such a key consideration as the Masterplan for South Dumfries referred to in the adopted LDP (p111). Clearly if this finds against development in that quarter that could have a significant effect on the dynamic of the future direction of development. The MIR states that its preferred approach to delivering housing in Dumfries is to “provide a greater diversity in the size and location of sites around the town to provide for a larger range of opportunities”. However, we do not agree that this will be achieved by the proposed spatial strategy.

A number of allocated housing sites in the adopted LDP have been carried over to the MIR, but have yet to deliver any housing completions. There is significant doubt that they will do so in the foreseeable future.

Both the adopted and emerging plan focus on allocating new housing on former brownfield, employment sites and on sites adjacent to industrial areas. The location of some of the sites either within employment areas or next to industrial areas makes them unattractive to developers and potential purchasers. Their location also results in them requiring costly mitigation measures, such as the erection of noise attenuation bunds, which makes them unviable to develop. Furthermore, the loss of these sites to the employment and industrial land supply may prejudice economic development objectives and conflicts with the MIR’s Vision “to attract investment to create employment and investment opportunities which will in turn attract people of working age to the region”. In order to achieve this vision, Dumfries and Galloway Council should be safeguarding these sites to provide land for existing operators to expand and to attract new businesses to the local area.

It is notable that Dumfries Council have a financial interest in two of the largest historic housing allocations, Noblehill (DFS. H3) and Ladyfield (DFS. H5), where there is no evidence of developer interest or marketability. Continuing the allocation of these historic sites from one plan to the next is therefore not sustainable or appropriate. Although the Council as a corporate entity may be reluctant to see such sites removed from the LDP, it is obviously important that the planning authority do not find themselves conflicted by this objective. It is therefore crucial that a realistic assessment of site effectiveness is undertaken, which will inevitably lead to the conclusion that additional/replacement sites are required, which in turn will require an extension to the current settlement boundary for Dumfries.

Note that the Council have not prepared an urban capacity study, despite Scottish Planning Policy advising that it is useful for informing spatial strategies and should form the basis of assessing the contribution of sites to meeting the housing land requirement in urban areas. In our view, if an urban capacity study had been undertaken, the anticipated contribution to the housing supply of a number of the preferred brownfield sites would be reduced.

NPF3 describes Dumfries as the regional capital of south west Scotland, which makes a “unique and significant contribution to the national spatial strategy”. It also refers to the new hospital, which it states will strengthen the role of Dumfries as an important service centre.

However, do not agree that the proposed spatial strategy will consolidate Dumfries’ role as the Regional Capital, as the vision anticipates and the NPF3 requires. In our view, to achieve this, more housing developments must be directed towards Dumfries to create a critical mass close to employment opportunities, services and amenities, rather than dispersed to district and local centres and villages. In order to deliver this and enable Dumfries to grow, the settlement boundary needs to be extended and more development directed to sustainable and developable sites.

The MIR acknowledges that a number of large sites were submitted to the Call for Sites consultation for development to the south of the town, however they were not considered appropriate as they are not required in terms of the housing requirement and they would be located on the outer fringes of the town. As set out above, we disagree with this, as a number of the town centre sites identified are unattractive to developers and are ineffective. Moreover, the development of the new Royal Infirmary hospital to the west of Dumfries has created a new focus for that part of the town.

Documents which have informed Main Issues Report – NPF3

Young Planning obo SP Energy Networks (0272.001) - The MIR simply states the documents which have informed its preparation rather than providing a comprehensive policy context/background.

The MIR fails to adequately represent NPF3 in the context of Dumfries & Galloway. In particular, the MIR omits reference to the national development designations defined by NPF3 which are of relevance to Dumfries & Galloway. For example, there is no mention of national development number 4, which relates to the high voltage electricity transmission network throughout Scotland. By failing to take account of national development number 4, the MIR fails in the requirement conveyed upon it by Section 16(2)(a) of the Town and Country Planning (Scotland) Act 1997 (as amended) that: “In preparing a local development plan the planning authority— (a) are to take into account the

National Planning Framework.” The MIR is considered to be deficient as a result of Dumfries & Galloway Council’s failure to fully take account of NPF3. It is essential that the Proposed Plan is underpinned by a comprehensive national policy analysis.

Settlement Hierarchy

Ian Richmond (0285.001) - Classic spatial hierarchy models are inappropriate in such a large area with poor transport links. Another model should be used which spreads development across the region and diminishes the pre-eminent position of Dumfries. More leisure, sporting and administrative facilities should be deliberately relocated across the region.

Penelope Coles (0135.006); Auldgirth and District CC (0237.001) - Potential development sites in the Main Issues Report are being consulted on that do not qualify under the settlement hierarchy criteria. There are many errors and inconsistencies in the way the settlement hierarchy criteria have been applied. A useful exercise would have been to contact every Community Council and ask for an update of community facilities so an accurate list could have been prepared. Or Ward Councillors could have been asked for updates.

Penelope Coles (0135.002) (0135.003) (0135.004) (0135.006) - Closeburn is listed as a local centre but it has only two facilities of a community hall and a shop/post office. Closeburn primary school is in the listed village of Lakehead which consists of a farm, church, house and school but is well out with the settlement boundary for Closeburn. If you are allowing things that are nearby then it opens up lots more places as villages and local centres and should definitely include Newbridge. The hierarchy has been inconsistently applied in the first LDP for Closeburn meaning that a housing estate was developed at Closeburn on an inaccurate designation.

Accordingly, Closeburn is a village not a district centre according to criteria in the Settlement Hierarchy.

If Lakehead is a village with a school then so should Duncow be classed as a village as it has a school.

Hollywood which is classed as a local centre has a school, hall and an outreach post office for two hours a couple of times a week. If outreach post offices are classed as retail then it alters the status of many communities. The general shop has closed. If outreach post offices are counted then Dunscore which has a post office three times a week for two hour sessions in Glenriddel Hall should be classed as a District Centre with five facilities. There must be consistent and accurate approach to determining the settlement hierarchy. Hollywood is a village not a local centre according to the criteria in the Settlement Hierarchy.

Mouswald is listed as a village but the school has closed. Surely this changes its status to a small housing group like Mouswald church? I am not aware if there is a hall at Mouswald.

Ae has a school, pub, shop and cafe. This should therefore be a local centre?

Keir has a large number of houses and a community hall and so should be classed as a village.

Wallaceton has a community hall and so should be classed as a village.

Speddoch has a community hall and so should be classed as a village.

Dalswinton has a community hall and should be classed as a village. Durisdeer has a community hall and so should be classed as a village.

Moniaive should be a district centre as it has a school, GP surgery, hall, shops, post office, pubs, restaurant and plenty of space for further development and within 45 travel time of a main employment centre. Accordingly, Moniaive is a district centre not a local centre according to the criteria in the Settlement Hierarchy

New Abbey has a school, doctor's surgery, general convenience store, tea rooms and gift shop, pub, village hall and space for development within 45 minutes of a main employment centre and so should be classed as a district centre.

Creetown has a hall, doctor's surgery, primary school, shops and pubs and hotels, within 45 minutes travelling time from Stranraer plus plenty of room for growth. This should be classed as a district centre.

In the Stranraer HMA I think that some of the local centres are district centres such as Glenluce and Portpatrick

Kelloholm & Kirkconnel is down as a district centre having 5 facilities and room for growth. However the technical paper on housing need states that depopulation is occurring. The encouragement of development in an area that is not demonstrating any need for growth is a major flaw in the settlement hierarchy.

Noted the comments dismissing Newbridge as a village as it was felt the Hotel was not close enough to the two housing groups. However it shares a boundary with both groups of houses and should be designated as a village. There are villages listed which contain fewer homes and are more scattered and fragmented such as Islesteps and Corrie Common. Burnhead, has a claim as a village too as it contains an hotel Friars Carse which shares a boundary with the rest of the community. Burnhead residents use the hotel grounds for dog walking and leisure every day as well as the meal and bar facilities. Burnhead also has a shop selling furniture as well as a blacksmith, engineering works, Waugh's building contractors as well as a newspaper collection point serving the wider community too.

Burnhead contains a number of houses- more than Islesteps. It is served by two different bus routes; those on the A76 and another through the C113n. Burnhead has a 30 mph speed limit, street lighting and signs marking the name of the village.

A new system is needed taking into account public transport links, need for development which should also look at the available housing for sale in a settlement. People are tending to go for a new build as it is cheaper to build new than renovate older properties. New buildings are being given permission when houses are available for sale nearby.

However until a new system is put place it is essential that the criteria are applied accurately and consistently.

Penelope Coles (0135.010); Auldgirth and District CC (0237.001) - All villages should have a defined settlement inset map. This is important in respect of the wind energy spatial framework when only settlements with maps are protected by the 2km buffer of wind farm development. SPP allows 2km protection for cities, towns and villages. If the settlement hierarchy determines a community is a village then an inset map should be produced and protection from wind farm development gained.

Strongly believe that D&G policy should use the same terms as the Scottish Planning Policy paragraph 166 that cities towns and villages with a defined boundary should have a 2km buffer from wind farm development. D&G has chosen to use a different settlement hierarchy and leave villages without a defined boundary and settlement map. Under the old district plans all villages did have

settlement maps. Would like to see all villages have a defined boundary and map and so gain protection from wind farm development. Under the D&G proposal only local centres and district centres have a 2 km buffer as seen in Map 5. However there are inconsistencies and out of date information informing the selection of these sites. Locally Closeburn is given a 2km buffer but when the settlement hierarchy is applied it is only a village like Auldgirth. Indeed Auldgirth has more facilities as it has a shop & post office, village hall and pub. Whereas Closeburn has a village hall and shop & post office. Holywood is listed as a local centre afforded a buffer zone from wind farm development but only has a school and village hall and so should be classed as a village.

Sustainability

Natural Power (0080.006) - Support the general approach for Sustainability and Low Carbon Places set out in MIR2.

Dumfries & Galloway Council Sustainable Development Team (0100.033) - If the Vision in the adopted LDP is carried forward then it is recommended a definition of sustainable development principles for LDP2 be included somewhere. As there is NOT wide-spread agreement/understanding of Sustainable Development principles 2 documents suggested - the SPP and One Future Different Paths.

Scottish Environment Protection Agency (0120.002) - LDPs have an important role in improving air quality and reducing exposure to air pollution. NPF3 and SPP advocates this approach and stresses the importance of tackling air quality issues through reducing traffic emissions and advocating close co-operation between planning authorities and local air quality management regimes. The Cleaner Air for Scotland (CAFs) strategy expects planning authorities to revise and update LDPs to ensure air quality is not compromised by development and aims to protect citizen's health, reduce greenhouse gas emissions and help achieve renewable energy targets.

RTPI Scotland and Environmental Protection Scotland have recently issued guidance, Development Planning & Development Management (January 2017) which states "The development of Strategic Development Plan and Local Development Plan policies and the determination of individual planning applications are important in reducing air pollution and exposure to air pollution from new developments." The Institute of Air Quality Management guidance, Land-Use Planning and Development Control: Planning for Air Quality 2015, also states that LDPs should put in place a general presumption in favour of sustainable development and emphasises the importance of planning regimes performing a role in protecting the environment by minimising pollution.

Furthermore, there are key areas influencing integrated transport policy, climate change and local air quality: The UK National Air Quality Strategy, as developed in the Air Quality Regulations 2003, sets out the local air quality regime and LAQM.PG(S) re-iterates the importance of tackling LDPs and air quality in a co-ordinated manner. Reducing emissions to tackle climate change, health and air quality is one of the three main objectives of Scotland's National Transport Strategy (2016). Air quality is an important issue for all local authorities including D&G particularly around Cairnryan which is now experienced traffic related air pollution problems.

D&G, in line with our guidance, should take the opportunity in LDP2 to adopt a

specific policy to adequately reflect and recognise the significance of air quality. More specifically, the policy should be designed to address cumulative air quality issues and make a requirement that an air quality assessment is undertaken for significant developments with the potential to impact on air quality and lead to the declaration of an Air Quality Management Area.

Banks Group (0127.002) - Welcome the inclusion of sustainability, renewable energy and climate change as a main issue which is in line with national policy and the drive towards tackling climate change and reducing carbon emissions.

Ryden obo NHS Dumfries (0325.001) - Support the key aims of the proposed approach set out in the Main Issues Report. Although it is important not to lose the fine detail of how settlements in the area operate with regards to transport and how this can be improved upon.

Council response and proposed modifications:

Vision and Spatial Strategy

Network Rail (0002.003) - The purpose of the LDP's vision and spatial strategy is to set out the broad principles under which development within the region will be undertaken. The LDP will be supported by other strategies which will clearly address the need for investment in infrastructure and then set achievable priorities to meet this need. The identification and delivery of transport infrastructure to support Dumfries and Galloway is the responsibility of SWestrans and will form a key element of their Regional Transport Strategy. No modification(s) proposed.

Historic Environment Scotland (0012.004); GVA obo Aldi Stores (0079.004); GVA obo NDA and Magnox (0079.005); Scottish Natural Heritage (0122.002); Woodland Trust (0152.001); Turley Associates obo Story Homes (0263.009); Homes for Scotland (0287.001); Ryden obo Wallets Marts (0292.001) – Comments noted. No modification(s) proposed.

Natural Power (0080.010); Natural Power obo Fred Olsen Renewables (0080.014) – The importance of the Scottish Government's draft energy strategy is recognised and appropriate reference is made in the spatial strategy. It is also proposed to make reference in the spatial strategy to the importance of energy generation and moving towards a decarbonised economy for Dumfries and Galloway.

Scottish Environment Protection Agency (0120.002) – Whilst the vision and spatial strategy do not include a specific reference to the measures to be included to support mitigation and adaptation to the impact of climate change, the overarching principle of the plan is that all development proposals should support sustainable development. The plan also includes Policy OP1f Sustainability; which requires development proposals to limit the impact of climate change and promote sustainable development. No modification(s) proposed.

Martin Robertson (0146.002) - Noted. The logic of the responder's comment is understood. However, the LDP's vision needs to take a 20 year view. In this way, even if the desired pace of change is not achieved, a direction of travel can be

identified. No modification proposed.

Rapleys obo Caravan & Motorhome Club (0312.001) – Tourism is an important element of the Dumfries and Galloway economy, it is proposed to include reference to this in the economic strategy section of the spatial strategy.

Vision - General

RSPB Scotland (0133.007) - Noted. It is considered that the MIR2 Policy NE7 (combining policies NE7 and NE 8 of LDP1) and Policy NE6 are sensitive and respond to the issue raised by this representation. No modification(s) proposed.

Theatres Trust (0304.001) - The Plan is based on the view that the existing 'stock' of community facilities should be retained or enhanced. It is understood that in broad terms this supports the Vision around which the Plan is built. However, the planning system has little or no direct influence, except where change that would need planning permission is proposed. Policy CF1 is supportive of new or enhanced community facilities. No modification(s) proposed.

Spatial Strategy - General

Judy Spinks (0243.013); Canonbie & District Residents Association (0313.001) – Comments noted. No modification(s) proposed.

Natural Power (0080.010); Natural Power obo Fred Olsen Renewables (0080.014) - The importance of the Scottish Government's draft energy strategy is recognised and appropriate reference is made in the spatial strategy. It is also proposed to make reference in the spatial strategy to the importance of energy generation and moving towards a decarbonised economy for Dumfries and Galloway. The introductory text to the renewable energy policies addresses the importance of low carbon energy infrastructure.

Carlisle City Council (0189.001) – Comments noted. The "key" will be repositioned so that Carlisle can be identified.

Spatial Strategy – Housing Strategy

David Fallas (Planning) (0071.012) – Monitoring of the strategy in the adopted LDP would support the points made in the representation. It is proposed to try and address this where possible by allocating smaller sites for development. However, this has not proven to be possible in all settlements. The Plan also contains policy support for windfall / infill developments in settlements with an inset map. No modification(s) proposed.

Penelope Coles (0135.011) – Dumfries and Galloway is a large rural region with a number of villages and Small Building Groups. To reduce the growth figure as proposed would have an impact on these communities ability to grow. No modification(s) proposed.

Judy Spinks (0243.011) – The size and character of the settlement are key considerations when assessing how much land should be allocated for future development. As a result, some settlements are able to accommodate more development than others. No modification(s) proposed.

Spatial Strategy – Transport Strategy

Network Rail (0002.003) – Comments noted. All relevant consultees (including Network Rail) are consulted as part of the development plan preparation process. Development that has an impact on the rail network will be considered as part of any development proposal. No modification(s) proposed.

Penelope Coles (0135.013) – Comments noted – however, it is proposed to progress with the preferred approach set out in the MIR.

Young Planning obo SP Energy Networks (0272.002) - This comment and comments by the same party in respect of the Issues 'Infrastructure', 'proposals map' and 'NPF3' all appear to support the same concern and so the same Planner Response applies:

In para 1.3.1 MIR2 notes that National Planning Framework 3 identifies 'the key infrastructure needed to ensure that each part of the country can develop to its full potential' and also that 'Planning authorities are required to take the Framework into account when preparing development plans'.

It is considered that in respect of infrastructure development that is primarily in the national rather than mainly local interest and to which there is no in-principle local objection, MIR2 should not simply repeat the terms of NPF3.

It is considered that in respect of infrastructure the direction of travel supported by the policies in LDP1 is being carried forward in MIR2.

Whilst there may not be justification for new specific policy as recommended by the representors in the Proposed Plan, it would expect to set out the D&G position in line with NPF3 in fuller terms.

Nigel Emslie (0301.001) - Noted. The concern of the responder's comment is understood. The LDP's vision needs to take a 20 year view. Whilst the hoped for pace of change may not materialise, a desired direction of travel should still be identified.

Ryden obo NHS Dumfries (0325.001) – Comments noted. No modifications(s) proposed.

Holder Planning obo Sandy Robson (0332.002) –Comments in support of the Vision are noted. All current allocations and sites submitted through the Call for Sites were rigorously assessed using the same criteria to determine their effectiveness to the housing land supply. This has resulted in a range of sites being proposed for inclusion in the proposed plan in terms of size, scale, location and ownership.

If more of the housing land requirement was to be directed to Dumfries (as suggested by the representor) this would have a significant effect on the ability of the other settlements in the Dumfries HMA to grow and sustain community facilities.

Whilst SPP refers to an urban capacity study, the Council is of the view that such a study would be more useful in an urban area which Dumfries is not. Infill sites coming forward during the plan period would add to the generosity allowance.

Following publication of the MIR, preferred and alternative sites have been reassessed and it is not proposed to specifically allocate sites in the town centre for housing. No modifications(s) proposed.

Documents which have informed Main Issues Report – NPF3

Young Planning obo SP Energy Networks (0272.001) - Comment and comments by the same party in respect of the Issues 'Infrastructure', 'proposals map' and 'Vison' all appear to support the same concern and so the same Planner

Response applies:

In para 1.3.1 MIR2 notes that National Planning Framework 3 identifies 'the key infrastructure needed to ensure that each part of the country can develop to its full potential' and also that 'Planning authorities are required to take the Framework into account when preparing development plans'.

It is considered that in respect of infrastructure development that is primarily in the national rather than mainly local interest and to which there is no in-principle local objection, MIR2 should not simply repeat the terms of NPF3.

It is considered that in respect of infrastructure the direction of travel supported by the policies in LDP1 is being carried forward in MIR2.

Whilst there may not be justification for new specific policy as recommended by the representors in the Proposed Plan, it would expect to set out the D&G position in line with NPF3 in fuller terms.

Settlement Hierarchy

Ian Richmond (0285.001) – The settlement hierarchy model that has been used includes social, economic and environmental considerations. This has resulted in development being spread across the region. The distribution of leisure, sporting and administration facilities across the region would be an issue for the Council to decide and not the LDP. The representor did not propose an alternative model that could be used. No modification(s) proposed.

Penelope Coles (0135.006); Auldgirth and District CC (0237.001) – All settlements were reviewed and surveyed during the autumn of 2015. It was that information that was used when preparing the MIR. Following the MIR consultation, all settlements were resurveyed by the development planning team to ensure a consistent approach was taken. Not every community is represented by a community council and although elected members could have been asked to help, the approach that has been taken ensures consistency. No modification(s) proposed.

Penelope Coles (0135.002) (0135.003) (0135.004) (0135.006) - Following the MIR consultation all settlements were resurveyed, it is proposed to make the following changes to the settlement hierarchy – Closeburn, Holywood and Sandhead become Villages and Beattock and Dunscore become Local Centres. As a consequence, there are no settlement inset maps for Closeburn, Holywood and Sandhead and settlement inset maps have been included for Beattock and Dunscore. All other settlements remain as listed in the settlement hierarchy published with the MIR.

Penelope Coles (0135.010); Auldgirth and District CC (0237.001) - The term settlements is used to encompass the terminology relating to towns and villages (the region has no cities). However, the SPP states that the 2km separation distance only relates to those settlements that have an identified envelope or edge. This has been taken to mean those settlements, be they towns or villages, that have an identified settlement boundary within the inset maps contained within the LDP which relates to Dumfries as the regional capital and all district and local

centres. The settlement hierarchy sets out those settlements which fall within each category. It would not apply to other settlements that do not have an inset map even if they are on the list of villages within the LDP. It is not proposed to provide inset maps within the LDP for settlements under the level of local centres. Within villages, development proposals are considered under criteria based properties which is considered to be working effectively and it would be disproportionate to formulate settlement boundaries for all these locations purely for the purposes of the wind energy spatial framework when this matter can be assessed as part of Policy IN2 and its supplementary guidance.

The impact of wind energy developments on other settlements and properties is discussed in paragraph 164 of SPP whereby these would be protected by safeguards set out in policy criteria in the LDP. This is included under the heading of “Impact on local communities” within the proposed updated wording of policy IN2 and is also a consideration within the supplementary guidance. No modification(s) proposed.

Sustainability

Natural Power (0080.006); Banks Group (0127.002); Ryden obo NHS Dumfries (0325.001) – Comments noted. No modification(s) proposed.

Dumfries & Galloway Council Sustainable Development Team (0100.033) – The overarching principle in the adopted LDP is that all development proposals should support sustainable development, including the reduction of carbon and other greenhouse gas emissions. A definition would also be helpful so that the standard for policy interpretation can be well known. The definition in SPP reflects Scottish Government approach but does not have the detail to help with policy application. The definition in One Future Different Paths has been in use for some time and is generally accepted in the UK, including by the Scottish Government. The Glossary in the adopted Plan uses the Brundtland definition, it is proposed to retain this reference and add a reference and link to the One Future Different Paths document.

Scottish Environment Protection Agency (0120.002) - The SEA Environmental Report notes that air quality within the region is generally good and there are no Air Quality Management Areas within the region. Air quality was one of the factors considered in the assessment of each of the sites considered for inclusion in the plan. The MIR did not bring forward any new policy for air quality in Dumfries and Galloway. However, overall, it is considered that the MIR has assessed the issue of air quality across Dumfries and Galloway: Although there is no specific new policy, it is also considered that this remains a reasonable response for this region. No modification(s) proposed.

Issue 3	Overarching Policies
Main Issues Report reference:	Section 2: Main Issue 3 – Creating Places Appendix C – LDP Policies
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Network Rail (0002.003) Historic Environment Scotland (0012.004) Dumfries & Galloway Council Sustainable Development Team (0100.032) (0100.034) (0100.036) (0100.037) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) RSPB Scotland (0133.004) (0133.005) Martin Robertson (0146.002) Judy Spinks (0243.003) (0243.004) (0243.006) (0243.007) (0243.009) Theatres Trust (0304.001) Ryden obo NHS Dumfries (0325.001)</p>	
Summary of the representation(s):	
<p>Policy OP1: Development Considerations OP1c: Landscape <u>Scottish Natural Heritage (0122.002)</u> - In relation to landscape, supportive of the proposed change from ‘designated’ to ‘identified’ as it reflects the inherent value in different landscapes, whereas the current policy wording would only refer to National Scenic Areas / Regional Scenic Areas and would not encompass the sensitivity of some landscape types to certain development types, e.g. wind development. However, as there may be some confusion over what ‘identified’ encompasses, advise that there should be clear explanation of what it means, either as a footnote to the policy or in a glossary of the LDP.</p> <p><u>Judy Spinks (0243.004)</u> - Agree with the new wording of this Policy. Welcome the phrase “landscape quality at any level”, which took to include the nature of the landscape within any new housing development. Endorse the remarks in the 1998 D&G landscape assessment about the need to avoid suburban one size fits all development, in villages (that now includes Local Centres).</p> <p>OP1d: Biodiversity and Geodiversity <u>Scottish Natural Heritage (0122.002)</u> - In terms of biodiversity and geodiversity, the proposed change from ‘designated’ to ‘identified’ is welcome as it encompasses the various ways in which sites are Notified, Designated or Classified. Similar to landscape, it also reflects the inherent value of the wider biodiversity and geodiversity assets of Dumfries and Galloway. However, as there may be some confusion over what ‘identified’ encompasses, advise that there should be clear explanation of what it means, either as a footnote to the policy or in a glossary of the LDP.</p> <p>OP1e: Transport and Travel</p>	

Network Rail (0002.003) - The thrust of the policy set out through the introduction, the general strategy and through Policy OP1 Development Considerations is to be welcomed. The emphasis on sustainable locations and development and in particular housing, commercial and business locating where it can be accommodated and serviced is welcome. This focus on location requires that the extra development pressure on transport through the station and rail lines should be recognised and addressed as part of the policy and as part of the development process.

OP1f: Sustainability

Dumfries & Galloway Council Sustainable Development Team (0100.036) - Quote from 2.11.5 “Section 72 of the Climate Change (Scotland) Act 2009 introduced Section 3F into the Town and Country Planning (Scotland) Act 1997 and aims to support the use of low and zero carbon generating technologies, rather than energy saving measures.”

As stated in the MIR at section 1.3.2 “The policies expressed in the SPP should inform the content of development plans”

Dumfries & Galloway Council Sustainable Development Team (0100.037) - Agree with the proposed approach with regard to the final bullet point of Policy OP1f. However, there is an opportunity to include in OP1f more of SPP para 45.

Scottish Environment Protection Agency (0120.002) - Strongly recommend that the proposed policy OP1f covering these issues is amended to include points on working towards the Scottish Government ambitions on low carbon energy and delivering climate change targets.

RSPB Scotland (0133.004) - Welcome the development of a sustainability checklist for new development that could be made supplementary guidance in support of Policy OP1f.

Support consideration of sustainability assessments such as BREEAM and EcoHomes to cover wider sustainability issues such as biodiversity, water efficiency and material use.

Martin Robertson (0146.002) - Agree with the proposed approach. The Council’s commitment to sustainability is welcome. The proposal to integrate Building Standards and Planning more closely is an important initiative which could produce excellent dividends. They have too often acted counter to each other in the past.

Judy Spinks (0243.003) - The last point in Main Issues Report Section: Policy OP1f) Sustainability that 'at least 10% of the carbon emissions reduction standard' will be met, seems at face value rather inadequate given Council climate change policies.

Policy OP2: Design Quality of New Development and Placemaking

Historic Environment Scotland (0012.004) - Welcome the greater emphasis proposed for place-making within the new development plan. In line with this, Historic Environment Scotland would encourage engagement in the preparation of Masterplans where development proposals may affect heritage assets.

Dumfries & Galloway Council Sustainable Development Team (0100.032) -

Pleased to see that design quality includes long term resilience, particularly if that includes preparation for the impacts of future climate change.

There is an opportunity in the preferred approach to refer to the sustainable development principles of the LDP vision. Recommend LDP2 includes a definition of sustainable development principles. As there is not wide-spread agreement/understanding of Sustainable Development principles, 2 documents are suggested - the SPP and One Future Different Paths.

Dumfries & Galloway Council Sustainable Development Team (0100.034) -

Section 2.10.6 - The Place Standard Tool used at the placemaking events scored 15 factors, not 14 factors. The additional factor 'Climate Ready Place' was included - see page 7 and appendix D of "Community Place Making Workshops in D&G" 2016.

(i) Scottish Environment Protection Agency (0120.002) - Policy OP2 should also reflect the design and space requirements that arise from district heating, and ensure that new developments are designed to allow for and protect space for proposed heat network infrastructure and future expansion of sustainable energy and district heating routes. This is in line with SPP paragraph 159 which states that "...Policies should support safeguarding of pipe runs within developments for later connection to the curtilage of development."

The LDP2 policy framework should ensure that such new developments incorporate space to be safeguarded for future pipework / piperuns and energy centres. This space can be incorporated into grass/green corridors along footpaths or roads so that they can be more easily excavated for installing heat network pipes without significant disturbance. The policy framework should also ensure that the any land required for the network is protected so that new infrastructure does not obstruct the development of the planned heat network.

(ii) Scottish Environment Protection Agency (0120.002) - Support the preferred approach and would recommend that a list of 'supporting documentation' should be prepared for all developers, which should also include Flood Risk Assessments

(i) Scottish Natural Heritage (0122.002) - Support the Preferred Approach.

However, query the use of the design quality award as a key driver for quality, as this feels more like an optional extra. It may be seen that design quality is the exception rather than something which is an expected part of all developments.

(ii) Scottish Natural Heritage (0122.002) - Bullet point 2 of the Preferred Approach states that masterplans will be required and that "it will be for the developer to prepare the masterplan". Recommend that these masterplans are guided by briefs set out in the LDP and that they are prepared collaboratively in consultation, rather than solely prepared by the developer.

(iii) Scottish Natural Heritage (0122.002); Judy Spinks (0243.007) - Minor wording amendments support design quality in all developments not just new development, support proposed change.

RSPB Scotland (0133.005) - RSPB Scotland supports the approach to increase

emphasis on quality as a key factor to achieving sustainable economic growth through planning design. Advise that quality factors should include greening measures which would include:

- New housing and other developments should seek to enhance development sites and make provision for wildlife, for example, planting of native tree species, incorporating features such as nesting boxes for swifts and other bird species which would not only benefit biodiversity but enhance the quality of life of residents and workers. In support of this we highlight the Council's biodiversity duty under the Nature Conservation Scotland Act 2004 and duties under the Climate Change (Scotland) Act to contribute to reducing Scotland's greenhouse gas emissions, adapting to the changing climate, and to act sustainably. In addition, the Planning Scotland Act 2006 includes a requirement for Local Development Plans to contribute towards sustainable development.
- In support of the above recommendation we would welcome the development of a biodiversity checklist for new development.

Martin Robertson (0146.002) - A commitment by the Council to improve design standards is welcome. The Council might wish to consider setting up an advisory group to help with this.

Judy Spinks (0243.006) - Welcome the preferred approach that gives greater emphasis to Design Quality and Placemaking. Unable to access the LOIP, so do not know how it addresses community involvement. Note that master planning "public engagement" is going to happen. However, small communities and councils equally need to engage with developers at an early stage, as local knowledge and site specific ideas should play an important part in final outcomes.

Judy Spinks (0243.009) - Welcome the new attention the LDP2 is giving to Placemaking. Especially want to endorse the emphasis on more community engagement with the Design of all new developments. Would like to see this at Community Council level before Developers begin to draw any plans, not just Masterplans.

Theatres Trust (0304.001) - Strongly support the emphasis on place making and design, though it is also important to recognise that cultural heritage (listed buildings, etc.) is different to cultural facilities (libraries, theatres, pubs, etc.), and that both are essential to the development of high quality and sustainable places. Policies should protect, support and enhance cultural facilities and activities, particularly those facilities which might otherwise be traded in for more commercially lucrative developments, and promote cultural led development as a catalyst for regeneration in town centres.

Ryden obo NHS Dumfries (0325.001) - Welcome the Council's initiative to require the preparation of masterplans. However, these require to be realistic and focused on delivery, minimising upfront costs and provide a clear unambiguous policy statement.

Policy OP3: Developer Contributions

Network Rail (0002.003) - Welcome the recognition that to deliver sustainable development, essential infrastructure requires to be in place or capable of being delivered to support development and as a result all development sites tend to

require a degree of infrastructure investment.

Whilst the general requirement for developer contributions for infrastructure provision are supported, request that the LDP provides a specific policy (or includes specific reference within a wider policy) requiring 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. It should be more specific and go further than the Developer Contributions SG Consultation Draft April 2017.

Although Policy OP3 and the draft SG tries to capture development contributions as part of mitigation it is aimed at road transport and it is neither clear nor does it work across developments of different sizes in different locations, which would impact on rail use. It is vague and does not go far enough in guiding contributions. Rewording of this policy to seek a Levy on all developments within the plan area (as would the SG) would be more appropriate and capture the overall impact and the resultant mitigation for existing rail facilities and to contribute to those facilities. This would follow the emerging SESplan and East Lothian Council Draft Developer Contributions Framework SG.

Ryden obo NHS Dumfries (0325.001) - Potential for Developer Contributions to Health Care Provision.

At this early stage in the LDP process, it is worth highlighting the potential to have in place the necessary policy context within which NHS Dumfries and Galloway could secure proportionate and reasonable developer contributions to help deliver health care provision. Anticipate that this would form part of the Council's Supplementary Planning Guidance. Would welcome the opportunity to discuss this specific point with all relevant stakeholders.

Council response and proposed modifications:

Policy OP1: Development Considerations

OP1c: Landscape

Scottish Natural Heritage (0122.002) – Supportive comments noted. Consideration will be given to including a definition in the glossary.

Judy Spinks (0243.004) – Comments noted. No modification(s) proposed.

OP1d: Biodiversity and Geodiversity

Scottish Natural Heritage (0122.002) – Supportive comments noted. Consideration will be given to including a definition in the glossary.

OP1e: Transport and Travel

Network Rail (0002.003) – Should the policy result in increased usage of more sustainable forms of travel which require mitigation, Policy OP3 would come into effect. No modification(s) proposed.

OP1f: Sustainability

Dumfries & Galloway Council Sustainable Development Team (0100.036) - In the absence of an explanation of the wider context, the quote from 2.11.5 could be misinterpreted as meaning that securing low and zero carbon generating technologies is the priority of the LDP. Actually, the LDP is concerned to support a

reduction in GHG emissions by any means: It is simply the case that Section 3F requires that low and zero carbon generating technologies must be one of them. Amendments are proposed to the wording that was included in the MIR.

Dumfries & Galloway Council Sustainable Development Team (0100.037) -

Support is noted. SPP expresses Government planning policy and is therefore potentially material for any planning application. It is not clear that the simple repetition in LDP policy of text from the SPP produces any additional benefit for this LDP. Amendments are proposed to the wording that was included in the MIR.

Scottish Environment Protection Agency (0120.002) - In considering how to treat the primary concern of sustainability, LDP2 expects to take its cue from SPP, in particular Paras 24 - 35. Whereas support for the national targets set out in paragraph 154 is the basis for the spatial strategy of LDP2 and could be referenced in the text, it is not clear how the specific target figures could be usefully directly translated into planning policy.

The policy bullet point 'making the most efficient use of land' could be expanded to say that this 'means looking for and, where practical, making use of opportunities to reduce greenhouse gas emissions, including low carbon district heating networks'.

The policy bullet point about waste could be amended to read "supporting the Scottish Government's Zero Waste objectives and the Council's waste resource management objectives;" Amendments are proposed to the wording that was included in the MIR.

RSPB Scotland (0133.004) - There is concern that a checklist in such a policy could be used to satisfy a tick-box approach. This would not be a positive outcome.

Whilst supplementary guidance could be helpful, it is considered that there is already sufficient guidance available. The real issue is not about a shortage of guidance but rather the use made of it. Amendments are proposed to the wording that was included in the MIR.

Martin Robertson (0146.002) - Comments noted. However, whilst it is intended that Planning and Building Standards should work more closely for the purposes of assessment of greenhouse gas emissions from proposed development, it is recognised that these Services have different objectives and it is not intended that they be integrated. Amendments are proposed to the wording that was included in the MIR.

Judy Spinks (0243.003) - This part of Policy OP1 seeks to give effect to the requirement of Section 3F of the Town and Country Planning (Scotland) Act 1997. The policy does not make any difference to the requirement that new buildings must satisfy the Building Standards target emission standard. Nor does it make any difference to the general planning objective of a reduction in greenhouse gas emissions through design, including passive design. However, it does intend to support the development and adoption of low and zero generating technologies. Amendments are proposed to the wording that was included in the MIR.

Policy OP2: Design Quality of New Development and Placemaking

Historic Environment Scotland (0012.004) - Comments noted. No modification(s) proposed.

Dumfries & Galloway Council Sustainable Development Team (0100.032) – Comments noted. The inclusion of a definition of sustainable development principles in the Plan would be helpful. The definition in SPP reflects Scottish Government approach but does not have the detail to help with policy application. The definition in One Future Different Paths has been in use for some time and is generally accepted in the UK, including by the Scottish Government. The Glossary in the adopted Plan uses the Brundtland definition, it is proposed to retain this reference and add a reference and link to the One Future Different Paths document.

Dumfries & Galloway Council Sustainable Development Team (0100.034) - Comments noted. References will be updated should the proposed plan make reference to the place standard tool.

(i) Scottish Environment Protection Agency (0120.002) – It is proposed to amend both the introductory text and Policy IN1 to include specific support for the use of district heating systems and capability to connect to such systems for larger scale developments.

Modifications proposed to the introductory text and Policy IN1.

(ii) Scottish Environment Protection Agency (0120.002) - Comments noted. However, the site guidance identifies what known additional information may be required for the submission of planning application and it will be for the landowner/ applicant to prepare this information and submit as part of their planning application. No modification(s) proposed.

(i) Scottish Natural Heritage (0122.002) - Comments noted. The design awards have been introduced to raise awareness of the benefits of good design to a wider audience. No modification(s) proposed.

(ii) Scottish Natural Heritage (0122.002) – Where a masterplan is considered to be required for a site, this will be noted in the site guidance with details of what aspects the masterplan is to cover. It is expected that only for very large or complicated sites that the Council will prepare masterplan briefs. Where these are prepared, it will be in conjunction with other Council departments and external agencies where appropriate.

(iii) Scottish Natural Heritage (0122.002); Judy Spinks (0243.007) - Comments noted. No modification(s) proposed.

RSPB Scotland (0133.005) – Supportive comments are noted. The comments in respect of the inclusion of measures to enhance biodiversity are noted however the supplementary guidance includes a chapter relating to open space where some of these elements would be considered as part of landscaping schemes. It is not proposed to include a biodiversity checklist at this time. No modification(s) proposed.

Martin Robertson (0146.002) - Comments noted. The Council has considered

setting up a design forum but this has not come to fruition as yet. No modification(s) proposed.

Judy Spinks (0243.006); Judy Spinks (0243.009) – Comments noted. The Local Outcome Improvement Plan (LOIP) was in the process of being prepared when then MIR was published. The MIR and the LOIP should be closely related to each other and work is ongoing to ensure that is the case.

Unless applicants are required to carry out pre-application consultation, which occurs for major applications only, then it would be for the applicant to decide how much they wish to consult with the community in respect of a masterplan outside of the formal application consultation requirements. No modification(s) proposed.

Theatres Trust (0304.001) – Comments noted. Consideration of community facilities is considered under Policy CF1: Community Facilities where a response can be found to this comment. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) – Comments noted. The site guidance will state where a masterplan is required and the elements that they should cover.

Policy OP3: Developer Contributions

Network Rail (0002.003) – The Policy acknowledges that developments may create a need for new, extended or upgraded public infrastructure facilities or services. Rail infrastructure is part of transport infrastructure which is covered in the current policy wording under the point “offsite infrastructure works including transport infrastructure”. The supplementary guidance is considered the appropriate location for the possible inclusion of specific detail for rail infrastructure contributions.

Without further information, the proposal for contributions to be grouped and pooled across all sites as an Infrastructure Levy is not considered necessary due to the region’s geography and low development rate, especially in comparison to the large urban areas highlighted in the representor’s submission. As the region only has 7 railway stations (predominantly in the eastern half of the area), it is not considered appropriate or proportionate that all contributions should be pooled into one fund as many developments would not directly impact on railway stations. This is reinforced in The Planning Obligations and Good Neighbour Agreements Circular 3/2012, paragraph 18 which states: “Planning obligations should not be used to extract advantages, benefits or payments from landowners or developers which are not directly related to the proposed development.” Further information is required to determine how allocated sites would potentially impact on rail infrastructure. To assist this work, the Council has provided the representor with a list of allocated sites including the anticipated number of housing units to determine how development will potentially impact on rail infrastructure. Detailed information on what level of contribution would be required from these developments could then be considered within Supplementary Guidance.

It is noted that part of this comment was also submitted to the updated Developer Contributions Supplementary Guidance consultation, the response is included in the June 2017 Economy, Environment and Infrastructure Committee papers. The updated Developer Contributions Supplementary Guidance was adopted by the Council in July 2017. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) – Comments noted. The Developer Contributions Supplementary Guidance references medical centres under the Community Facilities section.

Further information is required to determine how allocated sites would potentially impact on medical centres. To assist this work, the Council has provided the representor a list of allocated sites including the anticipated number of housing units to determine how development will potentially impact on medical centres. Detailed information on what level of contribution would be required from these developments could then be considered within Supplementary Guidance. No modification(s) proposed.

Issue 4	Economic Development
Main Issues Report reference:	Section 2: Main Issue 1 – Building the Local Economy
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.004) Coal Authority (0013.002) Taylor & Hardy obo Gretna Gateway Outlet Village (0019.011) John A MacColl (0048.026) Carrick Residents Association (0054.002) Savills (0063.013) David Fallas (Planning) (0071.009) GVA obo Aldi Stores (0079.004) GVA obo NDA and Magnox (0079.005) Natural Power (0080.004) (0080.005) Natural Power obo Fred Olsen Renewables (0080.012) (0080.013) (0080.015) Ross Planning obo Eaglemount Developments Ltd (0106.002) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) RSPB Scotland (0133.002) (0133.010) (0133.013) (0133.016) (0133.018) (0133.022) Penelope Coles (0135.012) Martin Robertson (0146.002) C S Stevens (0151.001) Woodland Trust (0152.001) Simon Wheeler (0212.001) Loreburn CC (0222.001) Judy Spinks (0243.005) Pearson Planning obo Everris Ltd (0262.001) Turley Associates obo Story Homes (0263.008) Maxine and Roman Leszczyszyn (0266.001) Colin Douglas (0271.001) Ian Richmond (0285.002) (0285.003) (0285.004) (0285.005) Rapleys obo Caravan & Motorhome Club (0312.001) Canonbie & District Residents Association (0313.001) Ryden obo NHS Dumfries (0325.001) Mackay Planning obo The Stove Network (0328.001)</p>	
Summary of the representation(s):	
<p>Economy general <u>Historic Environment Scotland (0012.004)</u> - Broadly support the existing policy framework for economic development and town centre renewal included within the adopted LDP, welcome proposals within the MIR to refine these policy approaches. Recognise and strongly support where economic development and town centre first approaches can promote the re-use and enhancement of historic buildings and places.</p>	

GVA obo Aldi Stores (0079.004) - Note that the MIR indicates that building the local economy is the top priority for the Council with ambitions to support growing businesses, develop places, improve infrastructure and focus on large investment projects that can have a significant impact on the regional economy.

GVA obo NDA and Magnox (0079.005) - The current policy framework supports and enables economic development. In respect of economic development, the NDA and Magnox welcome that the MIR continues to emphasise the importance of Chapelcross, in particular the strategic economic development potential of the site.

Natural Power (0080.004) - As well as being recognised as a sector within the economy, the importance of energy to all of the other sectors in the economy should also be recognised and the role of renewable energy in moving the economy towards a decarbonised economy recognised.

Martin Robertson (0146.002) - The statement at 2.4.1 'Building the local economy is the top priority of Dumfries and Galloway Council' might be considered controversial. Is the economy a proper concern for the Council at all let alone their top priority. Perhaps making the economy a matter for politics rather than professionalism is a mistake and it would be better to hand it to a dedicated organisation more like Highland and Islands Enterprise which deals with a region with many of the same problems as ours. This would mean the Council could concentrate on providing the infrastructure necessary for the success of the local economy, namely transport links, educational facilities, connectivity, housing and environmental protection which would provide a properly educated and skilled workforce and an enviable world for them to live in. You will say the Council are doing this already but economic development seems to need a new direction, perhaps based more on encouraging start-ups and small businesses rather than seeking big employers/manufacturing which is much more unlikely to be attracted to our area.

Ian Richmond (0285.002) - Inadequate positive investment in the Gretna area is a deterrent to town centre renewal and stimulation of employment in the tourism sector. Piecemeal planning is disruptive in the retail sector and fails to support town centres.

Canonbie & District Residents Association (0313.001) – paragraph 2.4.4, do not agree with the analysis that the volume sector of the economy are largely located in the west of the region. No supporting evidence is provided, and believe that this applies equally to rural areas in the East of D&G.

Paragraph 2.4.5, the value sectors of the economy frequently require large sites to meet future expansion plans. However, Table 1, (P15) shows there is no land allocated in Eskdale. Is this accurate?

Questions 2 - Supporting and enabling economic development requires both an effective policy framework AND a structure of support at a sufficiently local level, with which local people AND communities can engage.

Content with the framework as described, but economic development, particularly in dispersed rural areas such as ours, requires a more pro-active Council.

Perhaps a structure similar to recently implemented Ward-level initiatives, which

could ensure that local people, groups and communities can easily identify someone who can provide support/ act as a conduit and ensure that individuals or groups can link to the appropriate source of advice /support to develop local ideas/proposals.

Ryden obo NHS Dumfries (0325.001) - Support the strategy to invest in the region's infrastructure to ensure businesses can take advantage of wider business opportunities. However, would stress the need to focus those limited resources to areas where there is both greatest potential for growth/ development but also where these resources can also have the dual role to protect and enhance existing assets, for example, the Crichton Quarter.

Also note reference to the importance of "Value Sectors". Would wish to highlight the potential of education/ research linked to the functions of NHS Dumfries and Galloway and key education institutions located in the Crichton Quarter and also the potential for increased hospitality business in this general location. Again, particularly with regard to the latter, there is potential to dovetail these growth sectors with the areas existing architectural assets, for example, Crichton Hall. Note the reference to potential "Market opportunity associated with the provision of serviced business centres in town centres, particularly in Dumfries ...". This potential must be considered within the context that if such proposals are to be provided, these would likely require refurbishment of existing buildings rather than new build. This is primarily due to issues relating to financial viability. As a consequence, encouragement should be given to steer this growth area to suitable existing premises, as an example, Nithbank hospital.

Again, planning policy (and Development Management) must take a balanced and pragmatic approach to these matters. For example, whilst town centre regeneration is recognised and supported, the re-use of existing listed buildings which may be outwith, but nevertheless in close proximity to the town centre also needs to be supported.

Major Economic Development proposals – proposed policy approach

GVA obo NDA and Magnox (0079.005) - Do not support the proposed approach. The NDA and Magnox consider that the LDP has a significant role in establishing the overarching policy framework for the determination of major development proposals and directing development to the most appropriate locations as identified in the spatial strategy.

The proposed policy has the potential to undermine, rather than supplement existing business and industry policies (ED1, ED2, ED3, ED4) which are intended to be carried forward to the LDP2. We support the existing wording of ED1 criterion b) which states that the Council will only support proposals on unallocated land where established or allocated sites are unable to accommodate the proposals and where developers can demonstrate the need for the proposal at that particular location.

Without a similar test in the proposed policy this has the potential to introduce a conflict with ED1, effectively weakening the overarching policy framework. As drafted, object to the proposed wording of the proposed policy. Would suggest that appropriate 'tests' and/or safeguards are added to the policy to ensure that existing allocations and indeed the wider spatial strategy is not compromised by proposals outwith settlement boundaries and allocated sites.

Natural Power (0080.004) - The scope for major economic proposals to be

considered in relation to their potential energy use and for any surplus heat and or energy to be reused within the locality should be included in LDP2.

Natural Power obo Fred Olsen Renewables (0080.013) - Wind farms between 20 MW and 50 MW are classified Major Developments. Presumably such developments would not need to provide a masterplan and the LDP2 should clarify this.

Scottish Natural Heritage (0122.002) - Unclear what the Preferred Approach would support and note that major development proposals at any location could have significant impacts on natural heritage assets.

In addition to the requirement for a masterplan, as set out on page 115 of the MIR (Major Development Proposals, new policy), this type of proposal may also require Environmental Impact Assessment, Habitats Regulations Appraisal and a species management plan. Accept the general principle of what this new policy seeks to achieve but recommend that these requirements should be clearly communicated in the LDP.

RSPB Scotland (0133.018) - In terms of biodiversity interests, it should be noted that brownfield sites can be much richer and more important than greenfield sites for wildlife, notably prime agricultural land which, because it is under intensive cultivation, often has extremely low biodiversity assets.

Martin Robertson (0146.002) - There is no reason to change the current policies since there is plenty of space available at the existing designated sites. Tourism might require sites outside these areas, but any major development should be approached with caution to fully assess the impact it might have on its surroundings.

Turley Associates obo Story Homes (0263.008) - Support the addition of a new policy. This proposed policy corresponds with SPP's presumption in favour of development that contributes to sustainable development, particularly with regard to the principle of giving due weight to net economic benefit.

The proposed new policy should be applied to all major development proposals, including residential, in any location, as the proposed wording of the new policy suggests.

Ian Richmond (0285.003) - Disagree with the proposed approach. The experience of devolving planning to the professionals in regard to fracking exploration in Canonbie does not cast a good light on the ability of the planning department to reflect public opinion.

Canonbie & District Residents Association (0313.001) - If D&G Council proceeds with this proposed approach, it will be necessary to revisit the terms and requirements of the Council's Scheme of Delegation.

Refer to previous applications for a major development of coalbed methane (CBM) extraction in the Canonbie area. The development was granted full Planning consent using the existing Scheme of Delegation, designating each site as a separate "minor" development, in spite of the fact that Gas extraction could only proceed if the individual sites were connected to the Treatment facility. (This fact was explicitly articulated by the developer in planning submissions.

Our formal objections were rejected by D&G Council , and subsequently by SPSO.

Head of D&G Planning subsequently commented in correspondence, that applications would be treated “very differently” now.

However, proposed LDP2 does not propose any such handling changes.

Consequently, it appears that the current approach still permits large-scale development proposals to progress, effectively by stealth, avoiding the more rigorous community consultation required in respect of a designated “Major development”.

Believe that this major loophole for developers is a flaw that should be explicitly addressed by LDP2.

Ryden obo NHS Dumfries (0325.001) - Support the proposed approach to support major development proposals. Furthermore, would suggest that these are focused on growth areas within existing settlements, where existing infrastructure can be built on and known constraints overcome.

Policy ED2: Business, Tourism and Recreational Development in the Rural Area

Carrick Residents Association (0054.002) - Would like the Local Authority to adopt as planning guidance the guidelines that, the Carrick Residents, have incorporated into our constitution and to apply these to any application that may come from Carrick properties in the future. However, if it is not possible to be this specific, ask that the planning guidelines recognise the Carrick development as a type of property ownership that applies more widely across the D&G area, which, because of the importance and sensitivity of its surrounding coastal landscape and its appeal to visitors and local people alike, needs to be managed with particular care. In which case ask that there be reference to this type of property set in coastal scenery, in the supplementary guidance used by planners when considering development applications.

The Carrick Residents' Association Constitution document has been approved by the residents in accordance with its constitutional voting requirements. All owners of the chalets are required, as a Burden in their title deeds, to be members of this Carrick Residents' Association and to abide by its rules. Most of the provisions are drawn from the early requirements of the Cally Estates (Murray Usher Foundation) which originally held Superiorship over the properties and which had a strong influence on planning decisions.

Savills (0063.013) - Paragraph 79 of SPP notes that Plans should set out a spatial strategy which: “where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts.”

There is increasing interest and demand for huts from a broad cross-section of the Scottish public. Academic studies shown that such occasional recreational structures offer health and well-being benefits elsewhere in continental Europe, where they are a common feature of many rural areas and offer countryside access to users from a full range of social and demographic backgrounds.

A suitably worded policy that insists upon a definition of ‘huts’ that aligns with that found in the SPP, should therefore be devised to support and encourage the development of such structures across the widest possible area in Dumfries and Galloway. Dumfries and Galloway has the potential to accommodate large numbers of huts in a broad range of landscape backgrounds. So long as the

definition provided in the SPP can be adhered to, huts will be off- grid, low technology and truly sustainable structures that should leave no lasting landscape impact that would make unnecessary constraints on their number or potential location essential components of such a policy.

David Fallas (Planning) (0071.009) - The wording of the current policy and the suggested revision to it, together with the content of the present supplementary guidance note, is very conservative in the 'areas' or 'types' of development it specifically refers to, particularly with regard to the tourism sector, and is very old fashioned in the extent of the matters it is willing to consider and against which any developments may be regarded as being 'appropriate'. The policy has to provide for and/or be flexible to the consideration of a greater range of potential tourism and recreational developments within that sector that the policy as presently worded does not cover nor could be considered as having any direct regard to.

It is rightly acknowledged by the Council that Tourism is an important and rapidly expanding sector within the local economy that has great potential to contribute significantly to the GDP of the region. However the dynamic rate of change within that sector to provide for the changing needs/fashions of the public is occurring at a rate that the current Council policy statements cannot keep pace with and so opportunities are being lost to other more 'friendly' areas where policies are appreciably more encouraging.

Consideration should be given to splitting the current policy statement into two thereby forming a policy for 'rural business development' and a completely separate and distinct one for 'tourism and recreation based developments within the rural area". The current approach to have two important but distinct sectors of the rural landscape and economy under one banner heading is leading to an increasingly cumbersome policy statement that is confusing in its aims and objectives and how it is seeking, or ever likely to ever achieve the Council's vision that Dumfries and Galloway is open to business opportunity and how it is seeking to maximise its location to attract investment; and support existing operators in creating employment opportunities which will in turn attract people of working age to the region.

The continued need for the submission of documents such as 'business plans' and the like upon which the judgement of a case will rest is an ill-conceived approach, which takes the decision making process out of the land-use planning domain and compromises that process which should be based upon the planning merits of a case alone. If the Council are going to persist in the need for a report, it needs to ensure it has the necessary skill set in house or available to it. The current approach of the Council seeking to recharge an applicant for its costs adds considerably to the applicant's costs. The Council should meet those costs itself.

Natural Power (0080.005) - Whilst there is some logic in amalgamating rural business development and tourism into one cohesive policy, the current proposed policy falls short of this by applying different criteria to the different sectors. Very often rural businesses will have and require different elements to make them work. This should be recognised by applying a flexible approach which reflects the needs of the business and the locality rather than attempting to pigeonhole projects into one or other category.

Martin Robertson (0146.002) - Agree with the proposed policy approach to amalgamate the current policy framework to the rural economy, but rural development must not compromise the environment, both natural landscape and built heritage, which gives tourism its impetus.

Judy Spinks (0243.005) - Please could the wording of this policy be changed to support ANY business development in or near Local Centres? With so much more Housing Development envisaged, it is vital there are more jobs for people in the Local Centres. I write as a resident of Auchencairn.
It is against climate change policies to have more people driving miles and miles to work. Neither can low income workers afford more than one car per family.

Maxine and Roman Leszczyszyn (0266.001) - Part a) of the proposed wording is prohibitive to starting a new tourism business as the scope of what is proposed is too narrow and will not allow for new and innovative ideas.
Part b) No opportunity to develop a completely new tourism accommodation business if the new business does not fall within the above criteria again the scope is much too narrow. Dumfries and Galloway Regional Tourism Strategy 2016-2020 has highlighted a number of points. Tourism is currently worth around £302m to the local economy supporting 7000 jobs. If this is to grow as per Dumfries and Galloway Council's Strategy to £330m by 2020, new, exciting and innovative ideas for accommodation, activities, heritage, culture etc. will have to be developed and approved. This Strategy has been developed to bring more people to the region, offering a wide a varied experience and encouraging visitors to return. The proposed policy above is at odds with the Regional Tourism Strategy - no joined up thinking.

Rapleys obo Caravan & Motorhome Club (0312.001) - Policy ED2 seeks to merge the development concerns of business, tourism and recreation into a single policy – a move which our client supports. In particular, they stand in favour of point (c). Notwithstanding their support, our client requests, for the avoidance of all doubt, that the list of tourist accommodation be amended to read: "(chalet, caravan, cabin, hut, pod or camping site)". This proposed change would not materially alter the policy's intent, but it would provide greater clarity and certainty about the nature of the tourist accommodation desired and allow camping pods at the New England Bay site to be approved with greater ease.

Canonbie & District Residents Association (0313.001) - Would oppose the proposed policy approach if, over time, this led to a reduction in appropriate, small-scale non-tourism business development in rural areas. For instance, with the recent arrival of fibre Broadband in this area should make it more attractive to small business start-ups.

Policy ED4: Chapelcross

GVA obo NDA and Magnox (0079.005) - The NDA and Magnox would like to ensure that LDP2 recognises the significance of national strategies which govern waste management and the decommissioning and remediation process. The LDP2 needs to support the development and activities required as part of decommissioning, where proposals are consistent with the relevant national strategies. As such, it is requested that Policy ED4 recognises that on-going development in line with these national strategies (including that associated with

radioactive waste management) could be required as part of the decommissioning process.

Proposed SPZ at Chapelcross

GVA obo NDA and Magnox (0079.005) - The NDA and Magnox fully support the creation of a SPZ at Chapelcross and continue to engage with Dumfries & Galloway Council and its partners in this regard. Importantly, the SPZ should provide strong support for development at Chapelcross, including that related to decommissioning, as well as related and potential future employment uses. The NDA and Magnox consider that a SPZ at Chapelcross would support the wider economic development objectives of Dumfries and Galloway Council, including those identified in the recent Borderlands Inclusive Growth Initiative report and within the MIR itself. The SPZ would encourage investment and development by streamlining and simplifying the planning process while providing certainty on the type of uses and development which would be acceptable. This certainty is advantageous to investors, developers and businesses, and would help stimulate private sector activity while improving the regional competitiveness of Dumfries and Galloway.

It may also therefore assist to include the SPZ as an 'intervention' under the heading of 'delivering development'.

Natural Power (0080.004) - Given its strategic location on the electricity grid network the potential for Chapelcross to continue to be utilised for energy generation and storage should be fed in to future proposals for the site.

Scottish Environment Protection Agency (0120.002) - No objection in principle to the proposed approach of creating a SPZ at Chapelcross, would highlight that the previous uses of the site may still have implications for development proposals and that further engagement on this emerging strategy is recommended.

Scottish Natural Heritage (0122.002) - Creating a SPZ may be beneficial, particularly as a means of accelerating the delivery of the Chapelcross Development Framework. Generally supportive of SPZ as a means of supporting regeneration. However, the Environmental Report notes that redevelopment of this former power station will require decontamination of a large area of land. While it is not confirmed at this stage, it appears likely that Environmental Impact Assessment (EIA) may therefore be required. In that case, unclear how the site could be allocated as a SPZ in the LDP.

If the issue of EIA is resolved, informatives in any resulting SPZ should include information on relevant requirements such as establishing/maintaining gateways as part of placemaking at the site, connectivity beyond the zone and how issues such as licensing requirements (for EPS) are to be dealt with.

RSPB Scotland (0133.010) - Chapelcross Development Framework is within proximity of a number of designated sites including:

- Upper Solway Flats and Marshes Site of Special Scientific Interest (SSSI)
- Upper Solway Flats and Marshes Special Protection Area (SPA)
- Solway Flats and Marshes Ramsar
- The Solway Firth Special Area of Conservation (SAC)
- Raeburn Flow SSSI and SAC
- Royal Ordnance Powfoot SSSI

Note that Circular 18/1995 highlights that an SPZ cannot include development which would require an Environmental Impact Assessment (EIA). Regulation 65 of the Conservation (Natural Habitats, etc) Regulations 1994 nullifies any grant of planning permission for development in an SPZ which would be likely to have a significant effect on a European site and which is not directly connected with or necessary to the management of the site.

Any SPZ allocation will therefore require careful consideration to ensure that potential development within the SPZ is appropriately screened for EIA and HRA. Also recommend that the Council provides clarification/ guidance on how protected species issues within the SPZ should be dealt with.

Martin Robertson (0146.002) - Any reduction of planning controls should be viewed with caution as it could encourage abuse of the system.

Ian Richmond (0285.003) - Disagree with the proposed approach. The experience of devolving planning to the professionals in regard to fracking exploration in Canonbie does not cast a good light on the ability of the planning department to reflect public opinion.

Policy ED12: Dark Skies

Natural Power obo Fred Olsen Renewables (0080.015) - Part a) of the policy should be reworded to reflect the relative importance of the Dark Sky Park relative to other development across the region. To presume against all development simply because it could have an adverse impact on the park is wrong and elevates the park to a level above that of international and statutory designations. Suggest that this is reworded to ensure that where relevant it is considered and where necessary measures taken to reduce potential impacts on the park but that any potential impacts on the park be balanced against the benefits of any given proposal and a proportionate view taken.

Scottish Natural Heritage (0122.002) - The Preferred Approach focuses on street lighting and the effects of lighting the urban environment. While street lighting is still the major contributor to light pollution, further consideration of lighting effects in Dark Skies policy protection area(s) needs to be based on a broader view. For example, the effect of taller wind turbines (>150m) and the requirement for visible turbine lighting in view of updated Civil Aviation Authority (CAA) guidance. The MOD has previously indicated that in Dark Skies Park areas only, lighting requirements can be reduced to IR only (http://www.contarnex.com/led-obstruction-lighting/datasheets/mod_lighting_guidance-infra-red-turbines-onshore-offshore-nov-2014.pdf). This appears to have been reflected in Appendix 2 of the current supplementary guidance.

The current Dark Sky Park supplementary guidance is relatively recently adopted in 2015. However, the proposed policy approach of dark sky friendly lighting throughout the local authority area means that the supplementary guidance should be reviewed and updated as it appears to focus on the Dark Sky Park itself at present. The current Renewables supplementary guidance should also be reviewed or an appropriate hook added to the Dark Sky supplementary guidance.

Penelope Coles (0135.012) - Agree with the preferred approach. Should minimise street lighting across the regions and use LEDs where possible. Street lighting should be turned off at midnight until 6am each night. In areas where some street

lighting is felt necessary the every alternate light could be turned off.

Martin Robertson (0146.002) - Agree with the preferred approach, all inhabitants of Dumfries and Galloway are entitled to be able to see the night sky.

Ryden obo NHS Dumfries (0325.001) - In the interests of supporting tourism, we support this interesting initiative to promote “dark skies”.

Policy ED13: Fish Farming

Scottish Environment Protection Agency (0120.002) - Note the intention to retain the policy.

Retail general

Taylor & Hardy obo Gretna Gateway Outlet Village (0019.011) - The Outlet Village should benefit from specific designation in the Local Plan as a major employer, a major tourist attraction and a major retail centre. A specific policy would support the continued growth in that respect and will give the owners and retailers confidence to invest in the Outlet Village, which will help safeguard existing jobs. It will also create more jobs and will increase expenditure in the region. Object to the exclusion of a bespoke designation and associated planning policy to support development proposals relating to the Outlet Village.

There are two references in the current LDP to the outlet village, neither of which are in relation to a specific policy that supports its ongoing development.

On the basis of the policies within the current LDP, development proposals at the Outlet Village would be considered principally on the basis of Policy ED6, titled ‘Retail Development Outside a Town Centre’, and, given the LDP’s acceptance that the site is a major tourist attraction, also on the basis of Policy ED10, titled ‘Tourism’.

Based on the proposed amended wording of Policy ED2, it is clear that the policy relates to business, tourism and recreational development in the rural area. It is also clear that Policy ED2, given its rural focus, will not be relevant to development proposals at the Outlet Village. A minor change is proposed to the wording of Policy ED6. The rationale behind Policy ED6 is to ensure a sequential approach to the location of new retail development in order to safeguard the vitality and viability of existing centres.

Policy ED6 has to be read in conjunction with the Town Centre and Retail Development Supplementary Guidance (SG). Paragraph 3.4 of the SG provides specific commentary in relation to the Outlet Village. It states that:

“The Outlet Village is an important element of the town and surrounding area on both sides of the border. Despite the current economic climate the Outlet Village’s low vacancy rate indicates its continued success. Proposals that support the continued development of the outlet village will be supported provided they comply with ED6.”

As the SG makes reference to compliance with Policy ED6 ‘Retail Development Outside a Town Centre’ it is clear that the Council regards the Outlet Village as an out-of-centre location.

The aforementioned policy criteria are unduly restrictive and do not pro-actively support the development of the Outlet Village, which, by the Council’s own admission, is clearly an important retail and tourist destination.

The owners’ commitment to and confidence in the long term future of Gretna Gateway has been demonstrated over the years and through their recent

investment in the third phase of the Outlet Village, anchored by the Next Outlet store, and the provision of the North Car Park, which provides circa 300 additional parking spaces

It is our view that whilst the Outlet Village serves the local and sub regional catchments very well, it is missing out on a significant level of potential spend from longer distance traffic, including tourists travelling to and from Scotland, which is already present but is driving straight past Gretna on the M74.

The Outlet Village has a unique location right beside the M74 at the 'Gateway to Scotland'. Tourist visitors amounted to 45% of last year's footfall and have been increasing each year since the centre opened. There is limited spend in the local catchment area to underpin further growth or to capture the benefits to the local economy that growth would bring, whether that growth is achieved by expansion or through the refurbishment of the Outlet Village to a higher standard. In order to achieve those betterments the Outlet Village will need to attract visitors from the passing traffic already in the area on the adjacent motorway system.

The provision of a bespoke policy need not be at the expense of other retail centres in Dumfries and Galloway. The Outlet Village is unique to these centres in that it offers a very different retail offer. Under the existing planning consents at the Outlet Village there is a requirement for the retail units to trade as factory outlet centres.

Suggested policy wording:

"The Council will support development and refurbishment that promotes and enhances Gretna Gateway Outlet Village as a major retail and tourist destination. Development proposals at the Outlet Village should:

1. demonstrate how the proposals support and enhance the Outlet Village's status as a retail and tourist destination;
2. maintain an appropriate balance between retail and non-retail uses; and
3. demonstrate that there will be no significant adverse effect on the vitality and viability of existing town centres."

In suggesting the provision of a bespoke policy, there would also be merit in including a supportive reference to the development of the Outlet Village in the current LDP's 'Planning objectives for Gretna Border', which, in the absence of any statement to the contrary, it is assumed will be carried over into the new Local Plan. The existing commentary could be amended to include the following reference:

"Support development that promotes and enhances Gretna Gateway Outlet Village as a major retail and tourist destination".

Supporting the longevity of the Outlet Village should be of paramount importance to the Council, not least because of its existing contribution to the wider economy, both in terms of employment opportunities and investment, but also because of the potential future opportunity that the growth of the Outlet Village offers in ensuring a prosperous regional economy.

Policy ED5: Development in Town Centres

Historic Environment Scotland (0012.004) - Support the proposed approach as a means of concentrating development toward town centres and encouraging the re-use and enhancement of historic buildings in these places.

John A MacColl (0048.026) - The boundary on the east of Dumfries should be extended to be bounded by Brooms Road and to the Annan Road/Brooms Road roundabout because of the mixed uses in this area and the opportunities to

develop these further in this area.

GVA obo Aldi Stores (0079.004) - Our client generally welcomes the preferred approach set out to support development in town centres across the region. It is agreed that town centres, as the principal shopping destination within each settlement, should be afforded priority for the location of new retail development, in accordance with national policy.

Where possible and where the requirements of their successful business model can be met, our client often locates within such areas, as can be seen by their presence in Annan. A pragmatic approach to addressing these matters, in accordance with SPP, which affords recognition to the specifics of business models and minimum retailer requirements in terms of adequate profile, and operational needs, is essential though to ensure that this does not prejudice investment into local areas.

Also note the comments in respect to future convenience provision and support for qualitative improvements to the current offer. This section is informed by the Council's latest Retail Capacity Study. Our client acknowledges the findings of the study.

It is noteworthy that the report focuses principally on global assessments of deficiencies comparing expenditure potential with existing turnover within two main catchment areas – Dumfries and Stranraer. For the purposes of assessing authority-wide needs this is useful, however, it is important to recognise that more localised deficiencies, both quantitative and qualitative, can still be present, particularly where shoppers in certain towns have limited choice in shopping provision and have to travel considerable distances to have good access to a mix of convenience outlets. This can lead to unsustainable shopping patterns contrary to environmental policy objectives of the MIR and this requires to be borne in mind for decision making on future planning applications to deliver new floorspace, which specifically seeks to redress such deficiencies.

Our client notes the findings suggest that there is no capacity to allow for further convenience choice across the Council area. They do not support this view and would not be looking to invest in new areas of Dumfries and Galloway, if the business did not consider there was demand for improved choice and scope for them to meet these consumer requirements.

They consider that there is a qualitative deficiency within certain locations in the Council area, which they could help to address. This position is supported by the conclusions set out within the study which states "the research highlights a perceived decline in public perceptions of the range and choice of shopping.... So there are local qualitative issues". Furthermore, the report recommends that "it will be most important to achieve improvements in the range, choice and quality of retailing". Our client supports these comments and considers they could make a considerable contribution to improving the quality of offer in particular towns, such as Castle Douglas.

Note that the previous Retail Study for the Council was completed in 2012 and this highlighted similar findings regarding there being minimal potential for new convenience retail to be delivered, due to expenditure capacity. Despite this, it is notable that our client was granted planning permission for a new store in Dumfries in 2015. During the determination of that planning application, officers accepted that there was scope to accommodate additional space within the town and supported the development proposal. This store is now open. It is important that the planning policy framework remains sufficiently flexible to allow these

opportunities to continue to come forward and our client requests that this be acknowledged within the Proposed Plan.

Scottish Environment Protection Agency (0120.002) - The proposed change in the town centre boundary will now include the Whitesands. Encouraging sympathetic use of the river corridor as an asset for tourism and recreation should be identified as a positive outcome of this policy. To ensure that this happens suggest a change to -last bullet point of ED5:

- The amenity of the area by providing an attractive frontage appropriate to the location, which respects and enhances any natural features present.

(i) Martin Robertson (0146.002) - Agree with the proposed approach. The time is now for a radical re-think of town centre use. The current competition for re-designing part of Dumfries town centre is an opportunity to do just this as a trial.

(ii) Martin Robertson (0146.002) - Agree with the proposed approach. The removal of the New town from Dumfries town centre is a key moment of withdrawal from the concept of a larger commercial centre than Dumfries can support going forward. This will return the town to its Victorian role as a centre for small independent retailers and professionals like dentists, lawyers and surveyors which is much more appropriate for the future than the current ideas. The New town can be returned to housing.

C S Stevens (0151.001) - Suggest you become realistic and start converting the empty shops in Dumfries into houses and flats, using compulsory purchase where Landlords will not agree. Dumfries needs no more betting shops and no more charity shops, it is time to be realistic and develop the empty properties in Dumfries by change of usage. You will then have accommodation in the town where facilities are available. More banks and other shops will shut, we are in the digital age. But by placing people in the town you will generate more consumer demand and hence more jobs. But you have allowed too many Supermarkets to dominate Dumfries and they tear the guts out of any town or city. The best thing you can do is to limit the big Supermarkets to one major premise in the town. Other outlets must be closed down so the small shops can come back in some places. The alternate is that you continue on your downward spiral of self-destruction.

Loreburn CC (0222.001) - Agree that that existing boundary is too wide. The proposed new boundary is still too wide. The south-western boundary would be better drawn along Irish Street than the Whitesands.

Agree that there needs to be a move away from the traditional restrictive policy that inhibits non-retail uses on the High Street. Cultural, leisure and commercial-office uses should be generally permitted along with convenience retail. There should be a much more flexible approach.

Ryden obo NHS Dumfries (0325.001) - Support the key aim of facilitating development in town centres. However, it must be recognised that not all business development can be accommodated within the town centre. Furthermore, the approach to be taken must provide flexibility to allow all the continued development of the Crichton Quarter.

Mackay Planning obo The Stove Network (0328.001) - Support the amended Policy ED5. Support the encouragement of residential and other appropriate uses on upper floors in order to reuse underutilised buildings.

The Stove Network, in conjunction with the Council and other agencies, is working to encourage the regeneration of Dumfries High Street, through the Midsteeples Quarter project. This project which involves the asset transfer of 135-139 High Street (The 'Bakers Oven' building) to community ownership for reuse for a variety of uses as a template for the Midsteeples Quarter and wider High Street. Extensive public consultation has been undertaken in relation to the concept of encouraging living in the High Street and the setting up of the Bakers Oven building. An architectural competition is currently underway for this project. The Midsteeples Quarter lies at the core of the High Street and is bounded by High Street and Bank Street. This area is subject to particularly high levels of vacancy and dereliction at both ground and upper levels. Suggest that a specific regeneration designation of the Midsteeples Quarter in the LDP 2 will encourage and focus regeneration of this central core area. [Midsteeples Quarter project vision document attached to representation.]

Dumfries Town Centre

Colin Douglas (0271.001) - Dumfries must be protected and enhanced if it is to be a successful Regional centre. It cannot hope to compete with Carlisle and Ayr in terms of jobs, retail opportunities, leisure facilities and having a vibrant town centre unless it has a greater population. It will fail in these respects unless something is done about it now.

All of the new housing in the east of the region must be concentrated in Dumfries in support of the above, to help the population of Dumfries grow to an optimum level.

Dumfries is the only town in the region with comprehensive transport links (road and rail) with the rest of Scotland and the north of England, so it is incomprehensible to consider large scale new housing elsewhere.

Dumfries has a concentration of learning and health facilities. The needs of our young people and the growing elderly population can only be met in Dumfries, particularly as more local hospitals are closed because of funding difficulties. The proposals in respect of Dumfries should be redrafted accordingly.

Commercial Office Sites – Dumfries

Loreburn CC (0222.001) - The presence of more commercial office space can contribute significantly to the vitality of the Town Centre. Town Centre workers easily convert to Town Centre spenders, whether in shops or cafes. Being in a Town Centre is often more attractive to the workers than being stuck on an out-of-town business park such as exists at Garroch or Heathhall. Aware that the Health Board are seeking to move many its administrative staff from the Crichton.

The Plan should encourage office provision in the Town Centre. Possible sites include the Car Parks on the town-side of the Whitesands (car parking being provided at ground level – offices and mixed development above) and on Newall Terrace.

These potential business areas should be added to the areas noted in the Dumfries business and industry section in the MIR (page 64, Section 3.4.9).

Policy ED7: Prime Retail Frontages

Historic Environment Scotland (0012.004) - Support proposed amendments to

policy. Broadly supportive of the boundary revisions proposed, provided that new uses for historic buildings outside these boundaries (for example, the former Art School on George Street, Dumfries) are not limited in a way that prevents their re-use. Also welcome proposals to include Stranraer Harbour within the revised town -centre boundary, however would emphasise the importance of retaining business within the established core, particularly Hanover and Bridge Streets, which contain a number of good historic retail and commercial buildings.

Ross Planning obo Eaglemount Developments Ltd (0106.002) - It is important that any new development at Stranraer Waterfront is comprehensively planned and seamlessly linked to Stranraer Town Centre. Suggest there should be an overlap between the Town Centre and Waterfront zonings. It is also requested that the Plan clearly states a requirement for the Waterfront scheme to link with the Town Centre.

Mackay Planning obo The Stove Network (0328.001) - Support the preferred approach to delete Policy ED7 and primary retail frontages from the Dumfries town centre inset map.

Minerals

Policy ED15: Minerals

Coal Authority (0013.002) - Do not support the preferred approach as set out in the Main Issues Report, do not support the provision of exclusion zones around settlements.

Natural Power obo Fred Olsen Renewables (0080.012) - Whilst there is a requirement to assess mineral extraction developments against potential landscape effects, there is a far greater emphasis currently placed on assessing the potential landscape effects by wind farms which seems somewhat disproportionate.

Scottish Environment Protection Agency (0120.002) - Within the preferred approach for surface coal extraction it is acknowledged that many designations and policies are mentioned; however the water environment is not. Suggest water assets as identified in the Solway Tweed river basin management plan is added to the list.

Scottish Natural Heritage (0122.002) - Surface coal extraction can present challenging issues for protection and enhancement for the natural heritage. Advise that policy wording should ensure that suitable protection and restoration of peatland and landscape assets is delivered through development management processes.

At present, the assets included in the Preferred Approach include Natura 2000 sites and SPAs/SACs. If the Preferred Approach is pursued, recommend that information on broad areas of search includes these as Natura 2000 sites (SPAs and SACs) as the current summary somewhat misleadingly establishes these as separate.

The Preferred Approach also omits landscapes that are not designated. In support of the European Landscape Convention's 'all landscapes approach' suggest that when the current supplementary guidance is revised, it is based on broader criteria than those included in the Preferred Approach. Would be happy to

be involved in identifying relevant information.

While paragraph 245 of SPP advises that “assessment should lead to buffer zones being proposed in the application which will protect all sensitive receptors from unacceptable risks” that advice is preceded by paragraph 196: “buffer zones should not be established around areas designated for their natural heritage importance”. At present, buffer zones are not included in the criteria. Our advice is that they should not be relied on as a means of mitigating impacts in the LDP without prior assessment of the potential effects of any designated sites the areas of search have connectivity with. We would be happy to provide further advice on this.

RSPB Scotland (0133.013) - The collapse of the open-cast coal industry in Scotland in 2013 demonstrated the importance of securing appropriate financial guarantees for the restoration and aftercare of sites with significant long-term liabilities. Recommend that the Council set out guidance for the region, along the lines of guidance that has been developed in East Ayrshire which gives details and risk ratings for different types of financial guarantees. Whilst this is particularly required for open-cast coal sites, this is also a relevant issue for other industries including landfill, onshore wind and, potentially, unconventional gas development. Also recommend that consideration is given to the new approach by East Ayrshire Council to compliance monitoring. The Council is now undertaking quarterly compliance monitoring of major development in the region, including open-cast coal, quarries, landfill, onshore windfarms and electrical interconnector transmission lines. Results are reported to the planning committee and published on the council website. Recommend that the Council follow this approach and 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.

RSPB Scotland (0133.016) - In general, RSPB Scotland believes that further expansion of the open-cast coal industry is incompatible with the Scottish Government’s climate change targets and legislation. Have significant concerns about the potential for any new or extended open-cast coal sites. The recent financial collapse of Scotland’s two largest open-cast coal operators (ATH Resources and Scottish Coal), has left great uncertainty over the future of many mining sites. The restoration bonds, required to obtain planning permission for the mines, are insufficient and will not cover the costs of restoration. The failure of both the industry and the regulatory system to deliver appropriate mitigation and restoration through conditions, legal agreements and bonds and to monitor and enforce the implementation of these measures is of serious concern. Detailed information would have to be given in any policy around the types of financial guarantees that would be considered suitable and the monitoring regime that would be put in place. The Council should also consider the sustainability of the plans in terms of their likely climate impact, as required under their statutory duty in the Climate Change (Scotland) Act 2009.

RSPB Scotland (0133.022) - Support the preferred approach. Would have serious concerns if new mineral applications were to come forward within these sensitive areas. However, these comments are made in context of our position regarding the expansion of open-cast coal industry as outlined in rep 0133.016.

Martin Robertson (0146.002) - Agree with the preferred approach.

Woodland Trust (0152.001) - Strongly agree with the assertion stated in the report that surface coal extraction must only take place when environmentally acceptable. However, the list of sensitive environmental assets and landscapes should include Ancient Woodland – as identified on the Ancient Woodland Inventory of Scotland (AWIS). Ancient Woodland is an incredibly rare and a very valuable habitat. Therefore, it should be included in the list of sensitive environmental assets which need to be protected from development related to coal extraction.

Pearson Planning obo Everris Ltd (0262.001) - Main Issues 1 also deals with minerals, albeit only talks about surface coal extraction and "unconventional" oil and gas extraction. There are, of course, other minerals (including peat) extracted across Dumfries & Galloway. Therefore, in response to Question 9, the Council's approach should be as follows: change to Policies ED15 & ED16; and amend the supplementary guidance on minerals.

Policy ED15 applies to all mineral development. There is no need to treat peat, separately, in another policy.

Policy ED15 should be redrafted to include the following: "Proposals for peat extraction will be permitted in the following circumstances:

1. the deposit has already been or is currently being worked and is capable of restoration; or
2. the deposit:
 - * has been damaged by human activity
 - * is of low conservation value;
 - * is not currently functioning peatland."

In this context, the term "restoration" has the definition, accepted by the planning profession, as that given in National Planning Policy Framework's planning practice guidance: "the return of land following mineral extraction to an acceptable condition, whether for resumption of the former land use or for a new use."

Agree that the supplementary guidance on Mineral Resources needs updating/rewritten.

The SG relates to Policy ED14 which the Council is to combine with ED15.

However, it does not deal with the non-aggregate mineral that is peat.

Minerals can only be worked where they are found. Ergo, the SG must map the location of all mineral reserves, not just coal etc.

The Maps should also identify where sites with planning permission are, so as to help demonstrate what existing supply arrangements are in place.

Ian Richmond (0285.004) - This fails to address the issue of longwall mining.

Canonbie & District Residents Association (0313.001) - SPP, as you indicate, requires LDP to identify areas of search where surface coal extraction is most likely to be acceptable during the plan period.

There has never been any surface coal extraction here, to our knowledge. A small-scale deep mine at Rowanburn ceased operation in 1922.

Extensive consultation with local people in the Canonbie area, confirmed that surface coal extraction would be unacceptable to more than 90% of the people who live here.

Therefore urge that no plans for such development should be identified here. Would urge D&G Council not to include this as an area where surface coal extraction “is most likely to be acceptable”, as it is clearly not acceptable to most local people, and incompatible with any concept of local rural “placemaking”.

Unconventional Oil and Gas

Coal Authority (0013.002); Martin Robertson (0146.002) - Support the approach put forward on this issue at this time.

Scottish Environment Protection Agency (0120.002) - This would appear to be a sensible approach however it is our view that further value could be added in highlighting in the introductory text that:

SPP has specific policies relating to UOG.

- Reference should be made to the fact that there was an active Petroleum and Exploration Licence (PEDL) in the area, which was only recently surrendered back to the Oil and Gas Authority (OGA) in 2016, it was an area included in the original 14th PEDL Licence round and was identified as a potential area for future PEDL allocations, although this did not occur due to the outputs of the Smith Commission. The primary point is the D&G area has a recent history of UOG activity.
- Part of D &G Council area borders with England, where it should be noted that there is not a moratorium on UOG and therefore activities could occur here if the OGA were to allocate PEDLs in the next round of submissions.

Scottish Natural Heritage (0122.002) - The MIR notes that there are coal bed methane reserves in the Canonbie / Evertown area. As there is currently no timescale for the lifting of the national moratorium on this development type, agree with the Preferred Approach.

RSPB Scotland (0133.002) - Agree with the proposed approach. Were a policy to be developed in the Proposed Plan, it is recommend that the council take a precautionary approach to all unconventional gas development including extraction of shale gas and coal bed methane, given the potential for adverse impacts on climate, habitats and the water environment.

Simon Wheeler (0212.001) - Would like to see evidence of a local approach to the principles around UOG developments (q.10 2.86.). Oppose such developments in principle and, while appreciating the position of the Scottish Government does not require a County response, would still like to see what stance local government is likely to take.

Ian Richmond (0285.005) - Disagree. There are specific local objections to unconventional mineral extraction whatever the Scottish government decides. The process of exploration and extraction is totally incompatible with tourism and agriculture. The fragile road system of the East of the district could not handle the heavy traffic associated with drilling supplies.

Canonbie & District Residents Association (0313.001) - Strongly opposed to the proposed approach.

i) The proposed approach for LDP2 ignores the extant facts.

In 2008-10 D&G Council granted full Planning consent for exploration and

extraction of coalbed methane (CBM), as separate “minor” developments, at more than 20 sites in the Canonbie area.

A 5acre Gas & Water Treatment facility was also approved, incorporating 2x 12m high flare stacks. The developer described these sites as Phase 1 of the development, and D&G planners would have had sight of the full-field development plan, which may have specified many more sites.

In addition, developer claimed that as the gas was a “utility”, no planning consents required for significant pipe networks required. Planning consent for pipework was required in other Scottish Local Authorities considering UG applications.

(ii) These decisions predate the current Scottish Government moratorium, and multiple consents were granted, despite there being absolutely no reference in LDP1, to onshore Unconventional Gas extraction. Although the developer subsequently surrendered the PEDL licences, the current status of the planning consents remains unclear.

(iii) This approach differed from other Scottish Councils, who treated UG extraction as a “major” development proposal. It also runs counter to the advice of UKOOG, who recommend that exploration and extraction should be treated separately, in planning terms

(iv) Should SG moratorium end, the possibility remains that , having tested these applications through D&G Council’s current planning framework, even though their treatment as “minor” developments avoided the requirement for appropriate community consultation or EIA there may be a presumption that all “material considerations” had already been addressed in reaching the original decision

(v) Consider it essential in LDP2 that the Council acknowledge the current facts in respect of UOG in D&G.

(vi) Would wish D&G Council to make provision in LDP2, to ensure that, if Scottish Government were to revoke the current moratorium and permit UOG developments, then any proposals for extraction will be designated as a “major” development, ensuring that the local community is at the heart of the planning process.

Policy ED16: Protection and Restoration of Peat Deposits as Carbon Sinks

Pearson Planning obo Everris Ltd (0262.001) - Policy ED16 needs careful reflection and redrafting. The policy uses ambiguous terms including "already designated for habitat conservation reasons".

It is also confusing as it states that development can take place on degraded peatland that isn't restorable. In the same section, it then requires restoration measures to be required. The policy basis is questionable too. Is it the role of the planning system to create a network of carbon capture sites ("sinks")? Carbon is captured by trees but there is no reference in ED16 to protecting trees or woodland from development to retain carbon dioxide.

Council response and proposed modifications:

Economy general

Historic Environment Scotland (0012.004); GVA obo Aldi Stores (0079.004); GVA obo NDA and Magnox (0079.005) - Comments noted. No modification(s) proposed

Natural Power (0080.004) – The LDP currently recognises that the generation of renewable energy is a significant part of the area’s economy. However, it is

agreed that the Proposed Plan should also acknowledge the importance of energy to other sectors of the economy. It is proposed to add text to the economic strategy section of the plan.

Martin Robertson (0146.002) – A vibrant, successful local economy is a key building block to achieving many of the other Council’s priorities and commitments. The LDP has a role to play in helping to achieve that top priority. The Government have announced the creation of a South of Scotland Enterprise Agency and work is underway on making that happen. No modification(s) proposed.

Ian Richmond (0285.002) - Implementation of the Gretna masterplan has resulted in over £1 million being invested in public realm improvements in Gretna with the majority being spent in the town centre area. No modification(s) proposed.

Canonbie & District Residents Association (0313.001) – References in the MIR to volume and value sectors of the economy have been taken from the Council’s Regional Economic Strategy. Table 1 is a summary of the allocated business and industry sites across the region. Although there are no allocated sites in the Eskdale area, there is some safeguarded business and industry land in Langholm.

The suggestion about a more pro-active Council are noted. The ward officers would be the first point of contact and work is ongoing to ensure internal connections are made. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) – Comments noted. A development framework has been prepared for the Crichton Quarter which suggests a range of uses that may be acceptable for existing buildings including Nithbank and Crichton Hall. Following adoption of LDP2, work will begin on delivering and implementing the plan. This will require partnership working and innovative thinking. No modification(s) proposed.

Major Economic Development proposals – proposed policy approach

GVA obo NDA and Magnox (0079.005); Natural Power (0080.004); Natural Power obo Fred Olsen Renewables (0080.013); Scottish Natural Heritage (0122.002); RSPB Scotland (0133.018); Martin Robertson (0146.002); Turley Associates obo Story Homes (0263.008); Ian Richmond (0285.003); Canonbie & District Residents Association (0313.001); Ryden obo NHS Dumfries (0325.001) – All comments positive and negative regarding the proposed approach are noted. Since publication of the MIR, further research has been undertaken and it is proposed not to proceed with a major development policy. It is considered that amendments to Policy ED1b should achieve the same outcome.

Policy ED2: Business, Tourism and Recreational Development in the Rural Area

General Response - The proposed MIR policy entitled Business, Tourism and Recreational Development in the Rural Area has been reviewed in light of the comments received to the MIR. For the purposes of clarity, it is proposed to revert to a separate policy for Rural Business and another one for Tourism and Recreation. An amended version of both policies is published in the Proposed Plan.

Carrick Residents Association (0054.002) - It is considered unnecessary to adopt specific planning guidance for this or similar sites in the region as the criteria contained in the submission is either covered in other LDP policies or considered by the Development Management department when assessing applications. No modification(s) proposed.

Savills (0063.013); Rapleys obo Caravan & Motorhome Club (0312.001) – The type of tourist accommodation available is continually changing, it is therefore considered appropriate that no specific types of tourist or recreational accommodation is listed in the policy. The inclusion of types of accommodation in the Policy is often interpreted as a list and if the type of accommodation being proposed is not on the list, the concern is the proposal may not be considered favourably. An amended version of the Tourism policy is published in the Proposed Plan.

David Fallas (Planning) (0071.009) - The Council agrees that the requirement for Business Plans is not necessary. However, it is considered appropriate that an application needs to demonstrate why business and industry proposals cannot be located on established or allocated business and industry land. No modification(s) proposed.

Natural Power (0080.005); Maxine and Roman Leszczyszyn (0266.001); Canonbie & District Residents Association (0313.001) – See general response above.

Martin Robertson (0146.002) - Proposals will also be assessed against other policies in the plan. Proposals which include or possibly impact on the built heritage and natural landscape will be assessed against the relevant Historic Environment and Natural Environment policies. No modification(s) proposed.

Judy Spinks (0243.005) - The aim of Policies ED1b and ED2 are to support business and industry proposals on unallocated sites and in the rural area which includes local centres. It is not disputed that the creation of business and jobs in local centres would help reduce the need for people to travel for employment and therefore help to reduce carbon emissions. No modification(s) proposed.

Policy ED4: Chapelcross

GVA obo NDA and Magnox (0079.005) – Policy ED4 is concerned with the future development of the Chapelcross site. The decontamination and remediation process that is ongoing at Chapelcross should be governed by the national policies referred to in the representation. No modification(s) proposed.

Proposed SPZ at Chapelcross

GVA obo NDA and Magnox (0079.005); Natural Power (0080.004); Scottish Environment Protection Agency (0120.002) – Supportive comments noted. No modification(s) proposed.

Scottish Natural Heritage (0122.002); RSPB Scotland (0133.010) - The Council are still in the process of investigating the benefits of creating a SPZ for Chapelcross. The issues raised in the comments will be taken into account as

part of that process and the agencies raising the comments would be a key part of that process. No modification(s) proposed.

Martin Robertson (0146.002) – An SPZ would not result in the reduction of planning controls as it is effectively the same as granting planning permission just using a different mechanism. No modification(s) proposed.

Ian Richmond (0285.003) – Comments noted. No modification(s) proposed.

Policy ED12: Dark Skies

Natural Power obo Fred Olsen Renewables (0080.015) – Part a) of the policy remains unchanged from the policy in the adopted LDP. The Dark Sky Park is an international designation which is not based on landscape grounds or local designations under the definition of paragraph 140 of SPP. It is also a tourism asset to south-west Scotland and is based on minimising adverse light pollution to support astronomy, protect biodiversity and expand the tourism period throughout the year. SPP supports the Dark Sky Park policy in terms of increasing sustainable economic growth. The policy is not intended to be onerous. It is intended that a condition would be attached to any grant of planning permission located within the Dark Sky Park to comply with the supplementary guidance. This would not necessarily require any technical assessment to be provided. No modification(s) proposed.

Scottish Natural Heritage (0122.002) – The preferred approach focuses on external lighting, which includes street lighting but also includes other types of external lighting. The comment acknowledges that the supplementary guidance reflects this.

If the preferred approach is carried through into the Proposed Plan, the accompanying supplementary guidance will need to be updated.
No modification(s) proposed.

Penelope Coles (0135.012); Martin Robertson (0146.002); Ryden obo NHS Dumfries (0325.001) - Support for proposed approach noted.
No modification(s) proposed.

Policy ED13: Fish Farming

Scottish Environment Protection Agency (0120.002) - Support for proposed approach noted. No modification(s) proposed.

Retail general

Taylor & Hardy obo Gretna Gateway Outlet Village (0019.011) – Comments are noted and the contribution the Outlet Village makes to the local economy is not disputed by the Council. However, rather than include a specific policy on the Outlet Village in the Proposed Plan it is considered more appropriate to include positive references that would support the ongoing development of the Outlet Village in the Retail Strategy and Planning Objectives for Gretna sections of the Proposed Plan.

Policy ED5: Development in Town Centres

Historic Environment Scotland (0012.004); (i) Martin Robertson (0146.002) - Comments are noted. No modification(s) proposed.

John A MacColl (0048.026) - It is acknowledged that this area contains a number of use types but it is predominately occupied by residential use. The town centre boundary has been redrawn to focus mixed uses such as retail, commercial and leisure towards the High Street and its surrounding avenues such as Friars Vennel, English Street and Whitesands. No modification(s) proposed.

GVA obo Aldi Stores (0079.004) - The Council acknowledges the points regarding convenience provision, support for qualitative improvements and conclusions and recommendations outlined in the 2016 Retail Study. However, it is not proposed to allocate any sites in the proposed plan specifically for retail development. The amendments proposed in the MIR to Policy ED5: Development in Town Centres is considered to be flexible and encourages and supports a range of uses in town centres if proposals can demonstrate that they meet the policy criteria. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002) - The Whitesands is included within the current LDP Dumfries Town Centre boundary, no change is proposed in this regard. The amendments proposed in the MIR to Policy ED5: Development in Town Centres are considered suitable and the issues listed in the submission are covered by other policy sections in plan, in particular the Overarching Policies, Economic Development, Historic Environment and the Natural Environment. No modification(s) proposed.

(ii) Martin Robertson (0146.002) - The new boundary is intended to focus a mixture of uses towards the High Street and surrounding streets and avenues. Housing is encouraged to be retained and developed on upper floors where property is underutilised. No modification(s) proposed.

C S Stevens (0151.001) - The Council encourages development proposals for town centre units including those requiring a change of use. The preferred approach proposed in the MIR encourages and supports a range of uses in town centres if proposals can demonstrate that they meet the policy criteria. With regards to housing development in the town centre, the policy states "On upper floors, particularly where property is underutilised, the Council will encourage the retention and development of housing and other complementary town centre uses." There are a number of vacancies within the town centre boundary that are available for interested parties. No modification(s) proposed.

Loreburn CC (0222.001) – The Whitesands is considered an important section of the town centre as it links the High Street to the river and transport links. The proposed regeneration of the Whitesands may also improve these links and attract more people to the town centre. Cultural, leisure and commercial office uses will be encouraged and supported in town centres if it can be demonstrated that they meet the criteria set out in Policy ED5. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) - The proposed MIR policy encourages and supports a range of uses within the town centre subject to meeting listed criteria and does not list any use type, including business use. It is acknowledged that certain developments would be unsuitable for development in the town centre

including large business and industrial uses. Policy ED1: Business and Industry provides criteria for business and industrial development on established and allocated business and industrial areas. Policy ED3: The Crichton Quarter encourages development proposals which sustain and grow the existing economic and community benefits provided by the uses which currently occupy the site. No modification(s) proposed.

Mackay Planning obo The Stove Network (0328.001) – Supportive comments noted. Regeneration of the Midsteeple Quarter is supported by the Council. Policy ED5: Development in Town Centres encourages and supports a range of uses within town centres identified on the inset map. Rather than specifically designate the Midsteeple Quarter, it is proposed to make reference to the scheme in the Dumfries settlement overview and the Planning Objectives for Dumfries.

Dumfries Town Centre

Colin Douglas (0271.001) – Dumfries is identified as the regional capital in the settlement hierarchy. It also has the largest amount of housing land identified for future development to support its future growth and development. No modification(s) proposed.

Commercial Office Sites – Dumfries

Loreburn CC (0222.001) – The Employment and Property Land Study (March 2017) commissioned by the Council recognised, amongst other things, a lack of quality office space in Dumfries town centre. An Action Plan is being developed which looks to remedy some of the issues identified by the study. The policy framework supports a range of uses in the town centre, including office accommodation. It is proposed to include specific reference to that in the Proposed Plan.

Policy ED7: Prime Retail Frontages

Historic Environment Scotland (0012.004); Mackay Planning obo The Stove Network (0328.001) - Comments noted. No modification(s) proposed.

Ross Planning obo Eaglemount Developments Ltd (0106.002) – Comments noted. It is proposed that reference is made to the relationship between the Stranraer Town Centre and Waterfront area in the Stranraer settlement overview and objectives.

Minerals

Policy ED15: Minerals *[Policy ED13 in the Proposed Plan]*

Coal Authority (0013.002) – The Coal Authority have advised, through further discussion, that the only part of the preferred approach they do not support is the proposal to draw an exclusion zone of 500 metres round those settlements identified in the settlement hierarchy table. They are of the view that there are other measures that could be put in place to mitigate the impact on communities, those measures would be set out in the environmental statement and method statement that would accompany an planning proposal. They are also concerned that a 500 metre exclusion zone would sterilise a large area of land from mineral extraction.

Paragraph 244 of SPP indicates that surface coal extraction site boundaries within 500 metres of the edge of a settlement will not normally be acceptable. It is

still considered appropriate and necessary to show a 500 metre buffer around settlements but include text in the supplementary guidance indicating that some ancillary developments, such as tree planting, visual screening mounds, noise attenuation buffers or reclamation of derelict or despoiled land within the buffer may be acceptable and beneficial. There may also be some cases where a buffer of less distance may be acceptable, but this will always be dependent upon the circumstances of the case and the actual environmental effects resulting from extraction. No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.012) - Although the wording in these policies may differ, proposals are assessed for their landscape impacts in a similar way in terms of their appropriateness. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002) – Comments noted. Agree that water assets as identified in the Solway Tweed River Basin Management Plan should be included in the environmental assets protected from development. It is proposed to amend the list of environmental assets set out in the supplementary guidance to include the Solway Tweed River Basin Management Plan.

Scottish Natural Heritage (0122.002) – Comments noted. The error in respect of Natura sites and SACs and SPAs will be rectified and changed.

The preferred approach includes those landscapes that are designated. The impact of surface coal extraction on all landscapes is listed as one of the areas to be addressed by a proposal.

The preferred approach proposes to identify the environmental assets and landscapes listed so they can be protected from development, it does not proposed the identification of buffer zones. No modification(s) proposed.

RSPB Scotland (0133.013) – Comments noted. The situation in East Ayrshire, especially in relation to open-cast coal, was materially different to the situation within Dumfries & Galloway Council, where the only active site has been restored. Whilst the comments about monitoring are valid for other new major developments, this is primarily an evolving operational Development Management issue rather than one which needs a specific LDP policy. No modification(s) proposed.

RSPB Scotland (0133.016) – SPP requires development plans to identify areas of search where surface coal extraction is most likely to be acceptable during the plan period. Surface coal extraction must be environmentally acceptable and directed to the most appropriate locations. The preferred approach set out in the MIR seeks to minimise the impact of surface coal extraction on sensitive environmental assets and landscapes.

No modification(s) proposed.

RSPB Scotland (0133.022); Martin Robertson (0146.002) - Comments noted. No modification(s) proposed.

Woodland Trust (0152.001) – Comments noted. It is proposed to add ancient woodland to the list of sensitive environmental assets set out in the supplementary guidance.

Pearson Planning obo Everris Ltd (0262.001) – In its approach to mineral extraction the Council did not consider peat. This was on the basis of the specific environmental sensitivities associated with peat deposits and the degree to which extraction may reasonably be permitted. The Council consider it appropriate that peat and high carbon content deposits should have their own policy and not combined with the minerals policy. No modification(s) proposed.

Ian Richmond (0285.004) – Proposals for longwall mining would be assessed using the criteria in the policy and other applicable policies in the plan. No modification(s) proposed.

Canonbie & District Residents Association (0313.001) – The comments regarding the historical extraction of coal are noted. There are coal reserves in the Canonbie area and SPP requires the development plan to identify areas of search where surface coal extraction may be acceptable.

The Coal Authority have advised that a conditional license was granted on 26th October 2012 for a five year term to Kier Mining Limited and the Buccleuch Estates Limited in a joint venture. This Conditional licence area is extensive and gives the licensee the permission to carry out exploration (if deemed necessary) to ascertain the presence, quality and quantity of the coal seams. This will enable the licensee to ascertain the viability of a surface mining operation within the area, if viable, the licensee will then need to plan the workings and then apply to the Minerals Planning Authority for planning permission for the site for the defined coal excavation area. Due to obvious surface constraints such as roads, rivers, buildings and so on the proposed excavation area or areas, which may be in several small areas within a particular site boundary, will cover a much smaller area than the conditional licence area.

The preferred approach outlined in the MIR seeks to minimise the impact on environmental assets, landscapes and communities. The broad areas of search will be included in the mineral supplementary guidance and published for consultation alongside the Proposed Plan. No modification(s) proposed.

Unconventional Oil and Gas

Coal Authority (0013.002); Scottish Natural Heritage (0122.002); RSPB Scotland (0133.002); Martin Robertson (0146.002) - Comments noted. The Council oppose fracking and underground gasification. A policy reflecting also the Scottish Government position as set out 3 October 2017 will be included in the Proposed Plan.

Scottish Environment Protection Agency (0120.002) – Comments noted. The Council oppose fracking and underground gasification. A policy reflecting also the Scottish Government position as set out 3 October 2017 will be included in the Proposed Plan.

Simon Wheeler (0212.001) – The Council's Administration have published their Priorities and Commitments. One of those Commitments is that the Council oppose fracking and underground gasification. A policy reflecting also the Scottish Government position as set out 3 October 2017 will be included in the Proposed Plan.

Ian Richmond (0285.005) – Comments noted.

Canonbie & District Residents Association (0313.001) – Comments noted. The Council oppose fracking and underground gasification. A policy reflecting also the Scottish Government position as set out 3 October 2017 will be included in the Proposed Plan.

Policy ED16: Protection and Restoration of Peat Deposits as Carbon Sinks

Pearson Planning obo Everris Ltd (0262.001) – Para 241 of SPP says: “Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.”

The policy would allow development where along with other conditions ‘restoration to functioning peatland is not possible.’ If development is permitted, the requirement for restoration is that it be ‘appropriate’ and not that it should be functioning peatland.

Whilst it is not proposed to make any changes to the policy wording it is proposed to move the policy to the natural environment section of the plan so that it can be read alongside other soil related policies.

Issue 5	Housing Supply Target and Housing Land Requirement Figures, and Housing Policies
Main Issues Report reference:	Section 2 – Main Issue 2: Housing, How Much is Needed?
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.004) John A MacColl (0048.023) (0048.027) (0048.028) (0048.039) Savills (0063.012) David Fallas (Planning) (0071.010) (0071.011) (0071.012) Scottish Water (0083.002) Dumfries & Galloway Council Sustainable Development Team (0100.031) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) RSPB Scotland (0133.008) (0133.015) Martin Robertson (0146.002) Heather Nisbet (0164.001) Kathleen Patterson (0208.003) Loreburn CC (0222.001) Judy Spinks (0243.012) (0243.014) Ellie Davidson (0247.001) (0247.002) Dumfries & Galloway Greens (0250.002) David McHale (0261.001) Turley Associates obo Story Homes (0263.003) (0263.004) (0263.005) (0263.007) Colin Douglas (0271.002) Stuart Thomson (0283.001) Cree Valley CC (0284.001) Homes for Scotland (0287.001) Ryden obo Wallets Marts (0292.001) Graham Whitely (0300.001) Nigel Emslie (0301.001) Rapleys obo Caravan & Motorhome Club (0312.001) Ryden obo NHS Dumfries (0325.001) Holder Planning obo Sandy Robson (0332.002) Kirkcudbright CC (0336.001)</p>	
Summary of the representation(s):	
<p>Housing supply target and housing land requirement figures <u>John A MacColl (0048.039); Holder Planning obo Sandy Robson (0332.002)</u> - Agree that a 20% generosity should be added to the Housing Supply Target.</p> <p><u>Scottish Water (0083.002)</u> - Agree with the preferred option of setting a higher Housing Supply Target with 20% generosity. Scottish Water will work closely with Dumfries and Galloway Council to identify infrastructure requirements for sites and prioritise strategic development areas</p>	

Martin Robertson (0146.002) - This seems to be unnecessarily generous and unrealistic and will lead to more accusing empty sites like Criffel Oaks and Kirkbean. 20% is reliant on the over-hopeful economic development strategy. Suggest 10% is sufficient for LDP2.

Heather Nisbet (0164.001) - Do not agree that there should be an extra 20% allocation of housing land above the already proposed generous allocation which the Council consider is required to meet SPP.

The Council have stated that their main priority is building the economy in the Region, entirely agree with that as the main priority. Also agree that there must be housing sufficient to accommodate current and expected residents.

However, based on what has happened in the town to date a significant number of new houses that may be built in Kirkcudbright will be bought by people from outwith the area who are retiring to live in the area. This will exacerbate the existing demographic difficulty which exists in the region as a whole but more particularly in Kirkcudbright i.e. an increasingly predominantly elderly population. If there was some sort of planning condition which could be introduced that would limit the sale of new homes in some way that would encourage purchase by economically active buyers then that would be useful. E.g. a planning condition that a certain percentage or number of the houses in any new development can only be occupied (for a period of time - say 10 years after completion of the housing development) by people who are employed or self employed somewhere in the locality.

Something should be done to ensure that the building of new houses does indeed, as the Council desire, help to achieve the Council's main priority of economic development and growth - and doesn't simply allow more elderly people to settle in the area, placing huge pressures on limited health and social care resources and not resulting in more jobs being created or sustained.

Of course we need a balance of the ages of residents in Kirkcudbright. Concerned that the housing allocation in LDP2 will skew the balance in a way that is not helpful to the overall wellbeing of all who live in the region.

Kathleen Patterson (0208.003) - 20% generosity allowance should NOT be added to the housing supply target because this aspiration target places undue pressure upon the council to find and bring forward marginal and non effective sites for development consideration (e.g. GOF.H2).

In pursuing these inflated targets for numbers of housing units at this initial stage of the process, insufficient consideration is afforded the carefully crafted policies (OP1) and planning guidance (IN2, IN7 and IN8) issued as well as the Flood Risk Management guidance offered by SEPA.

Marginal sites that have been already identified to be within the "Vulnerable Flood Risk areas" as GOF.H2 (SEPA Flood Maps) and have been given outline permission on a previous plan and then it is discovered that the site has not been developable because of the difficulties adequately addressing the challenges of Flood Risk assessment mitigation measures or it is technically complex or prohibitively expensive or simply not practical then that site should be removed from the next plan as it is already clear that development is unlikely to place or be effective. This would apply to GOF.H2, (pg 99, 3.6.23)

If the site has been unsuccessful in a previous plan then it is very unlikely to be effective in this plan unless there has been a clear step change of circumstances or relaxation of legislation.

Entering these sites into the plan is wasteful in time and resources, especially those of technical experts and officials. This is particularly concerning when funds are in short supply.

Increasing generosity only serves to drive this practice and it is not helpful to the process because it raises unrealistic expectations of developers, increases

speculation but most importantly, it dilutes a finite technical resource which could be better used to more critically evaluate and offer technical guidance on the more effective development sites.

In this case, I would argue that “Less allows More Effective and Sustainable development”.

Judy Spinks (0243.012) - DO NOT agree to the 20% generosity allowance being added to the housing supply target; because this skews the housing allocation to a size beyond what is reasonable in Local Centres, that are actually villages. Housing needs to reflect employment in Local Centres. Auchencairn resident.

David McHale (0261.001) - The housing supply targets proposed are unrealistic and set at too high a level. The effective supply of land in our current LDP is more than capable of meeting all of the scenarios detailed in the 2016 Housing Needs and Demand Assessment (HNDA). Adoption of these proposed housing supply targets will lead to unnecessary strain on local services and will change the nature of local communities.

The social and economic statistics and projections presented in the HNDA paint a picture of a declining rural population over the last ten to fifteen years with a slow growing/stagnant economy. The current population trend looks likely to continue over the next ten to twenty years.

Population figures over the last ten years show a slow decline, where deaths outnumber births, our young people are leaving and being balanced by an in migration of other young people, and an in migration of older people. The National Register for Scotland estimates that the net in migration for D&G will be steady at about 100 people per annum over the next twenty years and that nevertheless the overall population of D&G will decrease by about 4.6%.

The agreed principal scenario modelled for HNDA estimated the total housing requirement for D&G between 2016 and 2020 to be 1,190 units (Table 4.2a). This included an existing need of 419 units. The number of new units required to meet additional demand from 2016 to 2020 is 771. Between 2016 and 2035, the overall housing need in D&G is estimated to be 1,465 units. The additional demand over existing need is 1,046 units over a twenty year period from 2016 to 2035, or just over 50 units a year for the whole of D&G. Although population is declining, average household size is getting smaller and this trend drives the small increase in household units required. (1,500 units is about 2% of the current housing stock.) The High Variant scenario predicted a need for 2,942 additional units.

The Housing Land Technical Paper January 2017 should base its estimates for the Housing Supply Target primarily on the HNDA model. In setting the housing supply target Dumfries & Galloway Housing Market Partnership (HMP) claim to have “taken into account wider strategic economic, social and environmental factors, and issues of capacity, resource and deliverability, in determining an appropriate scale and distribution of the housing supply target. This approach is consistent with Scottish Planning Policy 2014.” Can find no details online of the composition of the HMP, minutes of their meetings or discussions.

The Housing Supply Target (HST) for Dumfries and Galloway for 2016-2029 is set at 4,032 units. It is not clear in the report why this is 37% greater than the HNDA high variant estimate. A further generosity provision of 20% is added to this to give the Housing Land Requirement figure of 4,838 units for D&G. This is three times the predicted HNDA principal scenario requirement.

It should be noted that the HNDA estimates are for the twenty year period 2016-2035. The HST paper wrongly states these totals for 2016-2029, a 13 year period, with a consequent increase in the annual requirements.

The HST ignores windfall development which amounted to 101 units between 2014 and 2016 or 50 units a year.

The HMP considered the “High Variant Scenario best reflects the Council’s ambitions for Dumfries & Galloway as set out in the Regional Economic Strategy 2016.”

The major assumption giving rise to the difference between the HST estimate and the HNDA principal scenario is that migration into D&G is 250 in 2016, 300 in 2017 and 350 pa each year thereafter till 2035 (Table 6 Migration assumptions) in contrast to the NRS estimate of 100 pa for each year from 2016 to 2035. This high migration assumption means an additional 4,850 people in the population by 2035, rather than the 4.6% decline predicted by NRS. If we assume that the breakdown in households of the new arrivals is similar to the existing distribution given in Table 2.4 in the HNDA paper then a rough guess of the number of additional households required is 2,519 units. This gives rise to an estimate of the total number of households as $1,465 + 2,519 = 3,984$, very close to the 4,032 units produced by the HST.

Given the above, the targets produced for the Local Housing Strategy are far too large and will lead to damaging consequences for our area. Although there are many tables produced within the Housing Land Technical Paper, they do nothing to support the migration assumption used which drives the estimated number of units required in D&G to a factor of three times the agreed principal case based on trends and evidence supplied by NRS. The adoption of the high migration assumption because it is in line with the Council’s aspirations is unsafe. Given the fact that the UK is about to leave the EU and the real possibility that this will result in smaller immigration to the UK the high migration assumption is untenable.

This assumption of high migration gives rise to designating large swathes of land around settlements to meet this unrealistic demand. Any one of these developments, if they came to pass, would radically change the built environment of the local community and put a large stress on local education and health services. Small infills in local communities would meet demand and help preserve the character of our region, which is so important for our tourist industry. The figures supplied for windfall development suggest that the major element of the HNDA principal estimate could be met through this channel alone and that none of the proposed large developments around any of the major settlements in D&G are required.

Turley Associates obo Story Homes (0263.007); Homes for Scotland (0287.001) - Support the addition of a 20% generosity allowance to the housing land supply target. It is acknowledged and agreed that this approach will allow for greater choice and flexibility in the allocated land supply, thereby ensuring that sufficient land for housing is provided. This approach is in line with SPP, which endorses the addition of a margin of 20% to the housing land supply target, in establishing the housing land requirement.

Ryden obo Wallets Marts (0292.001) - Support the Council's approach to identifying the housing land requirement and the proposal to add a 20% generosity allowance to the Housing Supply Target in an effort to ensure it is met and achieve the Council's number one priority which is to grow the local economy. Support the distribution of the housing land requirement. This ensures that the greater proportion of development, 50%, is allocated to District Centres cascading to lower percentages for local centres and villages. However, given the scale and range of services available in District Centres, that greater flexibility should be afforded to those centres whereby the housing allocation is a minimum.

Nigel Emslie (0301.001) - While the comments which follow are submitted from an Auchencairn perspective, they may be thought to highlight and exemplify wider

issues affecting communities throughout Dumfries & Galloway.

On the positive side, Section 2.1 of the MIR bears to promote an entirely welcome 'Vision' of ... vibrant towns and villages that have ...housing developments of a scale appropriate to their location " and also ..."a distinctive landscape setting or sense of place". This echoes Scottish Planning Advice Note 2/2010, quoted at p.34 of the Housing Land Requirements Technical Paper (HLRTP), to the effect that a generous supply of land should be identified for the provision of a range of housing, including affordable housing ..."in the right places". Section 2.10.1 of the MIR goes on to describe how it is the interaction between people and their environment which leads to a high quality of life, how successful places are..."locally distinctive and attractive, welcoming with easy access", and how the..."visual character and identity of a place" may be maintained through good design. Section 2.10.5 notes that ..."effective) engagement with communities is at the heart of recent reforms to community planning", and Section 2.10.7 expressly states that ..."the) policies in the LDP intend to direct development to support the immediate needs of communities and to support development which will safeguard the role of places, enhance existing places and create quality new places". According to Section 3.1.1, moreover, "(the) current strategy promotes a pattern of development that seeks to minimise the need to travel by directing development to those settlements with a good range of services and facilities and employment opportunities".

Such aspirational statements are further endorsed and confirmed in the SEA Environmental Report (ER), especially at paragraphs 5.2 and 5.3, and even the HLRTP begins in the same encouraging vein.

On the negative side, however, the remainder of the HLRTP is characterised by a determined focus on National Planning Policy (including the recently declared target of 50,000 affordable homes by 2021), on computed numerical Housing Supply Targets for each regional Housing Market Area (HMA) in Dumfries & Galloway, and on derived Housing Land Requirements again designed to operate at HMA level. Market housing targets are not even fixed by reference to the Housing Needs and Demand Assessment (HNDA) which the Dumfries & Galloway Housing Market Partnership (DGHMP) was set up to promote, but rather (as explained at p.33) on the basis of ..."past completions (sic) rates to allow for a more generous supply than what the HNDA2 estimates".

Requirements then involve adding a further 'generous margin' of 20% for greater choice and flexibility. Because past completion rates in the Stewartry HMA were at a commendably high level, as evidenced by a comparison of Tables 34/39, the upshot is a massive disparity between the contribution now demanded from the Stewartry (706 market and 302 affordable units) and the contributions sought elsewhere. Table 45 shows far lower demands for Annan (487 +235), Mid-Galloway (470+218), Stranraer (454+235) and Eskdale (50+50), and equivalent figures for the Dumfries HMA, despite its vastly greater population, are only 2,671+857. Future need, however, is in no way correlative to past achievements, and it is submitted that both the HLRTP and (at Section 2.9) the MIR fatally confuse the two. There is no legitimate reason to penalise the Stewartry for its past record of market housing completions, bearing in mind the many suitable allocated sites that will have been used up in the process.

Equally, there is no legitimate reason why, as disclosed in the 'Non-Technical Summary' at page 4 of the ER, outlying HMAs are apparently to bear the burden of counteracting major site failures and abandonments in Dumfries. Nor is there any legitimate reason why, as revealed at p. 34 of the HLRTP, the DGHMP has apparently agreed that a past backlog of 419 units across Dumfries & Galloway ..."should be addressed by social rented housing within the first 5 years of the Plan". It cannot surely be an appropriate use of planning powers for any community to be detrimentally affected, going forward, with the consequences of past failures elsewhere.

In all these various respects the applied methodology of the MIR and associated documents is directly at variance with the laudable community-based principles

which they claim to espouse. Repeated assertions of regard for communities and their differing individual interests appear to be no more than empty verbiage when, in practice, it is national and regional policies and statistics which dominate and direct every purported target and assessment of need.

At a more local level, the MIR proceeds to allocate its various targets and requirements, again on a largely formulaic basis, among the District Centres, Local Centres, Villages and Countryside within each HMA. Arbitrary percentage distributions are discussed at Section 2.9.12, and Section 3 contains settlement statements and inset maps for individual District and Local Centres. These detail not only sites previously allocated in the 2014 LDP, but also (in some but by no means all cases) additional 'Call For' sites. Surprisingly, Community Councils were not directly consulted during these exercises, so yet again, this time at a more local level, housing proposals appear to have been worked up without due regard to the actual needs and interests of the communities affected.

Rapleys obo Caravan & Motorhome Club (0312.001) - The LDP2 puts forward a housing land requirement of 6,735. This is the supply target of 5,614, to which a surplus of 20% has been added. Support the use of a 20% buffer as opposed to an alternative 5%.

Kirkcudbright CC (0336.001) - Concerned that the housing supply targets proposed in the MIR are unrealistic and set at too high a level. Adoption of these proposed housing supply targets will lead to unnecessary strain on local services and will change the nature of local communities.

Allocation of housing land requirement

Martin Robertson (0146.002) - Agree that the proposed approach to how the housing land requirement figure is allocated should continue.

Homes for Scotland (0287.001) - Endorse the proposed approach to the allocation of the housing land requirement figure. In particular, Homes for Scotland members welcome the proposed allocation of a minimum of 50% of housing units within the Dumfries Housing Market Area, to the Regional Capital, Dumfries.

This proposed approach reinforces the Council's vision for Dumfries by focusing the majority of future housing development within the Dumfries Housing Market Area to a settlement with a good range of services, facilities and employment opportunities.

Graham Whitely (0300.001) - Cannot agree that villages and small building groups in the countryside should have targets as high as suggested, e.g. Dumfries HMA 706 units.

In Torthorwald, developments over the last 10 years, principally the Highfield estate, have doubled the size of the village; any further development would render its village status meaningless, in fact merely a commuter suburb for Dumfries.

The conditions for village and countryside housing developments in LDP1 would, if properly implemented, decry any significant housing growth and it is therefore unlikely that the volume suggested could be achieved, or indeed anything like this figure in the plan period and beyond. Whilst it may be considered early days regarding implementation of rural housing development policies, a recent trip in

the upper Ken valley revealed numerous random newly-built houses that clearly can only have been approved recently, including some under construction, with no apparent cohesion to other properties or the landscape.

Further, such large totals only encourage speculative applications by developers and landowners for large scale, and usually high-end properties, figures that they can use as an overall justification for approval notwithstanding other policies.

The Housing Technical Paper indicates that the demand for housing will arise from single-person households whose needs would not be met by rural developments that are remote from services and access to sustainable transport. The development of rural D&G to have access to long-term sustainable transport is very dependent on revenue support being made available by the Council. This support can be turned off at the whim of the ruling parties at short notice, leaving rural parts of the region without public passenger transport overnight. Therefore new residents of villages that may rely on such transport for work or access to education may suddenly find themselves isolated.

Rapleys obo Caravan & Motorhome Club (0312.001) - Garlieston is a local centre in Mid Galloway. LDP2 allocates a minimum of 30% of the required housing for the Mid Galloway area to be developed in local centres (i.e. 206). This figure is encouraging, but request that the policy stress that this should be regarded as the minimum, and not a target. Areas like Garlieston have the capacity to contribute sustainably and meaningfully to the local housing requirement, and a target of 206 should not curtail the granting of permission where development was supportable in principle.

Ryden obo NHS Dumfries (0325.001) - Support the aim of the housing land requirement figure continuing to be allocated to the Dumfries and the District and local centres.

Holder Planning obo Sandy Robson (0332.002) - Don't agree that the proposed approach to how the housing land requirement figure is allocated should continue. The Housing Land Requirement is set out in the Housing Land Requirement Technical Paper. It confirms that the Housing Need and Demand Assessment (HNDA) 2 was approved as robust and credible by the Scottish Government in August 2016. It states that the total housing land target over the period 2016 – 2029 is 5,614 units. In addition to this, the Housing Technical Paper advises that the Council have added a 20% generosity margin to the housing supply target to reflect in migration and to help grow the economy, which we support. The total Housing Requirement for Dumfries and Galloway over period 2016 – 2029 is 6,735 units.

The MIR advises that this is to be delivered in the six Housing Market Areas; Annan, Dumfries, Eskdale, Mid Galloway, Stewartry and Stranraer, with over fifty percent being directed to the Dumfries HMA.

The total housing requirement for Dumfries HMA over the plan period is identified as 3,528 new homes, comprising a requirement for 2,671 market housing and 857 affordable housing. That requirement is to be delivered as follows; 50% in Dumfries Regional Capital (1,764 units), 20% in District Centres (705 units), 10% in Local Centres (353 units) and 20% in villages (706 units – includes small building group and houses in the countryside).

A higher proportion of the housing requirement should be directed to Dumfries to contribute to achieving the MIR's vision of consolidating its role as a Regional

Centre. Directing further housing development to Dumfries accords with SPP and provides housing in a sustainable location, close to employment opportunities, further education and services and amenities. 70% (2,470 units) of the housing requirement in Dumfries HMA should be directed to Dumfries Regional Centre.

Housing in urban centres

Loreburn CC (0222.001) - The plan does not address the potential regenerative role of housing in urban centres.

Redeveloping old and creating new housing opportunities in the very centre of Dumfries would not only assist in meeting housing need, but significantly contribute to the revitalisation of the town. People living in flats above shops, bars and cafes on and near the High Street are customers for these businesses and possibly workers in them. If people are living above the High Street it will not die as it now does at 5:00pm.

If housing is to be brought back to the town centre, it will be necessary to reconsider Building Regulations and ways not only to support development but also to remove obstacles to development

Long term housing

Scottish Natural Heritage (0122.002) - Agree with the continuation of the current approach to long-term sites and note that these should continue to be assessed in the SEA, both in their own right and as part of the assessment of cumulative effects.

Martin Robertson (0146.002) - Agree the current approach should continue.

Turley Associates obo Story Homes (0263.004); Homes for Scotland (0287.001) - Support current approach. Dumfries and Galloway is not within a city region therefore this approach provides a degree of certainty in respect of long term housing land requirement in the absence of a strategic development plan for the area, in line with the methodology stipulated by SPP.

Ryden obo NHS Dumfries (0325.001) - Appreciate the SPP requirement to provide an indication of the possible scale and location of the housing land requirement beyond year 10 and up to year 20. However, each site requires to be assessed in a robust way to ensure that sites which are included are all, realistically deliverable in the given time frame. The wider planning system, and indeed the delivery of effective sites can be undermined by the allocation of other sites which are undeliverable in the suggested timeframe.

Delivering housing development

Historic Environment Scotland (0012.004) - Support measures to expand the Local Development Plan Action Programme to facilitate the delivery of sites. In line with this, would also recommend that mitigation measures identified within the Strategic Environmental Assessment (SEA) are included within the Action Programme.

Scottish Water (0083.002) - Support working closely with Dumfries and Galloway Council and Developers to enable site delivery. Also welcome the opportunity to contribute to the Action Plan and encourage early communications from developers.

Scottish Natural Heritage (0122.002) - Consider that some understanding of location could better support the question as the usefulness and relevance of a housing SPZ will likely be different by location. Would be happy to comment in more detail once further information is available.

Changes to the Action Programme should fit its role as a delivery document.

Martin Robertson (0146.002) - Proposed mechanisms are worth a try. The current policies are not producing good design or originality. The housing Catch 22 is Are people given what they want? Or Do they want what they are given? The result either way leads to dull uniformity.

Loreburn CC (0222.001) - Despite the obvious community benefits from having more housing in the town centre, it is resisted by developers in this area. The economics of brown-field development are perceived as prohibitive. If there is to be a significant increase in Town Centre Housing new ways must be adopted to encourage commercial developers. Development should not depend predominantly on social housing, welcome as that may be. Current development policy requires developers putting up more than 5 houses to allocate 20% to Social Housing (see page 32, Section 2.9.19). As an alternative, developers should be invited to undertake a proportionate amount of Town Centre housing development.

Ellie Davidson (0247.002) - All for new housing as there is a great need country wide. However, any new housing development in rural settlements such as the Stewartry should be in small clusters of 5-10 houses. These settlements be low impact, single storey, sustainable, well insulated and pleasant places with plenty of attention made to sunny aspects and green spaces.

The majority of these houses should be affordable rent or part rent part buy to match the real needs of the current generation of self-employed or low waged 'working poor' who currently populate the area. Serious consideration should be given to possible and affordable, small business premises created at the same time.

The houses should all be "for life" houses, given the demographics, houses should not need to be adapted for the elderly or infirm but be already suitable (single storey, wide doorways etc) for those needs.

Dumfries & Galloway Greens (0250.002) - Although too small to be given a specific plan in the LDP, keen that rural communities like Borgue are not left in an aimless planning hinterland. In common with other communities, there is a large brownfield site in the centre of the village that has been undeveloped for some years. Such sites are unattractive to private developers, especially in the current economic climate. Suggest the Council may wish to develop its own scheme for sites like these, using the benefits of the scale of multiple projects to create innovative solutions to building small-scale housing developments on unpromising land. This could be an excellent opportunity to develop energy-efficient housing, for social rent, that meets community demand for adaptable housing fit for families.

Homes for Scotland (0287.001); Turley Associates obo Story Homes (0263.005) - Supportive, in principle, of the creation of a Housing Development Forum, and the Council's intention of developing and expanding the Action Programme. Closer collaboration with landowners, developers and infrastructure providers to produce a delivery and phasing programme, would be beneficial in the effective delivery of housing sites and the construction of new homes.

Ryden obo NHS Dumfries (0325.001) - Support the key three initiatives, to help facilitate the delivery of housing, particularly to expand the Action Programme. To minimise costs and improve cash flow for developers, developer contributions should be kept to an absolute minimum and where they are required, these should be phased over the life of the project. Would also encourage direct and effective public sector intervention to help stimulate the development of sites, particularly in regard to transport and education provision.

Holder Planning obo Sandy Robson (0332.002) - Agree that further work needs to be undertaken to ascertain the effectiveness of sites and those that are deemed ineffective removed from the supply.

Policy H1: Housing Land

John A MacColl (0048.028) - The infill sites policy should also include areas out with settlement boundaries which are less than 0.25 hectares and the term "small in scale" should be replaced with "of a size".

Scottish Environment Protection Agency (0120.002) - The continued effectiveness of sites being rolled forward from LDP1 to LDP2 has been subject to reassessment as new information has become available since LDP1. Comments have been provided on the site allocations with a particularly focus on flood risk, impacts on the water environment and co-location issues. Note that it is the intention of the Council to select a range of sites from the call for sites submissions to feature in LDP2 that will best deliver a housing strategy which meets the objectives of the Council.

Colin Douglas (0271.002) - Brownfield sites should be given priority to stop the destruction of prime agricultural land.

Rapleys obo Caravan & Motorhome Club (0312.001) - Support the current wording of the policy, as it appear to stand in favour of the residential development which this representation seeks to promote.

Policy H2: Housing Development in Villages

David Fallas (Planning) (0071.012) - Do not agree with the statement that the adopted LDP has led to a more 'flexible approach' to housing development within villages. The policy approach requires to be changed to provide clearer and unequivocal support for larger sizes of development, which the current policy alludes to but is not being taken on board when planning applications are being decided.

There needs to be specifically expressed acceptance for 'bigger' development opportunities within villages thereby making it clearer for prospective developers to appreciate what scale of development the Council means as well as aiding development management staff when making an assessment. This needs to be

carried through into the supplementary guidance. The guidance currently shows the acceptable scale of development as being the same as that within small building groups. The current illustrations are very poor and provide no examples of where 'larger scale' development might be favourably considered. The illustrations are also very similar to those in respect of 'acceptable developments' in the 'Housing in the Countryside' supplementary guidance. This lack of any meaningful examples is resulting in very 'cautious' decision making and a decided lack of willingness to accept anything more than 'three plots max' at any site. It is difficult to accept the current overall housing strategy as being rationale and representative of what the Council are actually proposing for this category of 'settlement' when some of the new LDP 'villages', less than 5 years ago, were the subject of inset maps in the previous Local Plans that identified larger parcels of land for residential development.

The supporting text for LDP2 acknowledges that over the period of the current LDP very few, if any, of the large allocated housing sites in the other settlements across the region have been the subject of any real meaningful activity and the consequential effect this is having upon the matter of 'choice' and availability within the housing sector. To try and address that and introduce a positive measure through the LDP2; and to promote direct action and stimulate more potential activity, the Council should consider re-visiting some of the sites in 'villages' that were 'allocated sites' in the former adopted Local Plans', particularly those that had previously received planning permission but which has now lapsed or renewals refused as a consequence of the new settlement hierarchy being promoted. This will potentially result in more appropriate sized parcels of land being available to 'local' building companies to take the financial risk on, encouraging activity in a sector of the market that it is acknowledged is underperforming.

Scottish Natural Heritage (0122.002); Martin Robertson (0146.002); Rapleys obo Caravan & Motorhome Club (0312.001) - Agree with the continuation of the current policy approach to development in villages.

Cree Valley CC (0284.001) - The rural areas of the Cree Valley, including the communities of Palnure, Stronord, Bargrennan and Glentroll, should have a presumption in favour of development. In particular, farm diversification should be encouraged.

Policy H3: Housing in the Countryside

John A MacColl (0048.023) - The deletion of the text referred to will remove part of the many restrictions related to housing for agricultural workers in rural areas. The word 'essential' should be deleted from the Policy and be replaced with the word 'needed'. The Labour Requirement Report lodged with each application clearly states and demonstrates that the house is needed and as the definition of 'essential' can vary this leads to inconsistency in the recommendation of planning reports.

John A MacColl (0048.027) (0048.039) - Agree with the proposed changes and that this should also remove all Sct 75 Agreements, occupancy conditions, etc

Savills (0063.012) - The existing policy is being interpreted in a manner that is inhibiting positive development in the countryside. In particular the interpretation

of policy references to brownfield sites.

Applications for development on rural brownfield should be supported in principle, and the policy should seek to support applications through a positive policy framework. Concerned that as currently stated, the 'Rural Brownfield Site' section is too lengthy and is being interpreted too stringently, at the very least there is a lack of clarity in the policy that is hindering determination of planning applications.

This is preventing rural brownfield sites being redeveloped for housing.

Our experience is that the section that states "Only those sites which are demonstrably intrusive, visually or environmentally, and where there is no realistic prospect of them being returned to agricultural land or woodland, particularly for reasons that might include contamination, will be considered suitable candidates for redevelopment" causes unnecessary complication and delay and introduces uncertainty to rural brownfield redevelopment proposals. Applicants are being required to prove that a site is "demonstrably intrusive", this can be a costly exercise to attempt to prove an undefined policy point. It would be more positive for sustainable development to start from a position of certainty on rural brownfield sites, with a reasonable judgement made that redevelopment, in principle, is acceptable.

The following paragraph of the SG should be edited to indicate a positive position on redevelopment of brownfield sites: "Redevelopment for small scale housing of brownfield land which was formerly occupied by buildings will be acceptable where it would remove dereliction or result in a significant environmental improvement"

The suggested edits would change the tone of the policy and provide a positive starting point for potential applicants. In addition, it removes the uncertainty built in by "significant" which would help to reduce the complexity for rural brownfield applications.

It is unnecessary to introduce 6 further criteria beyond the page of text that is already outlined for rural brownfield sites. The length of the section only serves to complicate such applications. Suggest they should be edited as follows:

- There are significant environmental and/or community benefits to be gained...
- The existing buildings can be evidenced as being beyond economic repair and retention (delete point)
- The physical footprint of new buildings shall be only be allowed to increase built development beyond no greater than that of the existing buildings where an appropriate scheme that meets the requirements of Policy OP2: Design Quality of New Development. and will, in most instances, require to be significantly less...
- The scale of new development shall be minimised to what is absolutely necessary to secure the rehabilitation of the site. As a consequence developers will be required to submit appropriate financial information to justify their proposals and to enable an appraisal of this aspect of their development to be made by the Council. The Council reserves the right to have any financial appraisal submitted scrutinised for accuracy by a third party at the developer / landowner's expense. Consent will not be granted unless the developer can show and demonstrate to the satisfaction of the Council that there is a sound business case for the proposed development and for that business case to address and take into account all matters that pertain to the development. (delete point)

The above edits are more positive and will help facilitate redevelopment of brownfield sites and will remove uncertainty and potential for delay from the housing in the countryside approach.

The footprint and scale of new development policy criteria are too vague and, they also risk "dumbing down" the quality of development achievable on certain rural brownfield sites. Not aware that other sites are subject to a "minimised" restriction. Can result in adverse quality of development, thus putting a proposal at odds with the overarching Policy OP2. In addition, at what point is development "minimised"? Experienced difficulty putting forward a proposal that only covered

7% of the land area of a site that had contamination issues across its entire area. Finally, it is unclear what financial information should be submitted and at what level a scheme would be deemed appropriate by the Council under assessment of this financial information? The “scale of new development” policy point should be deleted.

David Fallas (Planning) (0071.010) (0071.011) - Criteria - replace or renovate an existing house with a house of an appropriate scale within the same curtilage; Whilst the suggested revisions are welcomed the above criteria also needs to be revised if the policy is to have a better fit with the type of proposals it is going to be used to assess. The requirement that any replacement dwelling has to be within the same 'curtilage' is overly restrictive and can lead to situations where it inadvertently promotes or will perpetuate instances of bad planning.

Where an existing building is no longer fit for residential occupation for reasons that it is adjoining or adjacent to uses of land that it is no longer compatible to e.g. a Class 5 general industrial processes or agricultural developments such as cattle sheds/slurry pits or the like, then the policy's wording to require that any replacement dwelling be restricted to the same curtilage is foolish.

If a dwelling is next to a use of land that materially and adversely affects the residential amenities of that dwelling by way of a nuisance from things such as noise, fumes, smell or industrial processes then that adverse impact is not going to be appropriately combated by moving that dwelling a few metres elsewhere within its garden area. To properly combat such a degree of nuisance, one that effectively renders the residential environment of the dwelling as 'toxic', then the wording of the policy needs to be revised to specifically provide for such circumstances and allow for appropriate alternative locations 'beyond' the extent of any nuisance to be favourably considered.

Scottish Natural Heritage (0122.002) - In respect of the caveats relating to a single house in the remote rural area, the supplementary guidance should set out:

- design principles which ensure that siting and structure planting maintained or enhanced the rural environment;
- a strategic approach to ensure character and quality of remote rural areas is maintained or enhanced

Scottish Natural Heritage (0122.002) - Agree with the proposal to amend the SG to contain more detail on what is meant by “create a sense of place”. This clarification should include the role of landscape setting in the character and local distinctiveness of places and the contribution of green networks to making successful places. Would be happy to work with you on revisions to the SG.

RSPB Scotland (0133.008) - Re brownfield sites: In terms of biodiversity interests, it should be noted that brownfield sites can be much richer and more important than greenfield sites for wildlife, notably prime agricultural land which, because it is under intensive cultivation, often has extremely low biodiversity assets.

RSPB Scotland (0133.015) - Re houses in the countryside or Village: Regarding call for sites submissions that have not been subject to the Planning and Strategic Environmental Assessment in the countryside and villages, it should be made clear that any new sites proposed should not impact designated sites.

Martin Robertson (0146.002) - Agree it is too soon to change existing approach. However, care needs to be taken with the retirement succession criteria as it has

been abused in the past, both with real necessity and poor quality of design.

Stuart Thomson (0283.001) - The former auction mart should be classified as Small buildings group as it is part of Nithsdale View and not as Countryside.

Ryden obo NHS Dumfries (0325.001) - Sporadic housing development within rural areas does pose particular challenges in terms of delivery of services, including health care provision. Any policy should take cognisance of this fact. Whilst understand the benefits of rural regeneration are understood, this needs to be balanced against the impact on the cost to deliver services to these houses. Against the background that 19% (a significant proportion) of the 453 houses approved from July 2012 – March 2016 were in the countryside, there is some merit in limiting this type of development, particularly in the landward area.

Policy H5: Affordable Housing

Martin Robertson (0146.002); Homes for Scotland (0287.001) - Agree current approach should be carried forward. It is too soon to change the current policy

Judy Spinks (0243.014) - The policy should change the wording "maximum of 20%" to " MINIMUM OF 20%" affordable housing per 5 units. In the Stewartry we are looking at 55% of the population being unable to afford to buy the cheapest houses (Affordable Housing Supplementary guidance page 4 section 2.3). In this instance the policy might better read 'a MINIMUM of 50%' .

Ellie Davidson (0247.001) - A policy of only 20% affordable housing in any of the developments is a huge mistake. Statistics show that more than half of the residents or would be residents in the region cannot afford to buy even the cheapest existing houses. There is a great need for affordable rented housing both for young people either self-employed or low waged and for elderly folk on low pensions. Not talking about social housing but people on the next rung up or 'the working poor' as current terminology puts it.

Turley Associates obo Story Homes (0263.003) - Agree that the current policy approach should be carried forward into LDP2. The approach is in accordance with SPP.

With regard to development viability, suggest amending the wording of the existing affordable housing policy (H5) to include the following from the SG, "If the provision of developer contributions makes a scheme financially unviable the developer will be required to provide a full development appraisal demonstrating the negative impact the contribution has upon the proposal."

This would clarify the Council's approach to assessing the provision of affordable housing within new housing development of five or more units.

Colin Douglas (0271.002) - Social housing should only be provided in communities with job opportunities, else there will be a huge burden placed on government and society in general

Cree Valley CC (0284.001) - Some councils in Scotland have acquired areas of land which are then sold off to self-build projects at an affordable rate. This should have no overall cost to the Council and could raise small profits. It would encourage development in the area.

Ryden obo NHS Dumfries (0325.001) - Support the provision of affordable housing at 20%. However, the relevant policy requires to be flexible to allow each case to be considered on its own merits and, in particular, how each site delivers the required 20%, whether that be on site or by way of a committed sum.

Holder Planning obo Sandy Robson (0332.002) - There is a significant unmet demand for provision of 4,500 affordable housing within the Dumfries Market Area. Therefore, the Council's approach to affordable housing must be amended and additional sites allocated for the development of both affordable housing and market housing, which will also contribute affordable housing completions of up to 20%. DGHP have confirmed that they would be interested in developing Mavis Grove for affordable housing either as part or to the whole site if the site was allocated in the LDP.

Policy H8: Alterations and Extensions to Houses

Dumfries & Galloway Council Sustainable Development Team (0100.031) - This policy does not appear to require any Climate Change mitigation or adaptation measures for existing buildings seeking alterations and extensions e.g. energy efficiency or renewables.

Recommend the policy is amended to reflect SPP Page 7 Outcome 2 para 19 "By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people's choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste."

Effective adaptation to the predicted effects of climate change includes features such as natural ventilation, managed solar gain, reduced rain water run-off, materials resilient to flood damage, water-efficient and water-conserving fixtures, preparation for future grey-water separation and rainwater harvesting, and resilience to extreme winds and power interruptions.

SPP 2010 included in part 7 para 44 with regard to both climate change mitigation and adaptation: "Local development plans or supplementary guidance should set out the approach to existing buildings which are being altered or extended including historic buildings" Perhaps this is no longer policy?

Council response and proposed modifications:

Housing supply target and housing land requirement figures

John A MacColl (0048.039); Scottish Water (0083.002); Turley Associates obo Story Homes (0263.007); Homes for Scotland (0287.001); Ryden obo Wallets Marts (0292.001); Rapleys obo Caravan & Motorhome Club (0312.001); Holder Planning obo Sandy Robson (0332.002) - Comments noted. No modification(s) proposed.

Martin Robertson (0146.002) - The purpose of generosity is to provide greater choice and flexibility in the allocated land supply to ensure that more than enough land is allocated in order that the housing supply target can be met. A 20% generosity allowance will help the Council achieve its number one priority which is to grow the local economy. It will also ensure there is flexibility should the market improve during the plan period. No modification(s) proposed.

Heather Nisbet (0164.001) - The purpose of generosity is to provide greater choice and flexibility in the allocated land supply to ensure that more than enough land is allocated in order that the housing supply target can be met. The addition of generosity to the housing land supply will allow for unforeseen circumstances and permit additional development to take place should more delivery be possible within the plan period than originally envisaged.

It is not possible to add the type of condition proposed by the representor as it would not comply with the tests set out in Scottish Government Circular 4/1998 – The Use of Conditions in Planning Permissions. No modification(s) proposed.

Kathleen Patterson (0208.003) - The purpose of generosity is to provide greater choice and flexibility in the allocated land supply to ensure that more than enough land is allocated in order that the housing supply target can be met. The addition of generosity to the housing land supply will allow for unforeseen circumstances and permit additional development to take place should more delivery be possible within the plan period than originally envisaged.

The site referred to by the representor is considered to be an effective site which is why it is being proposed for inclusion in the proposed plan. No modification(s) proposed.

Judy Spinks (0243.012) – The purpose of generosity is to provide greater choice and flexibility in the allocated land supply to ensure that more than enough land is allocated in order that the housing supply target can be met. When assessing sites for inclusion in the plan an assessment is also made of the settlements ability to accommodate future growth. Development should be of a size that reflects the scale and character of the settlement. No modification(s) proposed.

David McHale (0261.001) – The high migration variant projection was chosen as it best reflects the Council’s ambitions and aspirations going forward. Whilst choosing this projection results in an increased housing supply target, it does not automatically mean that large swathes of land round settlements will be designated for development. A settlement’s ability to accommodate future development forms part of the work undertaken when identifying sites for development. No modification(s) proposed.

Nigel Emslie (0301.001) – Comments noted. SPP sets out the requirements development plans should follow in respect of enabling the delivery of new homes. The Housing Land Requirement Technical Paper sets out the approach taken in arriving at the housing supply target and the housing land requirement figure.

The majority of the Housing Supply Target has been allocated to those settlements with services and facilities. Further work is then done to assess the settlements’ ability to accommodate future development. The representor has not suggested an alternative approach to how the Housing Supply Target should be allocated. No modification(s) proposed.

Kirkcudbright CC (0336.001) – Comments noted. Should future development create a need for new, extended or upgraded public infrastructure services, a contribution would be sought from the developer to make those improvements. When assessing sites for inclusion in the plan, an assessment is also made of the

settlement's ability to accommodate future growth. Development should be of a size that reflects the scale and character of the settlement. No modification(s) proposed.

Allocation of housing land requirement

Martin Robertson (0146.002); Homes for Scotland (0287.001); Ryden obo NHS Dumfries (0325.001) – Comments noted. No modification(s) proposed.

Graham Whitely (0300.001) – The Dumfries HMA is the largest HMA in the region which is why the housing figures for this HMA are larger than the others. There are a number of villages and Small Building Groups in this HMA that should have the opportunity to grow provided they comply with the relevant LDP policies. Development proposals in villages and the countryside are assessed against criteria based policies which should prevent the type of development referred to by the representor taking place. No modification(s) proposed.

Rapleys obo Caravan & Motorhome Club (0312.001) – The number of housing units allocated to the local centres in each HMA is a target and not a cap. In most cases, the total number of units allocated for development exceeds the target. A settlement's ability to accommodate future development will vary between each settlement which may result in some settlements have more sites allocated than others. No modification(s) proposed.

Holder Planning obo Sandy Robson (0332.002) – If the amount of development allocated to Dumfries was increased from 50% to 70% (as suggested by the representor), it would reduce the amount of units that could then be allocated to the other settlements within the HMA. The Dumfries HMA is the largest in the region with a number of large settlements. If the number of units allocated to them was reduced it could have an impact on their ability to grow and develop in the future. The current allocation of 50% of the housing supply target to Dumfries is considered sufficient. No modification(s) proposed.

Housing in urban centres

Loreburn CC (0222.001) – Housing development in the town centre is currently supported by the LDP. No modifications(s) proposed.

Long term housing

Scottish Natural Heritage (0122.002); Martin Robertson (0146.002); Turley Associates obo Story Homes (0263.004); Homes for Scotland (0287.001) -
– Comments noted. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) – Comments noted. All sites are assessed in a robust manner using the criteria set out in paragraph 55 of Pan 2/2010. No modification(s) proposed.

Delivering housing development

Historic Environment Scotland (0012.004) – Comments noted. Consideration will be given to including mitigation measures identified in the SEA when the Action Programme is being prepared. No modification(s) proposed.

Scottish Water (0083.002); Martin Robertson (0146.002); Homes for Scotland

(0287.001); Turley Associates obo Story Homes (0263.005) – Comments noted. No modification(s) proposed.

Scottish Natural Heritage (0122.002) – Since publication of the MIR, the Council and A&DS have been chosen as one of the housing SPZ pilots. Working through the pilot should help to determine if a SPZ will help deliver housing development. No modification(s) proposed

Loreburn CC (0222.001) – Comments noted. However, it would be very difficult to achieve in reality for a whole host of reasons including issues such as landownership, viability, etc. No modification(s) proposed.

Ellie Davidson (0247.002) – Many of the points set out in the representation such as developments should be sustainable, well insulated, have a sunny aspect, be accessible, etc, should be included in new development. Sites allocated for development in the LDP have been assessed for how they fit in with the settlement in terms of size and landscape fit. No modification(s) proposed.

Dumfries & Galloway Greens (0250.002) – Borgue is a village is the settlement hierarchy, development proposals in these locations are supported provided they meet the criteria contained in the relevant policy and SG. The suggested approach to developing the site is interesting and may be worth exploring further, subject of course to funding becoming available. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) – Comments noted. Developer contributions will only be sought where the proposed development creates an identified need; mitigation is required to address an adverse environmental impact; or to provide for new, extended or upgraded public services. The Council is investigating ways, subject to funding, in which it can get involved in stimulating the development of sites. If appropriate, those methods will be included in the Action Programme. No modification(s) proposed.

Holder Planning obo Sandy Robson (0332.002) – All sites are assessed in a robust manner using the criteria set out in paragraph 55 of PAN 2/2010. It is proposed to remove those that are considered to be ineffective from the supply. No modification(s) proposed.

Policy H1: Housing Land

John A MacColl (0048.028) - The policy applies to sites within settlement boundaries. Development proposals outwith settlement boundaries will be assessed against other policies such as H2: Housing in Villages and H3: Housing in the Countryside.

The term “small in scale” has been used as it reflects the terminology used in other policies such as OP2: Design Quality in New Development. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002); Rapleys obo Caravan & Motorhome Club (0312.001) - Comments noted. No modification(s) proposed.

Colin Douglas (0271.002) – The overarching principle of the current LDP is that all

development proposals should support sustainable development. Five broad principles were followed when sites were identified for inclusion in the current plan, 2 of them are as follows: where possible, avoid the use of prime quality agricultural land; and consider reusing brownfield, vacant and derelict land and buildings instead of greenfield land.

These principles have been followed when identifying sites for inclusion in LDP2 . Whilst the development of brownfield land is desirable it is not considered possible to give it top priority as there are a number of other factors that could prevent it being developed. No modification(s) proposed.

Policy H2: Housing Development in Villages

David Fallas (Planning) (0071.012) - Comments are noted.

No modification proposed to the wording of the policy but it would be appropriate to make amendments to the SG to make it clear that development in villages should be of a scale that is appropriate to the scale of the existing village.

Scottish Natural Heritage (0122.002); Martin Robertson (0146.002); Rapleys obo Caravan & Motorhome Club (0312.001) - Comments noted. No modification(s) proposed.

Cree Valley CC (0284.001) – Glentool currently listed as a village in the settlement hierarchy. Palnure, Stronord and Bargrennan are all small building groups. There is no presumption against development in these locations provided they meet the criteria set out in the relevant policy. No modification(s) proposed.

Policy H3: Housing in the Countryside

John A MacColl (0048.023) – Comments noted. In determining planning applications in relation to this policy it is considered that “essential” is appropriate as it provides a stringent test. No modification(s) proposed.

John A MacColl (0048.027) (0048.039); Martin Robertson (0146.002) - Comments noted. No modification(s) proposed.

Savills (0063.012) - The comments relate to the current Supplementary Guidance – Housing in the Countryside (August 2015) which is in the process of being reviewed. It is proposed to provide further definition in the guidance on rural brownfield sites. It is acknowledged that the approved guidance introduces further criteria and there is a need to simplify the guidance in relation to this criteria. It is proposed to amend the Supplementary Guidance.

David Fallas (Planning) (0071.010) (0071.011) - The Supplementary Guidance – Housing in the Countryside (August 2015) states that the renovation or replacement of a house will be considered favourably unless it would involve the loss of a listed or significant traditional building. The extenuating circumstances described in this example would require to be justified when a planning application is determined. No modification(s) proposed to either the policy or supplementary guidance in respect of this criterion.

Scottish Natural Heritage (0122.002) - Comments noted. To enable a full assessment to be made, it is proposed that applications determined under this policy would require a full planning application. It is proposed to amend the supplementary guidance to include this revision.

Scottish Natural Heritage (0122.002) - Comments noted. It is proposed to amend the Supplementary Guidance to include how Small Building Groups should be considered and assessed in the landscape setting.

RSPB Scotland (0133.008); (0133.015) – Comments noted. No modification(s) proposed.

Stuart Thomson (0283.001) - A small building group is defined as three or more separate habitable or occupied houses which are well related to each other and which would contribute to a sense of place. The Supplementary Guidance Housing in the Countryside (August 2015) provides further guidance. Further small building groups are assessed when a planning application is determined. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) - Comments noted. The level of approvals is in line with the spatial strategy set out in the adopted plan. No modification(s) proposed.

Policy H5: Affordable Housing

Martin Robertson (0146.002); Homes for Scotland (0287.001) - Comments noted. No modification(s) proposed.

Judy Spinks (0243.014); Ellie Davidson (0247.001) - SPP states that the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses.

The affordability of housing is an issue across the region and even more so in the Stewartry. However, if the percentage of units in a market site that need to be affordable was increased beyond 20% it is very likely that development of the site would no longer be financially viable and would not happen.

The Councils Strategic Housing Service are responsible for delivering the Council's Strategic Housing Investment Programme. They were also a partner in producing the Housing Need and Demand Assessment, which was used to inform the MIR and informs the proposed plan. They are working with registered social landlords to try and increase the provision of affordable housing in Stewartry. It is proposed to amend the policy to remove the phrase "a maximum of" to provide clarity and certainty.

Turley Associates obo Story Homes (0263.003) – Comments noted. In the interest of clarity it is agreed that it would make sense to add some additional text about development viability to the policy and the supplementary guidance.

Colin Douglas (0271.002) – The vast majority of social housing schemes that are included on the Strategic Housing Investment Programme are in settlements with job opportunities. No modification(s) proposed.

Cree Valley CC (0284.001) - The Council is always looking for innovative ways to provide affordable housing. The scheme referred to will be looked into further and if considered something the Council could get involved in will be included within the supplementary guidance. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) - Support for the provision of affordable housing is noted. The current policy is considered to provide flexibility by stating that development proposals will be assessed on a case by case basis by the Council. The policy also requires the housing to be provided on the application site, if that is not possible then the affordable housing can be provided on another site in the developers ownership provided it's in the same housing market area. A commuted sum payment will only be considered in exceptional circumstances. The supplementary guidance provides more detail on how the policy is applied. No modification(s) proposed.

Holder Planning obo Sandy Robson (0332.002) – It is unclear where the unmet demand figure of 4,500 affordable housing units has come from. The Housing Need and Demand Assessment, which has received robust and credible from the Scottish Government, estimated a need for between 864 and 1,533 social rent and below market units between the period 2016 – 2035.

That estimated need is then reflected in the housing supply target set out in the MIR. The housing land technical paper published alongside the MIR sets out the factors that have been taken into account in arriving at the housing supply target. The MIR also sets out the housing land requirement, the preferred approach set out in the MIR is to add a 20% generosity allowance. Even when all of this is taken into account the affordable housing land requirement for the Dumfries Housing Market area is 857 units between the period 2016 and 2029.

The interest DGHP have shown in Mavis Grove site is noted and is discussed further in the Dumfries town housing sites schedule 4. No modification(s) proposed.

Policy H8: Alterations and Extensions to Houses

Dumfries & Galloway Council Sustainable Development Team (0100.031) –

It is noted that SPP encourages mitigation and adaptation measures however this would not just relate to extensions and alterations to houses but to all new development and as such it would be more appropriate to amend the wording in the overarching policy relating to sustainability, OP1f. The planning system cannot require retrofitting mitigation and adaptation measures to existing buildings, only those parts and those elements that are subject to the planning application itself. SPP 2010 has been superseded and is no longer policy. Modifications proposed to policy OP1f. The proposed modifications are set out in the overarching policies schedule 4.

Issue 6	Historic Environment
Main Issues Report reference:	Section 2 - Main Issue 3: Creating Places - Historic Built Environment
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.004) Natural Power Consultants (0080.008) Dumfries & Galloway Council Sustainable Development Team (0100.038) Martin Robertson (0146.002) Ryden LLP obo NHS (0325.001)</p>	
Summary of the representation(s):	
<p>General <u>Historic Environment Scotland (0012.004)</u> - Historic environment issues are well embedded within the document, with many of the emerging policies and proposals seeking to protect and enhance heritage assets.</p> <p><u>Dumfries & Galloway Council Sustainable Development Team (0100.038)</u> - No objection to two new policies. Recommend that one or both of the new policies include reference to Historic Environment Scotland's Short Guides "Fabric Improvements for Energy Efficiency", "Micro-Renewables in the Historic Environment" and "Climate Change Adaptation for Traditional Buildings" Available here: https://www.historicenvironment.scot/archives-and-research/publications/?publication_type=41</p> <p>Also these two new policies do not appear to require any Climate Change mitigation or adaptation measures e.g. energy efficiency or renewables. Recommend they should as SPP Page 7 Outcome 2 para.19 states "By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people's choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste." Available here: http://www.gov.scot/Resource/0045/00453827.pdf</p> <p>HE1: Listed Buildings <u>Historic Environment Scotland (0012.004)</u> - Recommend that part b) of the existing policy needs some amendment to reflect the requirement within the Historic Environment Scotland Policy Statement (HESPS, 2016) that only one of the four tests for demolition should be met in order to justify this course of action. In line with this, recommend that the wording of this policy should be amended to reflect the criteria specified within this document.</p> <p><u>Martin Robertson (0146.002)</u> - Proposals to extend or alter a listed building should include written justification, with photographs, demonstrating a full and proper understanding of the character and special interest of the building. Failure to do this may lead to refusal of the application.</p>	

Historic Battlefields (new policy)

Historic Environment Scotland (0012.004) - Welcome proposals to introduce policy for the management of Historic Battlefields within the new development plan. Recommend the following changes to the wording of proposed Historic Battlefields policy to align with other historic environment policies within the LDP;

- recommend removing the word 'significant' and amending advice relating to archaeological deposits in order to simplify application of this policy.

Where it would not have an adverse impact on the character, appearance, setting or key features of the battlefield, the Council will support development within a site listed in the Inventory of Historic Battlefields

The siting, scale and design of development, new buildings or alterations and extensions to existing buildings must preserve, conserve or enhance the key characteristics of the battlefield. These may include landscape characteristics, key viewpoints which assist the understanding of the battle and any historic assets (including the potential for archaeological deposits found in situ).

The Historic Built Environment Supplementary Guidance identifies where this policy applies.

The proposed changes are noted and the removal of the word significant will not dilute the policy but will remove a 'subjective' judgement – therefore this proposed change is acceptable.

Amending the proposed word 'particularly' to read 'including the potential for...' adds clarity by highlighting the need to consider that archaeology or artefacts may be found.

However, there is no perceived merit to changing the word order, moving the words '*The Council will support...*' from the front of the policy as suggested, particularly as the same phrase appears as the first part of the majority of the existing HE policies of the LDP and the amendment would not improve the policy.

Martin Robertson (0146.002) - Historic Battlefields have no statutory protections beyond the normal planning controls. Would suggest that it is a mistake to commence this policy with the words 'The Council will support development'. As an alternative would suggest a change of emphasis thus:

The Council supports the protection of sites listed in the Inventory of Historic Battlefields. Proposals for development within their boundaries will (only) be considered where they would not have a significant adverse impact on the character, appearance, setting or key features of the battlefield.

The siting, scale and design of development, new buildings or alterations and extensions to existing buildings must preserve, conserve or enhance the key characteristics of the battlefield.

Enabling Development (new policy)

Historic Environment Scotland (0012.004) – Suggest re-wording this policy removing provision b, which stipulates that enabling development should be near the property that is being restored;

- enabling development can sometimes adversely affect the setting of the building whose restoration it is enabling, usually because the owner's

landholding is too small to allow it to be set at a greater distance. This can reduce both the heritage and financial value of the restoration, and even lead to a requirement for more enabling development;

- it is our view that enabling development is best placed in a location where it does not adversely affect the setting of the building being restored. If a developer is able to construct the enabling development at a different, distant, location, we consider that this approach should be welcomed rather than discouraged;

- in line with this, would also recommend cross-referencing this policy with policy H3 (Housing in the Countryside) to allow new housing in the countryside to enable the restoration of historic buildings.

“New development which, through cross-financing, will result in the re-use of a Listed Building or another identified historic asset/s through restoration, adaptation or repair, may be acceptable where:

a) it is demonstrated that the proposed development is the only means of funding works to secure the long term use of the Listed Building, or identified historic asset/s, through restoration, adaptation or repair; and

b) it is demonstrated that the scale of the proposed development represents the minimum necessary (subject to the development costs being independently verified) to enable the long term use of the Listed Building or identified historic asset; and*

c) the resulting development is of a high quality design in which the setting and historic features of the Listed Building or the other identified historic asset/s are respected.

Supplementary Guidance for the Historic Built Environment will include additional information on how enabling development will be assessed.”

Natural Power Consultants (0080.008) – Welcome the Council's approach toward enhancing cultural heritage assets through facilitating their wider recognition/use/restoration in association with a proposed development.

Martin Robertson (0146.002) – Seems in the main an excellent document which shows sensible development beyond LPD1.

- The enabling policy is acceptable in theory but will require very careful handling in practice to ensure that the recognised qualities of the historic environment are not compromised. The best way of ensuring this is to require that proposed developments are very carefully and convincingly presented with proper historical and architectural justification and that they are assessed by competent and properly trained staff. Dumfries and Galloway has more listed buildings than any Scottish rural local authority area other than Aberdeenshire. This, together with the many Conservation Areas, demonstrates the importance of our historic environment both to our sense of place and to the local tourist economy, so it is vital that the Council's priority should remain one of protection rather than development. Suggested amendment to the policy wording.
- *Proposals to extend or alter a listed building should include written justification, with photographs, demonstrating a full and proper understanding of the character and special interest of the building. Failure to do this may lead to refusal of the application.*

Ryden LLP obo NHS (0325.001) - Support a specific policy to address the matter of “enabling” development. This is perhaps a very significant step forward in helping to facilitate the refurbishment of existing listed buildings which otherwise are falling into disrepair due to financial issues relating to viability.

Council response and proposed modifications:

General

Historic Environment Scotland (0012.004) - Points are noted. It is good to have this written support. No modification(s) proposed.

Dumfries & Galloway Council Sustainable Development Team (0100.038) - This comment is not particular to the proposed new policies but it has drawn attention to the absence of reference to climate change and energy efficiency in the existing policies. All existing, amended and new HE policies will be linked with the Historic Built Environment Supplementary Guidance (HBE SG) where climate change resilience, energy efficiency and micro-renewable technologies and measures are included.

However, more emphasis could be placed on climate change in the pre-amble to all of the existing, amended and new HE policies and therefore it is proposed that the pre-amble and introduction to the HE policies is amended to make brief reference to climate change, energy efficiency and micro-renewable energy measures.

The proposed enabling development policy will not be used in isolation from other policies which consider design matters in relation to historic buildings including Listed Buildings/Conservation Areas. The overarching policies of the LDP already refer to climate change matters. The HBE SG includes sustainability.

No modification to the policies is proposed other than reference being made to the relevant supplementary guidance. However some textual amendment to the introduction to the policies will refer briefly to climate change, energy efficiency and micro-renewable.

HE1: Listed Buildings

Historic Environment Scotland (0012.004) - Noted that the current policy wording implies compliance with more than one of criteria needed, it is proposed to amend wording of policy to make it clear that only one of the four tests requires to be met. The Historic Built Environment SG also provides further clarification.

It is also proposed to amend the policy to update the paragraph reference to reflect the most recent Scottish Government document HESPS June 2016

Martin Robertson (0146.002) - The validation requirements for applications are set by Scottish Government; however the Historic Built Environment SG clarifies what supporting documentation may be required for the planning and listed building applications to allow the decision making process to be effective.

No modifications to the policies are proposed other than reference to the supplementary guidance.

Historic Battlefields (new policy)

Historic Environment Scotland (0012.004) - The proposed changes are noted and modifications are proposed:

- the removal of the word significant will not dilute the policy but will remove a 'subjective' judgement – therefore this proposed change is acceptable.
- amending the proposed word '*particularly*' to read '*including the potential for...*' adds clarity by highlighting the need to consider that archaeology or artefacts may be found and is therefore acceptable.
- there is no perceived merit to moving the words '*The Council will support...*' from the front of the policy, changing the word order to the suggested amendment, as the same phrase appears as the first part of the majority of the existing Historic Environment policies of the LDP and making that amendment would not be considered to improve the policy.

Martin Robertson (0146.002) - There have been other suggested amendments to the wording of the Historic Battlefields policy and there does not seem to be a need to amend the wording of the proposed policy further than in the response to representation 0012.004 above. Therefore no additional modifications to the policies are proposed other than reference to the supplementary guidance.

Enabling Development (new policy)

Historic Environment Scotland (0012.004)

The Council has carefully considered HES comments in respect of the proximity or otherwise of new development to the historic asset it is intended to finance and the need to cross reference the policy with H3: Housing in the Countryside.

There are many empty buildings and structures of historic interest in D&G and a relatively low demand for new housing or commercial development. Many of the historic sites/buildings that would benefit from restoration and re-use are in areas of low population density in a rural or semi-rural setting where there is potential for sensitive new development nearby. It is acknowledged that within towns and villages there may be fewer historic assets with potential for new enabling development close to them. However, it is considered that the term 'in the vicinity of' is sufficiently flexible to allow enabling development to take place in locations which are not necessarily directly adjoining the historic asset to be re-used or restored or which may lie within another part of the same historic place, such as a conservation area or a designed landscape.

It is the Council's view that the provisions within the proposed policy in conjunction with other Historic Environment and Overarching policies in the proposed Plan will be sufficient to determine the best place for any new development to be located in relation to a historic asset, including enabling development.

It is important that members of the public can readily associate enabling development with restoration by its location where it might, for a number of reasons, not otherwise be considered acceptable. It is considered that the term 'in the vicinity of' should be sufficiently flexible to ensure that this association is evident.

In some cases enabling development will be through the change of use of an existing building with limited associated alterations rather than the provision of new buildings.

Although it may be more challenging to administer legal agreements, there is no reason why ownership of the enabling development and the historic building or

asset to be restored must be the same, so very restricted sites could benefit from partnership working with other less restricted sites nearby. No modification(s) proposed.

Policy H3: Housing in the Countryside already includes provisions which support the renovation and/or conversion of traditional buildings. To address HES suggestion that cross-reference should be made between policy H3 and the proposed new Enabling Development policy, the new policy within the Historic Environment chapter and relevant Supplementary Guidance could provide further policy advice.

Natural Power Consultants (0080.008)

Comments noted, no modification(s) proposed.

Martin Robertson (0146.002)

No modifications to the proposed policies are proposed in response other than reference to the Supplementary Guidance.

Ryden LLP obo NHS (0325.001)

Comments noted, no modification(s) proposed.

Issue 7	Natural Environment
Main Issues Report reference:	Section 2: Main Issue 3 – Creating Places
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Janet Gibson (0041.005) Natural Power obo Fred Olsen Renewables (0080.016) Dumfries & Galloway Council Sustainable Development Team (0100.039) Scottish Environment Protection Agency (0120.002) Trevor Procter (0121.002) Scottish Natural Heritage (0122.002) (0122.003) RSPB Scotland (0133.003) (0133.020) Penelope Coles (0135.009) Martin Robertson (0146.002) Elaine Procter (0198.001) Lisa Hooper (0204.001) Alan Wake (0205.001) Simon Wheeler (0212.001) Galloway National Park Association (0215.001) (0215.002) Young Planning obo SP Energy Networks (0272.005) David Hawker (0299.001) Lesley Grindley (0306.001)</p>	
Summary of the representation(s):	
<p>National Park <u>Janet Gibson (0041.005)</u> - Reasons for a DESIGNATED Galloway National Park are compelling:</p> <ul style="list-style-type: none"> • At present the region has four designations, all overlapping and of national importance, which identify the area as outstanding for natural and cultural heritage i.e. a Biosphere, a National Forest Park, a Dark Sky Park and National Scenic Areas. • Evidence from other National Parks, in Scotland, in the UK and worldwide show that a National Park designation creates an economic gain both within the Park and in the surrounding area. There is no evidence to the contrary. • The region has the lowest average income in Scotland showing the need for economic gain. The need is now and a Galloway National Park should be fully represented in the LDP2 and not wait for the LDP3. • The economic benefit of a National Park would provide an aspirational environment for the development of small businesses. • Improvements in amenity in a National Park would benefit the health and well being of the local population and visitors from other regions and other countries. • The unique landscape and scenery needs to be safeguarded for future generations. • The natural, cultural and heritage assets of Dumfries & Galloway are comparatively enormous and untapped. A National Park would help to bring recognition that the region deserves. 	

- A National Park designation would support the development of the region's tourist industry which is a major economic driver and yet currently underdeveloped.
- A National Park designation should be pursued with full vigour in the LDP2. We cannot afford to do otherwise.

Trevor Procter (0121.002); Elaine Procter (0198.001) - It is vital that a new South Western National Park should be established to protect the areas most valuable asset – the spectacular scenery.

It is ridiculous for somewhere as spectacular as Scotland to have only 2 National Parks.

Designating the area as a National Park will make the area appear as a more valuable asset to Scotland as a whole. It will give a much needed stimulus to tourism and encourage people to head west at the border instead of travelling directly north for tourism purposes and holidays. Tourism should be encouraged as it is vital to maintaining jobs and therefore keeping families in the area.

The area has vast assets to attract tourism, not only the scenery but SSSI's, the dark sky park and the biosphere along with historic connections such as Robert Burns and the historic buildings & castles, all waiting to welcome tourists and bring in much needed tourist income to the area.

Landscape is something that cannot be bought, but is a natural asset that should be preserved and valued which National Park status would encourage.

Scottish Natural Heritage (0122.002) - The Policy Statement Scotland's National Parks (Policy Statement No 02/04) sets out the position on Scotland's National Parks. At this time, our priority and focus remains the operation of Scotland's first two National Parks.

Recognise that the evolution of other Parks may involve different models to those employed in Loch Lomond & the Trossachs or the Cairngorms, for example embracing sea as well as land, or resting in a single local authority area. Our view is that proposals for additional National Parks should emerge from a broad consensus involving local community stakeholders as well as from national interests and aims for the management needs of an area and its outstanding natural heritage. Should proposals emerge for a Galloway National Park, would engage as part of these wider discussions.

RSPB Scotland (0133.003) - Strongly support the establishment of Galloway National Park, which would further enable the recognition, promotion and protection of existing designations including the Galloway and Southern Ayrshire Biosphere.

Penelope Coles (0135.009) - Support the establishment of a National Park in Dumfries and Galloway. Disagree that this is felt to be more of an issue for LDP3. Unsuitable development may damage the potential of Galloway to be designated as a National Park and so protection and policy must be put in place now. A National Development of a 132kV overhead line between Tongland and Kendoon is likely to be submitted in 2019 which would be within a potential National Park. Without some guidance this planning application would only be guided by general policies OP1 and OP2. More detailed guidance need to be put in place as soon as possible, suggest Supplementary Guidance be produced on issues surrounding a potential National Park.

At present the LDP does not have any guidance for infrastructure projects despite being advised to do so in SPP.

Martin Robertson (0146.002) - Probably agree, but don't yet know enough about it. The Council must keep an open mind while boundaries are discussed and consultation with stakeholders carried forward. Any decision will impact on currently proposed wind farm policies etc. In the special circumstances of Dumfries and Galloway a National Park is very probably a good idea. It will encourage visitors to come and all the development that goes with them, as well as all aspects of green tourism. All the small scale businesses that can relate to the National Park will be promoted. Other National Parks have been shown to do this, to provide employment and to increase the level of economic activity. Making it a National Park will tell people that the D & G landscape is worth visiting in a way that nothing else can. It will, however, be important to guard against the view that then can arise that everything outside the park is of significantly lesser value.

Elaine Procter (0198.001) - A National Park would also help promote wildlife tourism and would give a boost to the farming community whose products could be promoted in ways such as the food town initiative. By safeguarding farming, it also safeguards the landscape.
A new National Park sooner rather than later should be promoted, especially to be included in the LDP2 document.

Lisa Hooper (0204.001) - Support the idea of Scotland's next National Park being in Galloway. Think it will help to revitalise the area as well as bringing welcome recognition of the quality and natural history of the region, as well as the opportunities for recreation and access.

Alan Wake (0205.001) - Fully support the proposal for a National Park in Galloway. There are superb opportunities for recreation and access, to what is a lovely area of outstanding landscape.

Simon Wheeler (0212.001) - Whole-heartedly support the principle of a Galloway National Park

Galloway National Park Association (0215.002) - The Galloway National Park Association strongly believes that the promotion of a National Park in Dumfries & Galloway is essential for the economic, social and environmental development of the region. Reasons include:

- Scottish Planning Policy 2014 provides for new National Parks in Scotland in Para 84-86. The four required and essential aims of Scottish Planning Policy will all be fulfilled, namely to:
 - conserve and enhance the natural and cultural heritage of the area;
 - promote sustainable use of the natural resources of the area;
 - promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
 - promote sustainable economic and social development of the area's communities.
- At present the region has four designations, all overlapping and of national importance, which identify the area as outstanding for natural and cultural heritage i.e. a Biosphere, a National Forest Park, a Dark Sky Park and National

Scenic Areas.

- Recognition of the outstanding landscape, the natural environment and the cultural assets would be enhanced.
- The natural heritage encompasses a wide range of habitats from the high wild hill country, through the scenic wooded and pastoral landscapes to the striking variety of coastal environments, all resulting in a high biodiversity. The complex cultural heritage provides a wealth and depth of interest. Coupled with the natural environment the combination is an unrecognised 'gold mine' for tourism enterprise with all its accompanying much needed economic benefits.
- The regions per capita income is the lowest in Scotland. The tourism sector is a major source of income and it is underdeveloped.
- The recognition of Galloway as a National Park would bring an increase in visitors to the region, increase the visitor spend and increase the rate of development of the economy.
- Dumfries & Galloway Regional Tourism Strategy 2016-2020 vision is to increase the value of tourism from £300m to £330m by 2020. Publicity about a National Park would increase the visitor spend. Joined up cooperative thinking between the regional council, charitable organisations and volunteers already exists and is active now in promoting a National Park.
- The Scottish Campaign for National Parks and the Association for the Protection of Rural Scotland jointly published "Unfinished business – A National Parks Strategy for Scotland" in 2013. It identified an area of Dumfries & Galloway, in Galloway, as a main candidate for a National Park with a call to action.
- The establishment of a Galloway National Park has already been considered by the Dumfries & Galloway Economy, Environment and Infrastructure Committee and was supported by the Committee on 15 November 2016. The consideration was augmented by two appendices, 'Unfinished business – A National Parks Strategy for Scotland' and 'A Galloway National Park...?' report commissioned by Dumfries & Galloway Council and written by the Southern Uplands Partnership.
- The need for recognition of the regions assets and the subsequent boost in tourism and other linked economies is urgent. For this reason we request that this Main Issue be highlighted and brought forward as much as possible in LDP2 as opposed to waiting for LDP3.

David Hawker (0299.001) - The Main Issues Report should make a commitment to support the proposal for a Galloway National Park, based on:-

- the area being only one of three wild land areas south of the Highlands (SNH)
- it already being an internationally designated area, i.e. the Galloway & South Ayrshire Biosphere Reserve
- the internationally designated Dark Sky Park, the first of its kind to be designated in the UK
- the area being an internationally recognised and designated nature conservation site and a nationally significant area for wildlife, through its Special Area for Conservation (SAC) and as an SSSI
- the designation as a Regional Scenic Area adjoining and incorporating a National Scenic Area

In addition, two local communities, Gatehouse of Fleet and Glentworth, are recognised as Biosphere Communities, while there are groups organised to

promote and protect the surrounding areas through enhancement of landscape (The Glenkens Glens Landscape Project) and wildlife (Red Squirrel and golden eagle/red kite projects through the RSPB/SNH).

Additionally there is the Cree Valley Community Woodland Trust dedicated to enhancing the woods of the Cree Valley and the Galloway Fisheries Trust covering two of the main rivers and their catchment areas to enhance the water quality and wildlife of these.

The area is also important for a wide variety of animals (otters and pine martins) not found elsewhere in the Region as well as supporting a number of scarce or rare alpine or upland plant species unusual south of the Highlands.

Lesley Grindley (0306.001) - Strongly support the establishment of a Galloway National Park.

Achieving designation will not be simple and therefore believe this needs to be addressed urgently as part of LDP 2.

The region has one of the lowest wage economies in Scotland and in spite of the opportunities presented by the wealth of our natural and cultural assets, a significantly under-exploited potential for tourism.

Have an opportunity to build on an Internationally recognised brand to establish a positive image for the area and boost our whole economy.

There are many excellent initiatives, throughout the region, aimed at economic, social and environmental development but a Galloway National Park could bring together both public and private resources to target work where it is needed most. The area needs a 'game-changer' - believe a Galloway National Park could be the answer.

Natural Power obo Fred Olsen Renewables (0080.016) - The establishment of a National Park in Dumfries and Galloway should not be used to sterilise areas where there is currently potential for wind energy development. It is not clear from the MIR as to the extent of the boundaries proposed for the National Park and have serious concerns over the viability of existing wind energy developments and extensions through its creation. It would be expected that should a National Park be created, it would not encompass areas already developed with wind energy and that views from within a National Park of a proposed wind farm outwith the designated area should not be reason for refusal.

Wild Land

Scottish Natural Heritage (0122.002) - Note that there is no mention of the Merrick Wild Land Area or the Talla Hart Fell Wild Land Area apart from as a constraint for development in open cast mining and wind energy. Consider that these areas should be promoted positively, given their relationship to other assets such as the forest park, Dark Sky Park and Regional Scenic Area.

Wild Land Areas should also be considered when managing development, an approach that may be relevant can be found in the policy and supplementary guidance on Dark Skies and lighting. Paragraph 200 of SPP gives direction on this: "Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas."

Aware of different approaches to wild land in development planning and would support an approach that raises its profile in decision making, guided by our guidance note and background information. Recommend reviewing the approach

to wild land taken by the Highland Council and by Argyll and Bute Council in their development plans.

Policy NE2 Regional Scenic Areas

Scottish Natural Heritage (0122.002) - The changes to the wording allow for a wider interpretation of what may be affected by development, not just landscape character or scenic value, but also landscape quality as referenced in the Regional Scenic Areas technical paper.

If the results of the recent consultation on revised guidance for Local Landscape Designations consultation have implications for the proposed policy change they will advise accordingly.

Young Planning obo SP Energy Networks (0272.005) - The following submissions are not intended as an exhaustive list of policies requiring cross references and/or amendment, but rather are examples of SP Energy Networks recommendation for integrating policy (x new policy relating specifically to high voltage electricity transmission infrastructure) is detailed within the wider Proposed Plan.

Policy NE2: Regional Scenic Areas - "Required for development pursuant to policy [x]" should be included within the bullet points

Policy NE6 Forestry and Woodland

RSPB Scotland (0133.020) - Support the inclusion for considering location of forest and woodlands in line with strategies such as the Forestry and Woodland Strategy and to seek to ensure that appropriate balance between afforested and non-afforested areas. In support of this statement the need to ensure a balance of afforestation and the conservation of fauna is supported under the Section 4 Wildlife and Countryside (Amendment) Act 1985.

Would also recommend that any new planting proposals seek to ensure the avoidance of impact to deep peat habitat.

Policy NE7 Trees and Development

Scottish Natural Heritage (0122.002) - There are some inaccuracies and a degree of failure of application in the current policies discussed in paragraphs 2.10.12 – 2.10.13. Support changes that will address these issues.

The current Woodland & Forestry Strategy Supplementary Guidance includes policy protection for trees subject to Tree Preservation Orders (Woodland & Forestry SG, policy E1, page 46). The proposed change to LDP policy does not appear likely to undermine the protection and retention of trees valued for their amenity although it is noted that the Trees and Development supplementary guidance will require review to reflect the deletion of Policy NE8 and the amendment of Policy NE7.

Scottish Natural Heritage (0122.002) - The proposed Policy NE7 set out in Appendix C of the MIR includes a caveat that proposals will be supported that "protect and enhance ancient woodland sites". While this aligns with paragraph 194 of SPP, recommend that the updated Trees and Development supplementary guidance provides clear direction on what this means in order to avoid further deterioration and loss of this irreplaceable resource.

Martin Robertson (0146.002) - Agree with the proposed approach to the tree policies.

Suggest incorporation of: Trees vary in their quality, appearance, site appropriateness, longevity, maintenance requirements and general health. These factors will be taken into account when taking decisions concerning their future.

Galloway National Park Association (0215.001) - It is necessary to point out that two of the bullet points are similar:

- maintain trees, woodlands, and hedgerows (thereafter referred to as the 'woodland resource') and require developers to incorporate, wherever feasible, the existing woodland resource into their schemes;
- maintain trees, woodlands (in particular ancient and semi-natural woodlands), and hedgerows and require developers to incorporate, wherever feasible, the existing woodland resource into their schemes; and
- When altering the points please retain the expressions: *thereafter referred to as the 'woodland resource'* and *in particular ancient and semi-natural woodlands* incorporating both.

Galloway National Park Association (0215.001) - Woodland resource which is not in an area of development is not covered in NE7. Suggestion: Hedges which are field boundaries should not be removed without planning permission unless they are being replaced by appropriate hedging. Please incorporate this into policy.

Galloway National Park Association (0215.001) - Dumfries and Galloways valuable and varied landscapes and scenery depend hugely on the pattern of trees and hedges in the region and further protection is required. The high biodiversity of the region also depends on the arboreal environment, whatever the height of the tree, and protection is also needed for the protection and enhancement of habitats. In addition the woodland resource supports the natural recycling of carbon dioxide and it is essential to maintain the presence of the resource at a high standard.

Young Planning obo SP Energy Networks (0272.005) – Request inclusion of the following text: “The removal of trees required for the purposes delivering a national development as defined by the National Planning Framework, including development pursuant to policy [x] is acceptable.”

Coastal Issues - General

Scottish Natural Heritage (0122.002) - Paragraphs 2.11.16 and 2.11.17 of the MIR give some context for the importance of the coast and the role of the Shoreline Management Plan in informing the Proposed Plan. In contrast to information set out at paragraphs 4.61 and 4.62 of the current LDP, this approach appears to be a weakening of the integration of marine and terrestrial planning rather than a strengthening. For example, paragraph 4.62 of the LDP states that “The Council will work closely with the Marine Planning Partnership to ensure the Regional Marine Plan complements the LDP”. In itself, that sentence requires consideration as the requirement to ‘complement’ flows both ways between planning documents.

In the future, Local Authorities and the Marine Planning Partnerships (MPP) should work together to ensure planning coherence across the land-sea interface. It is important that this extends beyond the jurisdictional overlap of the intertidal zone, as activities far inland can have implications for marine health and all human activities have a connection to and therefore an influence on land. Prior to

the establishment of the Solway MPP, Dumfries and Galloway Council should work to ensure coherence with the National Marine Plan (NMP). The NMP is a statutory plan with policies relevant to all public authorities, including those whose responsibilities are primarily land-based. Policy GEN 15 of the NMP (Planning alignment A) is of particular relevance to local authorities.

Suggest that relevant content from the current LDP is included in LDP2 to ensure the required complementary policies and practices are in place. This would be in accordance with Circular 1/2015: The Relationship Between the Statutory Land Use Planning System and Marine Planning and Licensing.

It is also not clear how the revised Shoreline Management Plan will fit with both the Regional Marine Plan and LDP2 in terms of the weight it will carry in future decision making processes for coastal development and protection of settlements and infrastructure. We recommend that this is clarified.

Policy NE9 Undeveloped Coast

Scottish Environment Protection Agency (0120.002) - Pleased to note the potential change in wording of this policy to include the phrases 'maintain or' improve the integrity 'and quality' of the coastal environment. Coasts are included in the Solway Tweed River Basin Management Plan (as updated) which requires these waterbodies to continue to meet the standards for morphology as well as water quality and quantity.

Scottish Natural Heritage (0122.002) - The amended wording is a bit more encompassing of protection of undeveloped coast. Reference to the Shoreline Management Plan and the future Regional Marine Plan and current National Marine Plan may also be appropriate here to ensure a consistency of approach. While the amended wording is more encompassing of protection, concerned by the removal of reference to landscape impacts. While the LDP is to be read as a whole, the importance of landscape and coastal character as issues themselves should be recognised in the LDP. Suggest that the policy is further amended to clearly set out the importance of this resource.

Policy NE10 Erosion and Coastal Protection

Scottish Natural Heritage (0122.002) - Policy NE10 possibly pre-empts the Shoreline Management Plan and again does not reference this as the primary guidance. Concerned that this references protection of land, rather than settlements or infrastructure and that it could be at odds with Policy NE9. Terms such as 'coastal amenity' and 'adjoining coastline' are relatively weak when ad hoc defences could be proposed.

While there is a welcome approach to the default position of the use of natural coastal defences, it may need substantiating as to what this means. The term 'default preference for natural coastal defences' is very non-committal and consider that 'a presumption in favour of...' may be a more robust choice of words. However, this should not just be about 'protection' but also seeking 'enhancement' or 'improvement' (suggest this as an addition to the policy title) where possible, whether through coastal realignment or reducing impacts on existing coastal habitats. Again referral to the Shoreline Management Plan should avoid confusion if the revised version sets out such detail.

Assume that the 'proposals map' referred to in this policy is that in LDP1 and that it therefore precedes the National Coastal Change Assessment (NCCA) 5 outputs. Advise that this should be used to review and refine the LDP map and

the new Shoreline Management Plan. Would also expect work by SEPA to have an influence on reviewing areas at risk of coastal flooding.

Water Environment – General

Dumfries & Galloway Council Sustainable Development Team (0100.039) -

Section 2.3.1 : An area of key change that has occurred since the current LDP was adopted is the recent legislation and associated regulation for the Climate Change (Scotland) Act 2009

The first statutory adaptation programme – Climate Ready Scotland - Scotland's Climate Change Adaptation Programme (SCCAP) – was published in 2014.

Available here: <http://www.gov.scot/Publications/2014/05/4669>

The SCCAP includes 2 specific responsibilities for Planning Authorities (B3-2 PANs, particularly Flood risk, and B3-3 SPP 34-44, see pages 76/77 of SCCAP available here: <http://www.gov.scot/Resource/0045/00451392.pdf>

The SCCAP includes further responsibilities for Local Authorities

Scottish Environment Protection Agency (0120.002) - D&G, as a responsible authority under the Water Environment and Water Services (Scotland) Act 2003, should consider how LDP2 can support the objectives of the second plan for the Scotland River Basin district (published 21 December 2015). In line with our development plan guidance on the water environment, and associated background paper, the LDP must include policy coverage to support the delivery of RBMP objectives and to ensure that new developments protect and where possible deliver improvements to the water environment.

Policy NE11 Supporting the Water Environment

Scottish Environment Protection Agency (0120.002) - To ensure that it covers all water courses. Small waterbodies are not specifically mentioned within the Solway Tweed river basin management plan. A number of the proposed development sites include small watercourses that drain into a failing waterbody, examples include sites at Ecclefechan that drain into the Mein and sites in Dumfries that drain into the Lochar.

“The Council will not permit development which would result in deterioration in the status of a waterbody or which would likely impede the improvements in waterbody status as set out in the Solway Tweed River Basin Management Plan (201509) or any update or adopted review of it, unless there are exceptional justifying circumstances. This includes minor watercourses draining into the waterbodies identified in the Solway Tweed plan”

Pleased to note the inclusion of the potential for re-naturalisation. Would welcome further clarification on this policy which encourages the removal of barriers to fish movement, if that is feasible. Additional wording suggested below:

“Other physical alterations and changes to waterbodies should, if possible and in general, be avoided. An exception to this is where re-naturalisation (1) or natural flood management is proposed. Thus, existing culverted or canalised watercourses or barriers to fish movement in redevelopment and land rehabilitation schemes should be restored when this is practical, neutral or positive in respect of flood risk elsewhere, and consistent with the relevant Regulations”.

Policy NE13 Agricultural Soil

Scottish Environment Protection Agency (0120.002) - Since the adoption of LDP1

additional development plan guidance has been published regarding the protection of soils including [carbon rich soils](#). Soil is a key part of our environment and soil degradation can have major implications for air and water quality as well as our climate, biodiversity and economy. The management and protection of carbon-rich soils is seen as a key element of Scotland's climate change mitigation strategy because of the potential of soil to store carbon and exchange greenhouse gases (CO₂, CH₄ and N₂O) with the atmosphere. Reference should be made to our requirements and recommendations within this guidance as this issue is considered within LDP2. Acknowledge the changes proposed to NE13; however there is scope to extend the coverage of this policy.

Council response and proposed modifications:

National Park

Janet Gibson (0041.005); Trevor Procter (0121.002); RSPB Scotland (0133.003); Penelope Coles (0135.009); Martin Robertson (0146.002); Elaine Procter (0198.001); Lisa Hooper (0204.001); Alan Wake (0205.001); Simon Wheeler (0212.001); Galloway National Park Association (0215.002); David Hawker (0299.001); Lesley Grindley (0306.001) - Comments are noted. The Council is supporting the designation of a National Park within the region however if this were to happen this would not be until after LDP2 is adopted due to the timescales involved in such designation processes. The LDP itself does not designate such areas as National Parks or National Scenic Areas as this is not within the powers of the council. The LDP provides guidance and a policy framework against which planning applications can be assessed. As a result although it can make comment that a designation is being sought and that the process is ongoing a national park cannot itself be designated through the LDP process, neither would it be appropriate to include policies in relation to a national park where one is not designated.

The Council is supporting the designation of a National Park within the region and text to this end will be added into LDP2.

Modifications proposed to the introductory text.

Scottish Natural Heritage (0122.002) - Comments noted. No modification(s) proposed.

Penelope Coles (0135.009) - It would not be appropriate to include policies to safeguard areas from particular types of development due to their possible impact on a possible future national park. Each planning application has to be considered on a case by case basis assessed against policies in the current development plan. Supplementary guidance needs to be specifically referenced within, and related to policies contained within, the LDP. It would not be appropriate to produce such guidance for a designation that does not currently exist. The LDP provides a policy framework against which infrastructure projects would be assessed. There is no requirement for local authorities to provide such guidance within SPP. No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.016) – Proposals for a national park are at a very early stage and the extent of such an area, if it were to be designated, has yet to be determined. Comments in respect of wind energy developments are noted. Should a national park be designated, it would be

expected that all development proposals would be assessed on their impact on the national park in a similar way that development proposals in National Scenic Areas are considered. No modification(s) proposed.

Wild Land

Scottish Natural Heritage (0122.002) – Wild land is discussed in paragraph 4.49 of the adopted LDP. This text pre-dates the formal identification of Wild Land Areas by SNH and as a result will be updated in LDP2 to reflect the current situation. Proposed developments within and around the two identified Wild Land Areas will continue to be assessed against the requirements of policy OP1c taking into account their special qualities.

Modifications proposed to the introductory text and Policy OP1c

Policy NE2 Regional Scenic Areas

Scottish Natural Heritage (0122.002) - The comments are noted. No modification(s) proposed.

Young Planning obo SP Energy Networks (0272.005) - High voltage electricity transmission infrastructure and grid connections do not fall within the remit of the local authority planning system. It is considered that any proposals coming forward would, and could, be assessed against the relevant policies in the LDP and therefore a specific reference within the plan is not considered to be required. No modification(s) proposed.

Policy NE6 Forestry and Woodland

RSPB Scotland (0133.020) - The comments are noted.

Policy ED16 sets out the policy for peat. The policy aims to protect and, if possible and appropriate, improve existing peat areas and carbon rich soils as carbon repositories. This provides guidance for the Council's responses in respect of woodland and forestry proposals. In this way it should work to avoid planting that would have an adverse impact on deep peat habitat. No modification(s) proposed.

Policy NE7 Trees and Development

Scottish Natural Heritage (0122.002) - Support for the changes to Policy NE7 is noted. No modification(s) proposed.

Scottish Natural Heritage (0122.002) - The comment requests that clarity for implementation of the policy be provided through the proposed updating of supplementary guidance. The SG will be amended to take account of amendments to the policy. No modification(s) proposed.

Martin Robertson (0146.002) - The policy seeks to maintain trees, woodlands, and hedgerows 'wherever feasible'. The policy also says that BS5837:2012 should be taken into account. It is considered, therefore, that the policy already includes the points raised by this representation. No modification(s) proposed.

Galloway National Park Association (0215.001) – The comments are noted and amendments are proposed to the bullets contained in the policy.

Modifications are proposed to policy NE7.

Galloway National Park Association (0215.001) - Hedge removal does not normally come to the attention of the planning system except in the context of a development proposal. No modification(s) proposed.

Galloway National Park Association (0215.001) – The positive impact of trees and hedgerows is agreed. Impacts of development in relation to trees and biodiversity will be assessed against Policy NE7: Trees and Development as well as OP1: Development Considerations. No modification(s) proposed.

Young Planning obo SP Energy Networks (0272.005) - It is not considered appropriate to include the suggested wording. Should it be necessary to remove trees for such developments they should be assessed against this policy and consideration given to this aspect on a case by case basis. Even if a new policy as recommended were to be included in the Proposed Plan, it is considered that the terms of Policy NE7 (and NE6) are sufficiently flexible to allow critical development, such as that identified in NPF3, to take place. No modification(s) proposed.

Coastal Issues - General

Scottish Natural Heritage (0122.002) - Where no significant change is proposed the MIR does not expect to spell out the policy position in as much detail as the Plan itself. There was no intention to step back from the need to support close and cooperative working between terrestrial and marine plans. The requirement for and benefit from partnership working are recognised and this approach will inform the terms of the LDP. However, it is the case that to date (May 2017) the Solway Local Marine Planning Partnership has not yet been established.

An important focus of the Shoreline Management Plan will be an assessment of the integrity/vulnerability of the coast along with adjacent infrastructure and development. It is recognised that the provisions or recommendations of the Shoreline Management Plan will need to work with both the LDP and the Solway Regional Marine Plan. No modification(s) proposed.

Policy NE9 Undeveloped Coast

Scottish Environment Protection Agency (0120.002) – Noted. No modification(s) proposed.

Scottish Natural Heritage (0122.002) - This policy is concerned with the possible suitability of coastal areas for future development. This is based on an assessment of existing coastal development. Policy for landscape as a universal issue is set out in Overarching Policy OP1: Development Considerations, part c) Landscape. No modification(s) proposed.

Policy NE10 Erosion and Coastal Protection

Scottish Natural Heritage (0122.002) - The introductory text for the policy references the Shoreline Management Plan. This will be updated for LDP2. The reference to the Proposals Map in the policy would be to the map associated with LDP2. The areas identified on the LDP1 Proposals Map reflect the Shoreline Management Plan of 2005 and areas predate the National Coastal Change

Assessment. It is accepted that the new Shoreline Management Plan should inform LDP2. This should, as appropriate, have taken account of NCCA. However, the provisional timetable for the preparation of the new Shoreline Management Plan indicates that it could not be available in time to support the LDP2 Proposed Plan.

Modifications proposed to the introductory text.

Water Environment – General

Dumfries & Galloway Council Sustainable Development Team (0100.039) - The SPP was published in June 2014 and the online PAN providing Planning Advice on Flood Risk was published in June 2015. Both have helped inform the work to prepare LDP2. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002) – The River Basin Management Plan (RBMP) and the LDP are required to work together. The LDP should support the objectives of the RBMP. It is considered that this is achieved through the suite of policies relating to the water environment. MIR2 has been subject to SEA and the Environmental Report was published for comment at the same time as MIR2. SEPA say they will use SEA to address the issue of the water environment. No modification(s) proposed.

Policy NE11 Supporting the Water Environment

Scottish Environment Protection Agency (0120.002) – Both rewording suggestions are accepted as they comply with the legislative requirements and would provide clarification of the policy text. It is proposed to amend the Policy to include them. It is understood that SEPA will respond in respect of consultations on waterbodies not included in the River Basin Management Plan.

Modifications proposed to Policy NE11.

Policy NE13 Agricultural Soil

Scottish Environment Protection Agency (0120.002) – LDP2 intends to protect carbon rich soils through Policies NE13 and ED16. It is considered that these are consistent with the SEPA Development Plan Guidance on Soils. However, the mechanism for identification of such soils (Categories 5 and 6 on Scotland's Soils website Topsoil Organic Carbon Concentration Map) and the appropriate methods of protection are not spelt out in the policy. Even a simple clarification of what the policy means would require the addition of a new section of policy text to either of the relevant policies along with deletion of related text in the other. However, the proposed approach is to draft a new policy which is specific to the issue of carbon rich soils.

Issue 8	Community Services and Facilities
Main Issues Report reference:	Section 2: Main Issue 3 – Creating Places
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Sportscotland (0008.003) John A MacColl (0048.029) Dumfries & Galloway Council Communities (0100.029) Dumfries & Galloway Council Sustainable Development Team (0100.030) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) Martin Robertson (0146.002) Judy Spinks (0243.008) Theatres Trust (0304.001) Ryden obo NHS Dumfries (0325.001)</p>	
Summary of the representation(s):	
<p>CF1: Community Facilities <u>Theatres Trust (0304.001)</u> - Policies should protect, support and enhance cultural facilities and activities, particularly those facilities which might otherwise be traded in for more commercially lucrative developments, and promote cultural led development as a catalyst for regeneration in town centres. Note no changes are proposed to Policy CF1: Community facilities. Support the included explanation for the term ‘community facilities’, which is clear and succinct, though would recommend more reference to cultural facilities, potentially renaming the policy to ‘Cultural and Community Facilities’ Also recommend the policy is enhanced with the following additional criteria:</p> <ul style="list-style-type: none"> • Development of new cultural and community facilities will be supported and should enhance the well- being of the local community, and the vitality and viability of centres. • Major developments are required to incorporate, where practicable, opportunities for community and cultural activities, including through the interpretation of the heritage of the site and area. • The temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations will also be supported, particularly where they help activate and revitalise town centre locations and the public realm. • Council will apply the ‘agent of change’ principle, whereby if a development would potentially result in conflict between a cultural activity and another use, especially in terms of noise, then the development responsible for the change must secure the implementation of appropriate mitigation. <p>Cemetery Sites <u>Scottish Environment Protection Agency (0120.002)</u> - Advise that cemetery proposals can have very specific effects on the water environment if not carefully sited and managed. It is unclear if any sites are being considered for inclusion as part of LDP2. Their acceptability, including the potential location and scale of</p>	

development at a site, can be assessed only following intrusive ground investigation. In the absence of such information, reserve our position on the acceptability of any such new or existing cemetery allocations. Should investigations be carried out prior to adoption in accordance with guidance on assessing the impacts of cemeteries on groundwater then we would be pleased to review such information.

CF3: Open Space

Sportscotland (0008.003) - Generally support the inclusion of the policy which includes content relating to the protection of sports pitches and playing fields in broadly similar terms to Scottish Planning Policy paragraph 226.

For clarification, consistency with both the Development Management Regulations and SPP and to ensure protection of all facilities addressed by these, it is requested these are referred to as "outdoor sports facilities" rather than sports pitches and playing fields. Outdoor sports facilities as defined by the Regulations include as detailed above. As currently written it is not clear that this full range of facilities would be afforded policy protection.

Current policy: Proposals to develop playing fields or sports pitches should be consistent with the terms of the playing fields section of Scottish Planning Policy. Suggested modification: Proposals to develop outdoor sports facilities should be consistent with the terms of the relevant section of Scottish Planning Policy.

John A MacColl (0048.029) - This Policy should be reviewed to remove all areas which have been identified as Open Spaces without the approval of the land owner, especially as the Council does not have legal control of some of the areas. The implementation of this Policy in its present form prevents land owners from using their own land for their preferred use.

Dumfries & Galloway Council Communities (0100.029) - The paragraph entitled "CF3 Open Space" on page 29 of the Environmental Report would be more appropriately linked to local policies if instead of reading ... "in favour of proposals for allotments" it was amended to read ... "in favour of proposals for allotments, community gardens and community food growing initiatives".

The definition should be extended beyond allotments is due to the fact that as a local authority we would rather divest ourselves of allotments than developing them, which would leave the development of future allotments in the hands of communities themselves. Research shows that if communities are left to develop food growing initiatives, allotments are just one of a number of approaches taken and one that, in a traditional sense, is not as popular as alternative, more community based operations.

The Council are currently developing a Community Food Growing Strategy in order to comply with the Community Empowerment (Scotland) Act 2015 which will, when complete, include community gardens, raised beds, community orchards and suchlike.

Also, the word "allotment" may be said to be slightly outdated terminology.

Dumfries & Galloway Council Sustainable Development Team (0100.030)

The supplementary guidance should also include looking favourably on the design and management of greenspace and public spaces to contribute to climate change adaptation and mitigation.

This would reflect SPP para 45 page 14 "It could also include ensuring development can

withstand more extreme weather, including prolonged wet or dry periods, by working with natural environmental processes such as using landscaping and natural shading to cool spaces in built areas during hotter periods and using sustainable drainage systems to conserve and enhance natural features whilst reducing the risk of flooding.”

Scottish Environment Protection Agency (0120.002) - Policy NE11: Supporting the Water Environment clearly sets out that development proposals should not normally include culverting of any waterbodies. However, it does not include any references to potential blue-green networks which such minor waterbodies could successfully contribute to. To address this omission suggest that the following additional wording is inserted under CF3 b) Provision of Open Space

“In all housing developments which will, either individually or through phasing, result in the development of 5 or more units, there will be a requirement to provide or contribute towards good quality publicly usable open space (which may also include linkages to wider green networks or the development of blue-green networks using existing watercourses) in line with the requirements set out in supplementary guidance. Other development may also need to provide or contribute towards open space/green or blue-green network provision”.

Happy to further discuss the potential of blue-green networks, if this is required. If the inclusion of blue-green networks is accepted there other policies where it could be referenced, such as OP2: Design Quality and Placemaking.

Scottish Natural Heritage (0122.002) - Part a) of the policy includes a caveat on “an adequate and acceptable replacement for the open space lost as a result of the development can be provided ... in an equally convenient and accessible location within the locality”. In reference to PAN 65: Planning and Open Space, replacement open space should be informed by the hierarchy of open spaces and be tailored to fit local circumstances. Those local circumstances may or may not lead to replacement with the same function but should be led by the open space audit and the needs of the existing and future communities.

Martin Robertson (0146.002) - Agree with the proposed approach.

Judy Spinks (0243.008) - Welcome the council's comprehensive approach and happy with the new wording of the policy.

Ryden obo NHS Dumfries (0325.001) - Generally support the proposals relating to open space, caveated that, particularly where listed buildings are concerned, there is built in flexibility to reduce provision/ cost to help facilitate refurbishment.

Council response and proposed modifications:

CF1: Community Facilities

Theatres Trust (0304.001) - This comment is also made about the ‘Vision’ and therefore the same response has been provided. The Plan is based on the view that the existing ‘stock’ of community facilities should be retained or enhanced. It is understood that in broad terms this supports the Vision around which the Plan is built. However, the planning system has little or no direct influence, except where change that would need planning permission is proposed. Policy CF1 is supportive of new or enhanced community facilities.

Cultural facilities are considered one of many types of community facilities and therefore the current policy title Community Facilities is considered suitable. The submitted recommendations are covered by other policies in the plan, in particular the Overarching Policies and ED5: Development in the Town Centre policy. No modification(s) proposed.

Cemetery Sites

Scottish Environment Protection Agency (0120.002) – Comments noted. The Council is in the process of developing its strategy for burial grounds. Potential shortages within the next 20 years have been identified in some locations. Additional sites may require to be identified but that is subject to the development of the Strategy. This is likely to be an issue for the next development plan - LDP3. No modification(s) proposed.

CF3: Open Space

Sportscotland (0008.003) – Comments noted. It is proposed to amend the policy to include the requested change.

John A MacColl (0048.029) - The Council does not have legal control of the majority of land which has a designation in a LDP. Given that a piece of ground is already open space, the issue of legal control is not material to the planning view that that is an appropriate use. It is in the nature of planning that the identification of appropriate uses for land means that other uses may not be permitted. No modification(s) proposed.

Dumfries & Galloway Council Communities (0100.029) - This representation has been made to the Environmental Report, but is about the wording of a policy rather than the ER assessment. It is proposed to amend the policy to include the requested change.

Dumfries & Galloway Council Sustainable Development Team (0100.030) - Noted. This comment asks to be considered in the context of revision/updating of the supplementary guidance. However, if resilience relative to anticipated climate change is to be material in planning determinations, the contribution design and management of greenspace and public spaces can make to climate change adaptation and mitigation may be better identified in the overarching approach to the plan section.

Scottish Environment Protection Agency (0120.002) - The practical scope for significant blue-green networks associated with new development in Dumfries & Galloway is considered to be limited. However, it is proposed to amend the policy to include the requested change.

Scottish Natural Heritage (0122.002) – Comments noted. It is considered that the terms of the policy are consistent with the advice of PAN65. No modification(s) proposed.

Martin Robertson (0146.002); Judy Spinks (0243.008) – Comments noted. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) - General support is noted. Where listed

buildings are concerned the possibility of flexibility in the application of policy is part of the supplementary guidance which supports Policy HE1: Listed Buildings and HE2: Conservation Areas. No modification(s) proposed.

Issue 9	Infrastructure Policies
Main Issues Report reference:	Section 2: Main Issue 4 - Sustainability, Renewable Energy and Climate Change
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.004) Janet Gibson (0041.007) EDF Energy Renewables (0067.002) GVA obo NDA and Magnox (0079.005) Natural Power (0080.006) (0080.007) (0080.009) Natural Power obo Fred Olsen Renewables (0080.011) (0080.012) (0080.017) Scottish Water (0083.002) Dumfries & Galloway Council Sustainable Development Team (0100.035) Scottish Power Renewables (0113.003) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) Banks Group (0127.002) RSPB Scotland (0133.006) (0133.009) (0133.011) (0133.012) (0133.014) (0133.021) Penelope Coles (0135.005) (0135.007) (0135.008) Martin Robertson (0146.002) Ruthwell & Clarencefield CC (0180.001) Auldgirth and District CC (0237.001) East Ayrshire Council (0249.001) Scottish Borders Council (0265.002) Young Planning obo SP Energy Networks (0272.003) (0272.004) (0272.005) Cree Valley CC (0284.001)</p>	
Summary of the representation(s):	
<p>Renewable Energy General <u>EDF Energy Renewables (0067.002)</u> - It is recognised that the current MIR has been prepared in advance of the Scottish Energy Strategy: The Future of Energy in Scotland (January 2017) and the related draft Onshore Wind Policy Statement (also released in January). The Council should take these documents fully into account in developing any changes to policies IN1 and IN2. In particular it is important that the need to secure a 'route to market' for acceptable projects and the potential benefits which can be gained through repowering existing project are reflected in local development planning policies and guidance.</p> <p><u>Scottish Power Renewables (0113.003)</u> - Broadly support the proposed policy approach to Sustainability and Low Carbon Places. Welcome recognition within section 2.11.1 of the LDP MIR that the Council is committed to ensuring that the development plan policies are reviewed in line with SPP. This is of particular relevance to Policy IN1 Renewable Energy and it's supporting Supplementary Planning Guidance (SPG) and spatial framework which set out the</p>	

overall approach to the assessment of proposed renewable energy development. SPP includes a presumption in favour of development which supports the principles of Sustainable Development, and this should be reflected in the LDP to include a range of renewable energy technologies, including onshore wind. SPP (Para 45) supports Resource Efficient development, and the recognition of this within the LDP is welcomed. This policy is applicable to any form of development that reuses/shares existing resources, maximises the efficiency of resources through natural/technological means and prevents future resource depletion by mitigating/adapting to climate change.

Section 2.11.3 also, references the Climate Change Plan and the Energy Strategy recently published by the Scottish Government and the commitment to take both of these documents into consideration in producing the Proposed Plan and LDP2 is welcomed.

Scottish Water (0083.002) - Would request that any proposals or applications for wind farms, solar farms or fuel storage are submitted to Scottish Water for review, to identify whether there are DWPA's present which would require protection through mitigation actions. Wind farms can have other potential impacts on our operations. For example, our below ground assets such as water and sewer mains can be affected by heavy construction traffic and may require protection. Some of our radio telemetry signals can be interfered with by wind turbine blades, depending on the location of the turbines.

Would request that the document advises all proposals and applications be sent to Scottish Water for review (eia@scottishwater.co.uk) so that any impact on the following can be assessed:-

- Drinking water quality and quantity
- Below-ground assets
- Radio telemetry interference

This allows Scottish Water to determine any potential impact on their operations and suggest adequate control measures if required.

Scottish Environment Protection Agency (0120.002) - Support the identification of additional policy areas that will be considered for inclusion in policies contained in LDP2. Welcome the opportunity to work with the Council in the development of additional supporting text related to "other renewable energy sources".

RSPB Scotland (0133.012) - There needs to be full assessment of offshore developments which fully considers the potential environmental constraints of these projects and the potential impact to designated sites (Upper Solway Flats and Marshes SPA). This would include the requirement for Habitats Regulation Assessment and Environmental Impact Assessment of any proposal that may come forward.

Penelope Coles (0135.008) - Biomass is listed as a renewable energy source. It is renewable but only after 50 years is the amount of CO₂ recaptured into new tree growth. In time peat, coal and oil are renewable too. Biomass is producing high levels of CO₂ when burnt and higher and more damaging levels of particulate than burning coal. Biomass should not be listed under a section promoting a low carbon economy.

Natural Power obo Fred Olsen Renewables (0080.012) - The LDP2 needs to

form the platform for enabling renewable energy development in appropriate locations. The Draft Scottish Energy Strategy states that on page 33: *'As part of an infrastructure first approach to development, land use planning will play a key role in helping to deliver new low carbon energy projects and infrastructure.'*

Therefore the LDP2 should facilitate the development of generating stations which are capable of delivering electricity in to a market place where cost has become the primary driver and from that produce power within the region which can underpin the requirements of communities and local businesses in moving towards a competitive low carbon economy.

Scottish Power Renewables (0113.003) - Welcome recognition that the Council is committed to ensuring that the development plan policies are reviewed in line with SPP. This is of particular relevance to Policy IN1 and IN2 and its supporting Supplementary Planning Guidance (SPG) and spatial framework which set out the overall approach to the assessment of proposed renewable energy development. SPP includes a presumption in favour of development which supports the principles of Sustainable Development, and we would ask that this is reflected in the LDP to include a range of renewable energy technologies, including onshore wind.

Heat Networks/Mapping

Natural Power (0080.007) - The potential for renewable heat networks to improve the efficiency and competitiveness of existing town centres should be considered and where possible and feasible, promoted in the LDP2.

Natural Power (0080.009) - In addition to existing mechanisms for assessing housing sites, consideration of opportunities for district heat networks particularly those which can utilise existing and/or renewable sources of heat should be encouraged

Scottish Environment Protection Agency (0120.002) - Require development plans to include policy wording which supports low carbon district heating networks. Development plans have an important role to support the development of heat networks, allocating land to enable the co-location of heat supply and demand both now and for the future. Policies can also support the realisation of renewable heat capture through, where appropriate, requiring that new developments are designed to be capable of connecting to district heating networks that currently exist or are planned for the future.

This position is supported by a policy framework underpinned by SPP (Paragraph 154) which indicates that the planning system should support a 'transformational change' to allow for the provision of a low-carbon economy that allows for renewable energy targets to be met including:

- 30% of overall energy demand from renewable sources by 2020;
- 11% of non-electrical heat demand from renewable sources by 2020; and
- the equivalent of 100% of electricity demand from renewable sources by 2020.

SPP also expressly supports the provision of heat networks and the growth in a diverse range of electricity generation from renewable (or low carbon) energy technologies. Under this policy, Development Plans are required to identify suitable locations for such developments and clarify applicable requirements / design considerations required to be assessed for the provision of such facilities.

This policy then goes on to advocate any renewable energy generation facilities within new buildings and/or infrastructure that could enable the reduction of carbon emissions including energy efficiency, heat recovery, efficient energy supply/storage, electricity and heat from renewable sources.

Scottish Environment Protection Agency (0120.002) - Would recommend that from the outset developers are required to prepare and submit a Feasibility or Energy Statement.

To support this requirement offer the following comments;

*Recommend that Feasibility Statements or Energy Statements should also be included in the Preferred Option list of relevant support documentation that should be produced by developers. Expect development plans to **require** all substantial developments (new towns, urban extensions, large regeneration areas or large development sites subject to masterplanning) to meet their heat demand through a district heating network.*

In order to deliver the Scottish Government's ambitions for 1.5tw of heat demand delivered by district or communal heating and for 40,000 homes to be heated through heat networks, new developments need to be designed to incorporate district heating. Where substantial new developments are planned, the opportunity arises for providing a heat network within the site and for this to be required and designed in at the earliest stages. New developments have a role to play in not only establishing and creating these networks, but also in connecting to networks to make use of heat that is being captured.

Paragraph 154 of SPP states that the planning system should support the transformational change to a low carbon economy consistent with national objectives and targets including deriving 11 % of non-electrical heat demand from renewable sources by 2020. Paragraph 159 of SPP goes on to advocate that Local Development Plans should support the development of heat networks in as many locations as possible even where these may be initially reliant on carbon-based fuels if there is potential to convert them to low carbon fuels in the future. Paragraph 159 of SPP also states that LDPs should specifically identify appropriate locations for the development of heat networks/storage/energy centres and include heat policies that support the implementation of this approach.

A feasibility or energy statement will establish whether district heating has been incorporated into the development, and the justification of the approach taken, it should be submitted as part of the support documentation to ensure that this issue has been fully considered as part of the evolution of the planning application.

Scottish Government online advice contained in Planning for Heat provides further guidance regarding the consideration of heat networks in development plans, and also the role that energy statements can play (under "Securing sufficient information to determine planning applications" on page 5). It is important the information requirement is set out in the development plan stage so that developers are aware of the information and documents that must be submitted as part of planning applications.

Scottish Environment Protection Agency (0120.002) - Require that any site allocations being brought forward through the development plan which are adjacent to significant heat sources or any proposed or existing heat networks should have a site requirement attached to them to ensure that they are designed to be capable for connection to a heat network from that source and that any land required for the heat network infrastructure is protected.

RSPB Scotland (0133.014) - Would welcome the incorporation of heat mapping to the LPD2 to guide projects going forward.

Policy IN1 Renewable Energy

EDF Energy Renewables (0067.002) - Note the intention to make minor changes to the wording of Policy IN1. Previously made representations during the preparation of existing LDP policies IN1 and IN2 and will wish to give careful consideration to any proposed changes. Would therefore welcome the opportunity to engage in further consultation on this matter

Natural Power obo Fred Olsen Renewables (0080.011) - The amended positive stance toward renewable energy is welcomed. Reference should be made to the Scottish Government's new renewable energy targets and forthcoming Energy Strategy and that the policy will be updated accordingly if necessary.

Scottish Environment Protection Agency (0120.002) - Support the proposed increase in detail for policy IN1.

In addition recommend the LDP2 policy framework should ensure that such new developments incorporate space to be safeguarded for future pipework/ pipe runs and energy centres. This space can be incorporated into grass/green corridors along footpaths or roads so that they can be more easily excavated for installing heat network pipes without significant disturbance. The policy framework should also ensure that the any land required for the network is protected so that new infrastructure does not obstruct the development of the planned heat network. Require that any site allocations being brought forward through the development plan which are adjacent to significant heat sources or any proposed or existing heat networks should have a site requirement attached to them to ensure that they are designed to be capable for connection to a heat network from that that source and that any land required for the heat network infrastructure is protected. Recommend that the policy wording "the extent to which the proposal meets the current government targets for energy generation and consumption" is updated to read:

"...the extent to which the proposal meets the current government targets for **low and zero carbon** energy generation and ambitions to reduce energy demand."

SPP (Paragraph 154) identifies that the planning system should support a 'transformational change' to allow for the provision of a low-carbon economy that allows for renewable energy targets to be met including:

- 30% of overall energy demand from renewable sources by 2020;
- 11% of non-electrical heat demand from renewable sources by 2020; and
- the equivalent of 100% of electricity demand from renewable sources by 2020

Scottish Natural Heritage (0122.002) - Agree with the revised wording as it is consistent with Policy IN2 but we advise that the list of caveats should be consistent with the requirements in IN2 e.g.

- Landscape and Visual Impacts
- Cumulative
- Impact on local communities
- Impact on aviation and defence interests
- Other Impacts and considerations

Banks Group (0127.002) - It would be beneficial to incorporate a clearer acceptability test into LDP2. As per the comments to IN2

RSPB Scotland (0133.011) - Disappointed with the re-wording of this policy which removes specific reference to avoiding unacceptable significant adverse impact to features, including biodiversity. Concerned that this re-wording has the potential to weaken this area of policy. Recommend that the original wording is reinstated.

Young Planning obo SP Energy Networks (0272.005) - Amendment required to reflect the need for network connections and the implications in cumulative terms of upgrading existing/delivering new grid infrastructure.

Wind Energy General

Scottish Power Renewables (0113.003) - The section on Other Renewable Energy Sources (page 50) correctly identifies that there is the potential to encourage efficient use from existing wind farm schemes, such as blade extensions, modifications to wind turbines or repowering. However, the LDP does not go on to set out how this should be delivered and the benefits of doing so. A sk that consideration is given within the LDP to the benefits of repowering and life extension, within the LDP.

The representor is actively seeking to address the Energy Trilemma (low cost, low carbon, secure supply), aligning with the Scottish Government's drive to optimise Scotland's indigenous resources and capabilities. The representor is working alongside the Scottish Government to implement initiatives and publications such as Making Things Last – A Circular Economy Strategy for Scotland (<http://www.gov.scot/Publications/2016/02/1761>). This strategy is well-aligned with the intention to ensure that Scotland has a secure, long-term mix of low carbon energy generation. The focus must not solely be on the need to meet future renewable energy targets. It is also important to maintain progress already made to date, ensuring that policy and planning decisions support the durability of the life of renewable assets including through decisions to repair, refurbish or repower. This is recognised by SPP (Paragraph 174, which reads "Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generating targets. The current use of a site as a wind farm will be a material consideration in any such proposal").

RSPB Scotland (0133.021) - Repowering of wind farm sites needs to ensure that the environmental effects of repowered sites are fully taken into account. The use of post-construction monitoring survey work from the original site should be used to inform acceptability of repowered sites but additional survey work will be required.

Scottish Power Renewables (0113.003) - The consideration of renewables sites in-perpetuity is also essential in line with SPP (Paragraph 170, which reads "*Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities*").

Historically, windfarm consents and operations have generally been treated as

temporary, a position which does not address the challenges of the Energy Trilemma or contribute to a Circular Economy strategy, and ultimately is not beneficial to the UK consumer. Given the Scottish Government's intention to enable and derive benefits from a Circular Economy philosophy, moving from a linear "Procure – Use – Decommission" business model to a more circular strategy of "Re-use – Remanufacture – Recycle" is a fundamental consideration in future planning decisions. The focus on ensuring that an asset can be refurbished, repaired, repowered and as a last resort decommissioned, with component parts recycled as appropriate, should shape future planning policy and practice. This way of thinking will also shape a site operator's approach to asset management decisions. To this end, maintaining low carbon energy generation from existing windfarm locations is clearly desirable and given the technological innovations over time, it is clear that a degree of flexibility in layout, size, etc in and around these operational sites is required in future. Welcome consideration of this in the development of the final LDP.

In turn this will allow economic stability and growth by ensuring asset durability through smart durable product manufacturing, repair, refurbishment and recycling industries and services. The formulation of policy and guidance which could enable more efficient, lower cost, stable energy generation is needed (for example to enable subsequent inclusion of increased efficiency technologies, or to support the co-location of low carbon generation such as ground-mounted solar PV within or in close proximity to existing windfarm sites). This step is vital to enable the efficient sharing of in-situ infrastructure, and potentially the integration of energy storage technologies such as batteries, which again offer wider energy system benefits, meet Scottish Government objectives, and ultimately will lower the cost to the UK energy consumer

Policy IN2 Wind Energy

Natural Power (0080.006) - The representor had several reservations with the landscape capacity study that formed part of the Draft Part 1 SG (SG) on Wind Energy Development (2016). The landscape capacity study has some merits in its recognition of turbines up to 200m in height, identification of scale and landform of landscapes and some inherent limitations of the study. However, it includes additional constraints such as archaeology and cumulative effects, makes definitive statements and sweeping conclusions based on the use of limited high level data which produces an overly restrictive and negative portrayal of Dumfries & Galloway's ability to be at the forefront of renewable electricity transition. The study should only be a general guide, providing an assessment of landscape across the whole of Dumfries & Galloway in identifying the potentially sensitive landscape features and how turbines ought to relate to such features. Therefore, the first bullet point under 'landscape and visual impact' in Policy IN2 should be removed.

Natural Power obo Fred Olsen Renewables (0080.012) - Regarding the first bullet point. The Dumfries & Galloway wind farm landscape capacity study should be taken as guidance which serves as a tool to help inform assessment of individual applications against the second bullet point listed through the EIA process. The presumption in favour of wind development is welcomed. It is suggested that the second bullet point is sufficient to cover consideration of landscape and visual impact and that the first and third bullet points should be removed. The third bullet point repeats what would be assessed by requirements of the

second bullet point.

Banks Group (0127.002) - In main, Policy IN2 has not changed under LDP2. The exception to this is the apparent removal of 'Part 2' which is relevant to the spatial framework and replacement of new spatial framework information which should be fully accordant with SPP. The representor deems that LDP2 presents an opportunity to clarify the policy wording of IN2 with regard to '*acceptability', as currently the acceptability test is considered to be somewhat unclear, and whether its purpose is indeed to balance the benefits of the development against its impact to determine its acceptability. Currently Policy IN2 is such that a development could be perceived to warrant objection to it if it were to have significant detrimental or detrimental impacts. It is well known that wind energy developments can have significant and detrimental or adverse impacts, however can be considered acceptable on balance when assessed against their benefits. It would be beneficial if this distinction could be made more explicit as provided in the clarification for '*acceptability'. The representor suggest the following wording, *'*Acceptability will be determined through an assessment of the impact of the proposal, balanced against its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed'*.

Natural Power obo Fred Olsen Renewables (0080.012) - Whilst there is a requirement to assess mineral extraction developments against potential landscape effects, there is a far greater emphasis currently placed on assessing the potential landscape effects by wind farms which seems somewhat disproportionate.

Natural Power obo Fred Olsen Renewables (0080.012) - Suggest including clarification that a residential amenity assessment need only be undertaken for properties up to 2 km from the proposed development

Banks Group (0127.002) - The wording associated with introducing the SPP compliant spatial framework is considered weak and uncompliant with SPP. This is inferred by use of the terminology '*some strategic guidance*'. The effect of this is that it implies that the documents in the following sentence (SG and DGWLCS) are equally as important in the strategic sense. This is illogical and contrary to SPP paragraph 163. Object to the use of this terminology and it should be omitted. Furthermore, it is assumed that proposed LDP2 Policy IN2 seeks to use Maps 1 and 2 as described within section 2.11.11 to 'assess windfarm applications.' Banks Renewables have serious concerns about this approach.

Scottish Power Renewables (0113.003) - Concern with the proposed approach within Policy IN2 to include a large a number of additional constraints to be considered when assessing proposals for wind energy development but which are not expressed within the Spatial Framework Map. This appears to be a significant departure from SPP.

Young Planning obo SP Energy Networks (0272.004) - Submissions made in respect of these Sections are relevant also to Section 2.11 that being the section of the MIR most relevant to the subject of electricity transmission infrastructure and national development number 4. A significant part of SP Energy Networks' recent investment in the transmission and distribution networks in south west

Scotland has been to support investment in the renewable energy sector. Notwithstanding, there remain areas where renewable energy developments may occur in the future, where new grid connections are required. As such, and given the significance of a grid connection to a renewable energy development, SP Energy Networks anticipated significant reference to grid-related infrastructure within the renewable energy chapter of the MIR (i.e. this Section 2.11) and considers that its omission significantly undermines the MIR as it relates to both industries. For example, policies IN1 and IN2 for renewable energy development and onshore wind generation specifically, respectively, exclude reference to potential need for new and/or upgraded grid infrastructure and the implications of such development.

Wind Energy Spatial Framework

Historic Environment Scotland (0012.004) - Support the proposed Wind Energy Spatial Framework Map, understanding that this broadly aligns with the approach outlined within SPP.

Janet Gibson (0041.007) - The suggested mapping is constructive and could save much wasted time.

Under Cultural Heritage would like to see more archaeology included, included "Areas of Archaeological Interest".

The Drove Road from Portpatrick to London is an important historical site being used for notable historic events over many centuries. It is key factor

- in Covenanting history and also
- for being the route which William of Orange took on his way to battle in Ireland.
- It is also an archaeological site in the Stewartry
- It had been designated as a Military Rd.
- It is a Heritage Path in the area between Gatehouse of Fleet and Ringford.

Janet Gibson (0041.007) - The Galloway National Forest Park should be included.

Natural Power (0080.006); Natural Power obo Fred Olsen Renewables (0080.017) - The revised spatial framework is welcomed however additional mapping of potential constraints in Table 7 should not be included in the LDP2. SPP 2014 states on paragraph 163 that:

'The approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts (see paragraph 169)'

Scottish Power Renewables (0113.003) - Concerns with proposed approach within Policy IN2 and the detail of the associated Spatial Framework Map and it's consistency with SPP. Would also ask that further consideration is given to policy approach to repowering and life extension of projects which is critical if we are to maintain current level of deployment of onshore wind and the associated economic and social benefit these developments bring to local communities. Note that section 2.11.10 states that the spatial framework element of Policy IN2 and its associated mapping will require to be updated in response to the updated

SPP. This is welcome.

Welcome recognition that the Council is committed to ensuring that the development plan policies are reviewed in line with SPP. This is of particular relevance to Policy IN1 and IN2 and its supporting Supplementary Planning Guidance (SPG) and spatial framework which set out the overall approach to the assessment of proposed renewable energy development. SPP includes a presumption in favour of development which supports the principles of Sustainable Development, and asks that this is reflected in the LDP to include a range of renewable energy technologies, including onshore wind.

Scottish Power Renewables (0113.003) - Would ask that further consideration and consultation is given to this proposal of the policy approach and the proposed additional maps (which do not form part of the current consultation).

Scottish Power Renewables (0113.003) - Would question the conclusion that there are no alternatives to the Council's preferred approach to wind energy and the spatial framework.

Scottish Natural Heritage (0122.002) - Agree with the Preferred Approach as it accords with SPP. However, recommend some minor rewording:

- Table 6 – Group 2 should read wild land areas.
- Table 6 – if this table is to be carried forward into the LDP, the reference to 'everything else' in Group 3, could usefully be replaced with 'wind farms are likely to be acceptable subject to detailed consideration against Policy IN1 and IN2', making the link to your policies more explicit.

Regarding the proposed additional mapping set out in Table 7, concerned that it is not clear how the two maps will sit with each other and that it may lead to double counting. For example, as Regional Scenic Areas (RSA) would have been used within the capacity study it is confusing to include them in both Map 1 and Map 2. We suggest that using your list from Policy IN2, the maps could be created using these data sources, ensuring consistency with Policy IN2.

Suggest the following approach to additional mapping:

Map 1 – Landscape capacity and cumulative impacts (if these are able to be mapped from the capacity study) as this should reflect the sensitivity of RSAs/Dark Sky areas/non-Inventory Gardens and Designed Landscapes (GDL) already, at a regional scale, this should avoid double counting and further underline the importance of the capacity study.

Map 2 – Impacts on Aviation and Defence

Map 3 – Other impacts and constraints, where they can be easily mapped and reflect the content of part a) of Policy IN2 other impacts and considerations

Banks Group (0127.002) - The representor submitted representations on the consultation 'Draft SG on Wind Energy Development' on 07 November 2016 outlining concerns that a SPP compliant spatial framework had not been included within the draft SG. This was contradictory to the approach set out within the LDP that a review of interim spatial framework would be undertaken and addressed through SG at the '**earliest possible opportunity**'. It is therefore disappointing to see that a SPP compliant spatial framework is being discussed to be brought forward within LDP2 rather than being dealt with by SG.

As set out in the introductory paragraphs of the MIR, the LDP is required to be reviewed and replaced every 5 years, and the MIR is only the first document in the

process of adopting LDP2. It is anticipated that LDP2 will be adopted sometime in 2018/2019 and therefore for a local authority to be missing a vital piece of spatial information, which is a statutory requirement, for potentially 5 years from the point at which it was published in SPP 2014 is unacceptable given the opportunities to produce it earlier than this date. It is not clear if it is the intention to subsequently incorporate the spatial framework into SG following its consultation period but the representor recommend that the spatial framework outputs of the work undertaken to inform MIR LDP2 are now used to update SG and re-consulted on.

Banks Group (0127.002) - The representor is not clear what role the information provided in Table 7 would have in '*guiding the right development to the right location*' and this expression is deemed to be ambiguous. This information is likely to be inferred as an additional spatial and strategic constraint that will be used by the Council to assess the locational acceptability of wind energy development. The representor object to this approach as it is contrary to SPP paragraph 163 whereby it states, '*the approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and **additional constraints should not be applied at this stage.***'

Similarly, proposed 'Map 2 – Landscape' should not be inferred as strategic guidance which is the role of the spatial framework, guiding wind energy development to the most appropriate locations. The representor would like to draw the Council's attention to the Reporter's comment on paragraph 49 on page 244 of the Report of Examination on the Dumfries and Galloway LDP when considering the purpose of including such information in LDP2: "*The Council's approach goes beyond consideration of existing and consented windfarms to include potential future impact along with landscape sensitivity considerations. This results in the identification of large cordons of land around the Areas of Greatest potential within which a presumption against development applies. I find this goes significantly beyond the approach advocated in current SPP and its associated on-line guidance.*" The representor has previously made representations on the appropriateness of including the DGWLCS as an appendix to SG (13 October 2014 – D&G Wind Energy Development SG Part One), and in summary cited that "**a clear distinction between statutory planning policy and background reports and the DGWLCS as an example of the latter should not be included within statutory supplementary planning guidance**". With this in mind and the fact the Council propose to include DGWLCS outputs into development plan policy instead (considered to be a platform enabling greater weight to be attributed to the landscape capacity work), in addition to the Reporter's comments above and consideration of SPP paragraph 163, the representor strongly object to any insertion of landscape capacity considerations into LDP2 as it is contrary to national policy. The DGWLCS should be seen as a background paper and recognition needs to be given to the fact wind energy proposals should be assessed on a case by case basis using the background information as a guide only. In summary and in response to Question 24, the representor wholly disagree with the approach set out in sections 2.11.10 and 2.11.11 due to the reasons set out above.

RSPB Scotland (0133.006); (0133.009) - Would recommend that a strategic spatial approach is taken for all renewable energy technologies / sources as well as wind. The representor has produced a spatial visionary mapping project for

renewable energy (RSPB's 2050 Energy Vision) and would be happy to work with the council to incorporate the findings into the LDP. RSPB's 2050 Energy Vision project spatially analysed the potential for key renewable energy technologies to be deployed in the UK in harmony with nature, and we are happy to provide the spatial data produced as part of the project to local authorities. The data can be used to form the basis of the council's own maps of the renewable energy potential in the area; since they were produced using only data that was available at the UK scale, it is recommended augmenting them with local information on physical, policy and ecological constraints (RSPB can advise on data sets that could be used for the latter), adapting the methodology set out in the Energy Vision technical report. Further information and advice on how the data could be used to give an assessment of the potential for renewable energy in harmony with nature in the area is available. The RSPB's 2050 Energy Vision summary and technical reports are available here; <https://www.rspb.org.uk/ourwork/conservation/conservation-projects/details/350939-energy-futures-resource-constraints-and-sensitivity-mapping-for-renewable-energy-in-the-uk>

Penelope Coles (0135.007) - Reflecting the language of the SPP produces understandable consistent policies.

Table 1 is misleading. The LDP states that the table in the SPP is reprinted below. This is inaccurate as the wording has been changed causing a great injustice to residents of Dumfries and Galloway. The SPP states that there should be a maximum 2km buffer around **cities, towns and villages**. D&G are using the term settlements, on LDP with identified envelope or edge. Thus affording less protection to those living in villages from the close proximity of wind farms and the visual impact and noise

Reflecting the terms, language and intent of the SPP is important in protecting residents and guiding developers into more suitable sites. All villages identified in the settlement hierarchy by having at least one community facility should have an inset map

Auldgirth and District CC (0237.001) - Strongly believe that D&G policy should use the same terms as the Scottish Planning Policy paragraph 166 that cities towns and villages with a defined boundary should have a 2km buffer from wind farm development.

Under the D&G proposal only local centres and district centres have a 2 km buffer as seen in Map 5. However there are inconsistencies and out of date information informing the selection of these sites. Locally Closeburn is given a 2km buffer but when the settlement hierarchy is applied it is only a village like Auldgirth. Indeed Auldgirth has more facilities as it has a shop & post office, village hall and pub. Whereas Closeburn has a village hall and shop & post office.

Hollywood is listed as a local centre afforded a buffer zone from wind farm development but only has a school and village hall and so should be classed as a village.

A useful exercise would have been to contact every Community Council and ask for an update of community facilities so an accurate list could have been prepared. Or Ward Councillors could have been asked for updates.

Martin Robertson (0146.002) - Pressure to develop in D & G will continue

because of the combination of south-west facing river valleys, grass topped hills with good access, position between the Central Belt and the English market and no National Parks (yet). This means that the Council must be strong in its defence of what is worthwhile in D & G and come to an understanding with the Scottish Government so that they do not lean on us to take more than is fair.

Spatial Frameworks Groups 1 & 2 - Areas of special protection require buffer zones to prevent Wind turbines from being put immediately outside them as was threatened recently with the Nith NSA

Ruthwell & Clarencefield CC (0180.001) - The representor has serious concerns that within section 2.11 pages 44-51 of the MIR and the map on Page 47 the protected areas from wind farm development covers the whole of the Annan area however the small section from Cummertrees to Clarencefield appears to have no protection at all.

This unprotected section of the inner Solway coast is close to major bird reserves, unspoiled coastline, and historic sites. Our concern reflects issues raised at an open meeting within the parish during 2015 when residents expressed overwhelming objections to wind farm development in the area and particularly along this stretch of coastline.

The Solway is an internationally renowned destination for hundreds of thousands of migratory birds; this is an important factor in our tourism economy. It is alarming to contemplate the impact that erecting any turbines along the area that is currently not protected would have. Further consideration should be given to including this section in the protected zone.

Scottish Borders Council (0265.002) - The Landscape Capacity Study does not appear to conclude with any output maps confirming landscape capacity across the region? The representor would seek confirmation if anything within proximity of the boundary with the Scottish Borders.

Wind Energy Strategic Capacity

Natural Power (0080.006) - The SNH guidance noted in the MIR predates the Scottish Government's Draft Energy Strategy published this year for consultation. The LDP2 and any subsequent guidance needs to reflect the aims of the finalised Energy Strategy and other related publications balancing the national drive towards meeting at least 50% of Scotland's heat, transport and electricity consumption from renewable sources by 2030 against potential localised impacts

Natural Power obo Fred Olsen Renewables (0080.017) - Understand that the aim of strategic capacity is for planning authorities to identify potentially optimum locations within an area of greatest potential whilst not automatically shutting the door to potential development elsewhere in such an area. The SNH guidance referred to in the MIR states on page 9 that:

These additional considerations are intended to provide a strategic approach which identifies both sensitivities and capacity in the Development Plan. They should not be used to put a sequential approach to wind farm planning in place. The LDP2 should reflect this position in its policy approach.

Scottish Natural Heritage (0122.002); Martin Robertson (0146.002) - Agree with the Preferred Approach.

Banks Group (0127.002) - Object to the approach of formulating '*strategic capacity*' to '*steer the right development to the right place*'. This is contrary to the provisions of SPP paragraph 163 and ultimately past the point of the spatial framework, proposals coming forward should be considered on a case by case basis in the development management process and should not be further constrained by other forms of non- statutory strategic guidance which is likely to take a more regional wide view if based on landscape character assessments or landscape capacity studies. These documents are not considered to be carried out at a sufficiently detailed scale to take into account local variations and therefore their outputs should not be used to impose blanket restrictions unlike the defined statutory designations located within SPP Table 1.

East Ayrshire Council (0249.001) – East Ayrshire Council recently adopted its Local Development Plan (3rd April 2017) and has therefore recently been through the examination process. In respect of question 25, this deals with strategic capacity for wind energy, and would point to the comments made by the Reporter on this topic.

The Reporter raised, in the examination report (page 171), that strategic capacity may be found in areas which straddle planning authority boundaries, and that it is important to ensure that in assessing potential strategic capacity opportunities and constraints extending into adjacent planning authority areas are taken into account. The examination report states that the required joint working was not carried out to assess the scope for strategic capacity.

The reporter concludes 'I therefore find that the local development plan should include an appropriate reference to joint working with neighbouring planning authorities in order to identify areas of strategic capacity'.

The adopted LDP now includes the following text: (page 80, volume 1, para 6.1.12) '...The Council will carry out further work to assess the strategic capacity of other parts of East Ayrshire. This will include assessment of Group 2 and Group 3 areas and cross boundary assessment through joint working with adjacent planning authorities, It is intended that the outcomes of this work would be incorporated into the next review of the Local Development Plan'.

The Reporter's comments and conclusions on East Ayrshire's Plan may be useful in assessing strategic capacity

Wind Energy SG

EDF Energy Renewables (0067.002) - Note the intention to proceed further with the review of the Supplementary Planning Guidance, Part 1 Wind Energy: Development Management Considerations and the associated DGWLCS.

The representor has previously submitted comments on the review of these documents through their agents Jones Lang LaSalle (letter dated 07 November 2016). A number of concerns were raised and the representor will continue to engage in the next stage of consultation with regard to both LDP2 and the SG.

Scottish Power Renewables (0113.003) - Note the proposals within the recent Scottish Government 'Places, people and planning' consultation to remove Supplementary Planning Guidance. SG can be a useful tool in the determination of planning applications and we are of the view that removing it completely could lead to a great deal of uncertainty within the Planning System. However, SG should be concise and should help steer LPAs, developers and agencies to deliver national policy priorities, bringing a greater degree of consistency to

decision making throughout Scotland

Scottish Natural Heritage (0122.002) - Consider that repowering and large turbines and the resulting effects from these will be important issues to address in the SG. For example, requirement for visible lighting and how to assess this, adjustments to access to accommodate larger turbines and so on.

EDF Energy Renewables (0067.002) - Refer to the appendix to the JLL letter of 7th November 2016, prepared by Amec Foster Wheeler on behalf of the representor. (The appendix includes detailed comments in respect of the consultation to the SG and in particular the wind farm landscape capacity study.) This consultation was separate to the MIR and this document does not specifically form part of the MIR consultation.

Scottish Power Renewables (0113.003) - The representor responded in detail to the recent consultation on SG Wind Energy Development & Appendix C: Dumfries and Galloway Landscape Capacity Assessment. In summary, the revision and update to the guidance document were welcome, as were initiatives towards addressing repowering and larger turbines. However, they have concerns with the detail of the revised document as noted in this representation, and as summarised below:

- Would like to see greater acknowledgement of the wider context within which this study sits, particularly in terms of the factors driving growth in the wind energy industry. There is little discussion of future policy or the likely demand for larger turbines.
- The study should more clearly articulate the limitations of a strategic study, and in particular that such studies should not make unqualified statements of 'no scope' or 'no capacity' for development. There should be a clear acknowledgement that site-specific assessments carry more weight than strategic overviews.
- The study takes a narrow view of 'capacity', omitting consideration of the need for renewable energy, which should determine capacity in balance with an understanding of landscape sensitivity and likely impacts. Relevant to this is the Larbrax decision.
- The study is too heavily focussed on cumulative issues, leading to overlapping layers of assessment that risk double-counting of effects. In particular we would discourage the inclusion of cumulative effects as an aspect of landscape sensitivity, and recommend that the DGWLCS adopt the former focus on narrative guidance on cumulative issues.
- Welcome the consideration of larger turbines and we would ask that these positive conclusions are reflected in the summaries.
- Consider the findings in relation to the character areas to be narrowly focused on new wind farms and cumulative effects, whereas it was recommended more inclusive consideration of alternative approaches such as repowering, refurbishment or life extensions.

New Policy Anemometer Masts

Natural Power (0080.006) - Temporary anemometer masts should not be singled out as lacking policy where the same applies to other tall structures like radio transmitter masts and television signal masts. This policy does not add anything which isn't already covered by general policies covering the subjects raised such

as Policy OP1b and OP1c for example. It is therefore suggested that this policy is not required.

Natural Power obo Fred Olsen Renewables (0080.017) - Policy on temporary anemometer masts is welcomed to give clearer steer on such development however we have reservations with regards to the amount of material that might now be expected to support an application such as photomontages or wirelines. Applications for temporary anemometer masts have been adequately determined without this policy or provision of visuals to date and therefore there should be no requirement to burden an applicant with additional cost through requirement of extra material in support of an application. It is also not clear why temporary anemometer masts have been singled out as requiring policy whilst policy remains lacking for other similar tall structures such as television masts and radio transmitters. Public objection to temporary anemometer masts is often directed at the potential forthcoming wind development proposal and not the mast itself. This policy should either be removed or re-worded to cover all tall structures greater than 15 m in height which would otherwise be granted permitted development rights.

Scottish Power Renewables (0113.003) - Support the Council approach to support proposals for anemometer masts on a temporary basis, taking into consideration their impact on landscape and visual amenity; and cultural and natural heritage.

Scottish Natural Heritage (0122.002) - If the proposed temporary anemometer mast policy is taken forward into the Proposed Plan recommends that the criteria are reviewed. The potential assessment work that may arise from these criteria is not currently clear.

Martin Robertson (0146.002) - It should be made clear that they are only appropriate where turbines themselves might be appropriate. They should not be considered a try-on for other, more sensitive, areas.

Infrastructure - General

Penelope Coles (0135.005) - SPP paragraph 52 states that the LDP should have guidance on essential infrastructure including grid connections. As consultations are currently taking place for a National Development of a grid connection the LDP should be putting policies in place now. This issue is not addressed in the LDP.

Young Planning obo SP Energy Networks (0272.003) - Whilst, at paragraph 2.3.2, the MIR includes reference to NPF3 as containing policy which informed the definition of the main issues, this statement is not reflected throughout the MIR, particularly in the context of NPF3's national development designations, of which there are no mention. For example, national development number 4 (which is detailed in SP Energy Networks' submission in respect of Section 1.3 of the MIR) is omitted altogether from the MIR, despite its national significance and direct relevance to Dumfries & Galloway.

SP Energy Networks contends that the delivery of nationally significant infrastructure (and modern, efficient and effective infrastructure more generally, which is essential in underpinning the wider aspirations of the MIR and most likely

the forthcoming Proposed Plan) is worthy of specific mention within the factors informing the definition of the main issues and in fact, is a “main issue” in its own right.

As a main issue in its own right, SP Energy Networks anticipates specific policy references to nationally significant infrastructure within the Proposed Plan. In the case of national development number 4, policy is necessary to facilitate the delivery of such development and to safeguard planning permissions and other consents pursuant to the national development designation against conflicting development which might jeopardise its delivery. To this end, SP Energy Networks recommends the inclusion of the following policy within the Proposed Plan:

Policy x: Enhanced High Voltage Electricity Transmission Network

“(a) The Council supports enhancement of the high voltage electricity transmission network in locations defined by operational requirements, subject to acceptable impacts on the landscape, visual amenity, communities, natural and cultural heritage and the provision of appropriate mitigation where required.

(b) Reinforcement works, which include the provision of new overhead line routes and new substations, development of which falls within the scope of the National Planning Framework national development number 4, are also likely during the lifetime of the LDP. The Council will safeguard these sites for such development and will not support proposals for development which might negatively impact upon the delivery of developments within the scope of national development number 4, or any subsequent relevant national development designation in the event of a review of the National Planning Framework during the lifetime of this Plan.”

Young Planning obo SP Energy Networks (0272.004) - In responding to Section 1.3 of this MIR, SP Energy Networks detailed NPF3’s national development number 4 which, despite being of national significance and of direct relevance to Dumfries and Galloway, is not referenced within the MIR.

Further, in responding to Section 2.3 of this MIR, SP Energy Networks recommended the inclusion of a specific main issue relating to the provision of modern, efficient and effective infrastructure, in particular that referenced as nationally significant within NPF3, as well as specific Proposed Plan policy relating to national development number 4.

Submissions made in respect of these Sections are relevant also to Section 2.11 that being the section of the MIR most relevant to the subject of electricity transmission infrastructure and national development number 4. A significant part of SP Energy Networks’ recent investment in the transmission and distribution networks in south west Scotland has been to support investment in the renewable energy sector. Notwithstanding, there remain areas where renewable energy developments may occur in the future, where new grid connections are required. As such, and given the significance of a grid connection to a renewable energy development, SP Energy Networks anticipated significant reference to grid-related infrastructure within the renewable energy chapter of the MIR (i.e. this Section 2.11) and considers that its omission significantly undermines the MIR as it relates to both industries. For example, policies IN1 and IN2 for renewable energy development and onshore wind generation specifically, respectively, exclude reference to potential need for new and/or upgraded grid infrastructure and the implications of such development.

In response to the Sections 1.3 and 2.3, SP Energy Network has highlighted a

more general absence to references to grid-related developments and NPF3's national development number 4. In the context of national development number 4, SP Energy Networks considers that the importance of upgrading, reinforcing and improving transmission and distribution infrastructure merits policy recognition within the Proposed Plan.

In the context of national development number 4, SP Energy Networks considers that the importance of upgrading, reinforcing and improving transmission and distribution infrastructure merits policy recognition within the Proposed Plan. Similarly, it is essential that development which is consistent with national development number 4 is safeguarded from conflicting development proposals which would jeopardise its delivery. Policy-based safeguards should cover development proposals pursuant to national development number 4 from initial route-testing stages (including SP Energy Networks potential Kendoon to Tongland 132kV Reinforcement Project, and associated developments) and should include development proposals subject to extant planning permission(s) or other consents.

A policy should be included within the Proposed Plan which:

- Makes reference to NPF3's national development number 4 and recognises the significance of development pursuant to the designation;
- Promotes development necessary for the upgrading, reinforcing and improving of the transmission and distribution networks as essential to the delivery of LDP vision, recognising that the scale and location of such developments is largely dictated by operational requirements;
- Safeguards new and existing routes against development which might jeopardise the delivery of infrastructure necessary for the upgrading, reinforcing and improving of the transmission and distribution networks; and
- Recognises that development necessary for the upgrading, reinforcing and improving of the transmission and distribution networks may be required within rural areas (with cross referencing to LDP policies relating to development in rural areas, as appropriate).

The Proposals Map should also identify routes with cross reference to relevant policy safeguarding against conflicting developments.

As such, SP Energy Networks would encourage Dumfries & Galloway Council to make more specific reference to such infrastructure via a dedicated Chapter and policies (including SP Energy Networks' proposed policy relating specifically to Enhanced High Voltage Electricity Transmission Network, detailed in the response to Section 2.3, which address the requirements of the above mentioned four bullet points) within the Proposed Plan, with cross references to the renewable energy section as appropriate.

Policy IN3 New Waste Management Infrastructure

Scottish Environment Protection Agency (0120.002) - Support the policy as set out in Appendix C however, require the final sentence of the policy to be amended to include "storage and distribution" as sites where waste management facilities are in principle considered to be acceptable. This is in line with SPP paragraph 185 which advises Local Authorities that waste management facilities "can generally be accommodated on land designated for employment, industrial or storage and distribution uses."

Policy IN6: Waste Management Requirements for New Development

Scottish Environment Protection Agency (0120.002) - Consider that as currently

written, the policy does not provide sufficient clear guidance as to what type or scale of development application would have to be supported by a Site Waste Management Plan.

In policy terms, Policy IN6 as presently written is supported by SPP (paragraph 179) requiring that plans promote resource efficiency and waste minimisation during construction and operation of new developments and SPP (paragraph 192) requiring the preparation of site waste management plans for construction sites. This approach is also supported by the Scottish Government's Planning and Waste Management Advice (paragraph 48) which advocates that development plan policies encourage the adoption of waste minimisation approaches. However, we believe that the policy should be clearer about what types or scale of development it applies to and therefore recommend that the Council provides some clarification regarding when they expect a Site Waste Management Plan to be submitted. This information should be freely available prior to submission of a planning application to ensure all supporting documents can be submitted at the same time.

Policy IN7: Flooding and Development

Scottish Environment Protection Agency (0120.002) - Recognise that LDP2 will include policy coverage which ensures a precautionary approach is taken to flood risk from all sources which also recognises the predicted impacts of climate change.

Note that it is intended that Policy IN7 (Page 130) is to be updated to reflect SPP for LDP2. Supportive of this from a flood risk perspective but recommend reference is made to our requirements set out within our development plan guidance on flood risk during this review. Would also recommend that this is updated to refer to the Flood Risk Management (Scotland) Act 2009 in terms of the drive to reduce overall flood risk and progress Local Flood Risk Management Plans.

Dumfries & Galloway Council Sustainable Development Team (0100.035) - Recommend that sites to be avoided include "a precautionary approach to flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change" (as in SPP section 255, page 57, available here: <http://www.gov.scot/Resource/0045/00453827.pdf>).

Cree Valley CC (0284.001) - The development of the Flood Scheme for Newton Stewart is welcomed.

Policy IN8: Surface Water Drainage and SuDS

Scottish Environment Protection Agency (0120.002) - Note and support the proposed clarification of the policy wording on the need to integrate SuDS from the start of the development process. Would also emphasise that 'Construction SuDS' are also an essential aspect of the development process and soon may be subject to licensing due to the history of significant pollution problems arising from development sites.

Council response and proposed modifications:

Renewable Energy General

EDF Energy Renewables (0067.002) – The comments are noted however there are a number of different documents and strategies relating to the renewable energy sector and it is not considered appropriate or necessary to reference all of these within the LDP. These documents are subject to change throughout the lifetime of the plan. The wording of the policies IN1 and IN2 are considered to be appropriate for their purpose of assessing development proposals. The issue of repowering is to be considered within the updated SG. No modification(s) proposed.

Scottish Power Renewables (0113.003) – The comments are noted. The LDP is already supportive of the principles of sustainable development and the production of renewable energy from a range of sources. The comments in relation to the Climate Change Plan and Energy Strategy are noted, however there are a number of different documents and strategies relating to the renewable energy sector and it is not considered appropriate or necessary to reference all of these within the LDP. These documents are subject to change throughout the lifetime of the plan. The current documents have been taken into account in reviewing the LDP. No modification(s) proposed.

Scottish Water (0083.002) – Scottish Water are currently consulted in respect of relevant planning applications and this will continue into the future. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002) – Comments are noted. No modification(s) proposed.

RSPB Scotland (0133.012) – Comments are noted. No modification(s) proposed.

Penelope Coles (0135.008) - Although the comments are noted biomass is a general term for natural or organic fuel sources and as such is classified as a renewable energy source. The purpose of the LDP is to provide guidance in the assessment of planning applications and IN1 is considered an appropriate policy for assessing such proposals. No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.012) – The comments are noted. The current LDP is supportive of a range of renewable energy sources and this is proposed to be taken through into LDP2. No modification(s) proposed.

Scottish Power Renewables (0113.003) – The current LDP is supportive of a range of renewable energy sources and this is proposed to be taken through into LDP2. Additional text is proposed to be added to the introductory text in relation to some of these developments and emerging technologies. Modifications proposed to the introductory text.

Heat Networks/Mapping

Natural Power (0080.007) - It is proposed to amend both the introductory text and policy IN1 to include specific support for the use of district heating systems which are often identified through the use of heat mapping. Modifications proposed to

the introductory text and policy IN1.

Natural Power (0080.009) - It is proposed to amend policy IN1 to include specific support for the use of district heating systems in larger developments. Modifications proposed to policy IN1.

Scottish Environment Protection Agency (0120.002) - It is proposed to amend both the introductory text and policy IN1 to include specific support for the use of district heating systems and capability to connect to such systems for larger scale developments. Modifications proposed to the introductory text and policy IN1.

Scottish Environment Protection Agency (0120.002) - It is proposed to amend policy IN1 to include a requirement for the submission of an energy statement which includes the consideration of the feasibility of meeting the developments heat demand through a district heating network or other de-carbonised alternatives for larger scale developments. Modifications proposed to policy IN1.

Scottish Environment Protection Agency (0120.002) – All sites to be included in the Proposed Plan have been considered in relation to their proximity to a significant heat source. For the purposes of the development sites included in the Proposed Plan this does not apply.

RSPB Scotland (0133.014) – Comments are noted and amendments are proposed to both the introductory text and policy IN1 to include specific support for the use of district heating systems. Modifications proposed to the introductory text and policy IN1.

Policy IN1 Renewable Energy

EDF Energy Renewables (0067.002) – Comments are noted. No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.011) – The comments are noted. The current LDP is supportive of a range of renewable energy sources and this is proposed to be taken through into LDP2. There are a number of different documents, strategies and targets relating to the renewable energy sector and it is not considered appropriate or necessary to reference all of these within the LDP. These documents are subject to change throughout the lifetime of the plan. The wording of the policies IN1 and IN2 are considered to be appropriate for their purpose of assessing development proposals. No modification(s) proposed.

Scottish Environment Protection Agency (0120.002) – It is proposed to amend policy IN1 to include specific support for the use of district heating systems, capability to connect to such systems for larger scale developments and protection of any land required for the heat network infrastructure. All sites to be included in the Proposed Plan have been considered in relation to their proximity to a significant heat source. Modifications proposed to the introductory text and policy IN1.

Scottish Natural Heritage (0122.002) – Comments are noted and it is proposed to amend the policy wording to be consistent with the caveats in policy IN2.

Modifications proposed to policy IN1.

Banks Group (0127.002) – It is considered that the proposed wording in respect of the term ‘acceptability’ provides sufficient clarity in relation to how proposals are assessed against this policy. No modification(s) proposed.

RSPB Scotland (0133.011) – The policy wording has been amended to ensure consistency with policy IN2 and is not considered to weaken how development proposals will be assessed. No modification(s) proposed.

Young Planning obo SP Energy Networks (0272.005) - It should be noted that grid construction is not a material planning consideration. Any such proposals would be assessed on their own merits against the relevant policies within the plan. No modification(s) proposed.

Wind Energy General

Scottish Power Renewables (0113.003); RSPB Scotland (0133.021) – The comments are noted. Repowering and life extension are considered within a new section in the Draft Wind Energy Development: Development Management Considerations. No modification(s) proposed.

Scottish Power Renewables (0113.003) – The comments are noted however all proposals will continue to be considered on a case by case basis against policies relevant at that time. The current use of the site may be a material consideration in that assessment process. No modification(s) proposed.

Policy IN2 Wind Energy

Natural Power (0080.006) – Landscape capacity studies draw support from SPP and from SNH guidance and are a recognised valuable tool in development management. Archaeology and cumulative effects are established sensitivity criteria. Conclusions are not considered to be overly restrictive or prescriptive and should be read in the context of detailed assessments and in their entirety (eg across the range of potential turbine sizes). No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.012) – It is considered that the three bullets reflect separate aspects of the assessment of proposals on the impact on the landscape, namely the guidance held in the wind farm landscape capacity study, the capability of the landscape to accommodate such development and the design and scale of the development and its appropriateness to its setting and wider landscape. As a result it is considered that all these elements should be clear within the policy wording. The second bullet relates to the capacity of the landscape character to accept further development whilst the third relates to the specific and detailed considerations of the proposal itself. As a result they are not considered to be the same. No modification(s) proposed.

Banks Group (0127.002) – It is considered that the proposed wording in respect of the term ‘acceptability’ provides sufficient clarity in relation to how proposals are assessed against this policy. The terms ‘significant detrimental and detrimental’ are considered to provide an appropriate starting point from which to assess proposals and balance these impacts against any other factors. A bullet

relating to socio economic benefits is proposed to be added to the policy to provide for these balancing elements. Modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.012) – Although the wording in these policies may differ, proposals are assessed for their landscape impacts in a similar way in terms of their appropriateness. No modification(s) proposed.

Natural Power obo Fred Olsen Renewables (0080.012) –The need for residential amenity assessments will continue to be considered on a case by case basis determined by individual circumstances. No modification(s) proposed.

Banks Group (0127.002) – SPP states in paragraph 161 that the spatial framework is a guide for developers and communities and can be considered in the assessment of proposals where appropriate. However, SPP also states in paragraph 161 that “development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales” . By listing a range of other considerations in paragraph 169 it does make it clear that spatial frameworks are not in themselves the determining factor although they may provide a high level strategic approach as a result it is proposed to remove the word ‘some’. Proposals will always be assessed against a range of considerations on a case by case basis.

Spatial frameworks by their nature are too strategic to provide sufficient information by which to assess development proposals in a local context. As a result it is considered that the SG and its appendix are equally important for the purpose of assessing proposals.

The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP and therefore are some of the many factors which will be assessed and balanced in assessing proposals. However, it is considered that as these may be subject to future change then they should be retained within the SG. Modifications are proposed to policy IN2.

Scottish Power Renewables (0113.003) – SPP states in paragraph 161 that “development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales” SPP lists in paragraph 169 a number of considerations that wind energy proposals are likely to be assessed against. There are no elements within policy IN2 that are not included within paragraph 169 and therefore the policy is considered to be compliant with SPP. SPP states that the spatial framework is a guide for developers and communities and can be considered in the assessment of proposals where appropriate. However, by listing a range of other considerations in paragraph 169 it does make it clear that spatial frameworks are not in themselves the determining factor. Proposals will always be assessed against a range of considerations on a case by case basis. No modification(s) proposed.

Young Planning obo SP Energy Networks (0272.004) – High voltage electricity transmission infrastructure and grid connections do not fall within the remit of the local authority planning system. It is considered that any proposals coming forward would, and could, be assessed against the relevant policies in the LDP

and therefore a specific reference within the plan is not considered to be required. No modification(s) proposed.

Wind Energy Spatial Framework

Historic Environment Scotland (0012.004); and Janet Gibson (0041.007) – The comments are noted. No modification(s) proposed.

Janet Gibson (0041.007) –The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG. The SG contains information relating to archaeological features and maps a number of these that are identified at a regional scale. Areas of Archaeological Interest have not been identified or assessed and therefore should not be included in such mapping whilst individual features are generally too small to map usefully at this scale.

The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG. The SG contains information relating to archaeological features and maps a number of these that are identified at a regional scale. It is not considered appropriate to identify individual features at this scale. Archaeological features are considered in more detail within the SG and would also be assessed against policies OP1b and HE3

The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG. The SG contains information relating to recreational facilities but it is not considered that they require mapping for this purpose.

No modification(s) proposed.

Natural Power (0080.006); Natural Power obo Fred Olsen Renewables (0080.017) - The SPP relates to the spatial framework map and no additional constraints have been added to this map and the formulation of the spatial framework map has been prepared in accordance with SPP. The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG.

It should be noted that SPP does not state that additional mapping cannot be included within an LDP for the purposes of clarity merely that those additional constraints cannot be added to the spatial framework map itself. No modification(s) proposed.

Scottish Power Renewables (0113.003) - The comments regarding the policy approach and the updated spatial framework are noted. The current LDP has a

positive approach to renewable energy which will be carried through into LDP2. Consideration of repowering and life extension of projects is proposed to be included within the revised SG. No modification(s) proposed.

Scottish Power Renewables (0113.003) - The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG. No modification(s) proposed.

Scottish Power Renewables (0113.003) - The Council are of the view that there are no alternatives to the overall approach set out in the MIR and no other alternatives have been forthcoming through the consultation process for the Council to consider. No modification(s) proposed.

Scottish Natural Heritage (0122.002) - The comment relating to wild land is noted and the word 'areas' will be added to the table.

The proposed wording in relation to Group 3 in Table 6 is noted and amendments will be made in line with this comment.

Although the comments are noted, the information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG.

Alongside the modifications outlined above, additional modifications are proposed to the introductory text.

Banks Group (0127.002) - The Spatial Framework, covered by Part 2 of policy IN2 within the current LDP, cannot be amended without reviewing and re-adopting the whole LDP due to the specific wording contained in the policy. As explained in paragraph 1.3 below of the SG, the revised approach to the Spatial Framework is set out in the MIR for LDP2.

"The Examination Report into the LDP and the recommendations it contained, which were brought forward into the adopted LDP, predate the publication of SPP in June 2014. As a result the elements required to be included within the review of the spatial framework laid out in Part 2 of policy IN2 and to be included in SG do not meet the requirements for the content of spatial frameworks now outlined in SPP. Therefore the Council are unable to produce SG for Part 2 of the policy that would be compliant with SPP. To resolve this situation the Council will review the spatial framework as part of the MIR for the next LDP. Part 1 of the policy and accompanying SG will also be reviewed at this time with consideration given to combining Part 1 and Part 2 into a single SG."

The elements for the formation of the spatial framework are set out in the policy wording. As a result a spatial framework cannot be produced in SG which is contrary to the policy wording as the SG supplements the policy. The SG cannot be used to amend the plan. There is currently no mechanism to review part of an LDP. All the elements contained in the spatial framework map form part of the development management considerations and therefore have continuously been assessed irrespective of whether the LDP spatial framework maps are compliant or not. As the spatial framework is to be contained within the plan it is not

considered necessary to include it within the SG as well.

A modified spatial framework is to be included within the Proposed Plan.

Banks Group (0127.002) - The SPP relates to the spatial framework map and no additional constraints have been added to this map, the spatial framework map has been prepared in accordance with SPP. The information contained in the additional mapping proposed in the MIR forms part of the development management considerations noted in paragraph 169 of SPP, however, it is considered that as these may be subject to future change then they should be retained within the SG.

SPP does not state that additional mapping cannot be included within an LDP for the purposes of clarity merely that additional constraint cannot be added to the spatial framework map itself.

The consideration of landscape and visual impacts is clearly stated in paragraph 169 of SPP as a consideration in assessing proposals whilst paragraph 161 also states that development plans should set out the criteria that will be considered in deciding all applications for wind farms. As a result the Council believe it is entirely appropriate that these matters, including the wind farm capacity study which forms part of these considerations, are discussed within the policy approach. Scottish Ministers have agreed to the adoption of the SG including its appendices. No modification(s) proposed.

RSPB Scotland (0133.006); (0133.009) – The Council has no current plans to formulate a strategic spatial approach to other forms of renewable energy other than wind energy. The bird sensitivity mapping previously produced by RSPB an SNH is currently contained within the SG. Unfortunately the updated mapping produced by RSPB is not currently in a format that the council are able to utilize in the same way. However the information will be updated within the SG. No modification(s) proposed.

Penelope Coles (0135.007) - The term settlements is used to encompass the terminology relating to towns and villages (the region has no cities) however the SPP states that the 2km separation distance only relates to those settlements that have an identified settlement envelope or edge. This has been taken to mean those settlements, be it towns or villages, that have an identified settlement boundary within the inset maps contained within the LDP which relates to Dumfries as the regional capital and all district and local centres. The settlement hierarchy sets out those settlements which fall within each category. It would not apply to other settlements that do not have an inset map even if they are on the list of villages within the LDP. It is not proposed to provide inset maps within the LDP for settlements under the level of local centres. Within villages development proposals are considered under criteria based properties which is considered to be working effectively and it would be disproportionate to formulate settlement boundaries for all these locations purely for the purposes of the wind energy spatial framework when this matter can be assessed as part of policy IN2 and its SG.

The impact of wind energy developments on other settlements and properties is discussed in paragraph 164 of SPP whereby these would be protected by safeguards set out in policy criteria in the LDP. This is included under the heading of “Impact on local communities” within the proposed updated wording of policy

IN2 and is also a consideration within the SG. No modification(s) proposed.

Auldgirth and District CC (0237.001) - The term settlements is used to encompass the terminology relating to towns and villages (the region has no cities) however the SPP states that the 2km separation distance only relates to those settlements that have an identified envelope or edge. This has been taken to mean those settlements, be it towns or villages, that have an identified settlement boundary within the inset maps contained within the LDP which relates to Dumfries as the regional capital and all district and local centres. The settlement hierarchy sets out those settlements which fall within each category. It would not apply to other settlements that do not have an inset map even if they are on the list of villages within the LDP. It is not proposed to provide inset maps within the LDP for settlements under the level of local centres. Within villages development proposals are considered under criteria based properties which is considered to be working effectively and it would be disproportionate to formulate settlement boundaries for all these locations purely for the purposes of the wind energy spatial framework when this matter can be assessed as part of policy IN2 and its SG.

The impact of wind energy developments on other settlements and properties is discussed in paragraph 164 of SPP whereby these would be protected by safeguards set out in policy criteria in the LDP. This is included under the heading of "Impact on local communities" within the proposed updated wording of policy IN2 and is also a consideration within the SG.

The consideration of where individual settlements sit within the settlement hierarchy will be considered separately under the Spatial Strategy part of the plan. All settlements (Dumfries, district centres, local centres and villages) have been reviewed and surveyed during the summer of 2017 and the Settlement Hierarchy Technical Paper has been updated accordingly. No modification(s) proposed.

Martin Robertson (0146.002) - Comments are noted. The current SPP clearly sets out how Spatial Frameworks Maps are to be produced and this is included in the Proposed Plan. SPP clearly states that this approach should be followed by all Local Authorities in the mapping shown in the development plan and that no additional constraints should be added over and above what has been specified. Adding buffer zones to the areas set out in the spatial framework would be contrary to SPP as they would be classified as additional constraints. No modification(s) proposed.

Ruthwell & Clarencefield CC (0180.001) - The current SPP clearly sets out how Spatial Frameworks Maps are to be produced and this is included in the Proposed Plan. SPP clearly states that this approach should be followed by all Local Authorities in the mapping shown in the development plan and that no additional constraints should be added over and above what has been specified. Adding additional areas to the those set out in SPP would be contrary to SPP as they would be classified as additional constraints. It is not the function of the LDP to amend the boundaries of existing, or create new, protected areas of the nature listed included in the spatial framework. No modification(s) proposed.

Scottish Borders Council (0265.002) – The capacity study does provide further information regarding the landscape capacity within the detailed landscape

character types but should the representor require further information officers would be able to assist them in this matter. No modification(s) proposed.

Wind Energy Strategic Capacity

Natural Power (0080.006); Natural Power obo Fred Olsen Renewables (0080.017); Scottish Natural Heritage (0122.002); Martin Robertson (0146.002); Banks Group (0127.002); and East Ayrshire Council (0249.001) – Further discussions have taken place with officers in neighbouring authorities and with representatives of Scottish Government in relation to the issue of strategic capacity. It is proposed that this issue be considered as the subject of a future planning guidance document. No modification(s) proposed.

Wind Energy SG

EDF Energy Renewables (0067.002) - The comments are noted. The SG was updated in response to the review of the windfarm landscape capacity study and was subject to public consultation in September to November 2016. Representations to this consultation were reported to the EEI Committee on the 9th March 2017 which also included a response to these representations. The SG has been reviewed for LDP2 and will be subject to further consultation and will be published for consultation with the proposed plan. No modification(s) proposed.

Scottish Power Renewables (0113.003) – The comments are noted. No modification(s) proposed.

Scottish Natural Heritage (0122.002) - It is proposed that issues relating to repowering will be considered in the revised SG and are included in the introductory text within the plan. Modifications are proposed to the introductory text.

EDF Energy Renewables (0067.002) - The SG was updated in response to the review of the windfarm landscape capacity study and was subject to public consultation in September to November 2016. Representations to this consultation were reported to the EEI Committee on the 9th March 2017 which also included a response to these representations. The SG has been reviewed for LDP2 and will be subject to further consultation and will be published for consultation with the proposed plan. No modification(s) proposed.

Scottish Power Renewables (0113.003) - These comments are in relation to the DGWLCs (which is an appendix to the SG) and not specifically to the MIR. The SG was updated in response to the review of the windfarm landscape capacity study and was subject to public consultation in September to November 2016. Representations to this consultation were reported to the EEI Committee on the 9th March 2017 which also included a response to these representations. The SG has been reviewed for LDP2 and will be subject to further consultation and will be published for consultation with the proposed plan. No modification(s) proposed.

New Policy Anemometer Masts -

Natural Power (0080.006); Natural Power obo Fred Olsen Renewables (0080.017); Scottish Power Renewables (0113.003); and Scottish Natural Heritage (0122.002) – It is considered that these proposals can be assessed against the requirements of the overarching policy OP1 and as a result a

separate policy is not required. Due to the reduction in the number of planning applications coming forward for this type of development it is considered that such a policy would be out of proportion in relation to the plan as a whole. No modification(s) proposed.

Martin Robertson (0146.002) – Each planning application must be considered on a case by case basis on its own merits. An anemometer mast is not the same as a wind turbine and cannot be assessed on this basis. No modification(s) proposed.

Infrastructure - General

Penelope Coles (0135.005) –Paragraph 55 in SPP relates to the type and scale of development which would be appropriate within the green belt. Proposals associated with the National Grid will be assessed using the policies in the LDP, no additional policies are required. No modification(s) proposed.

Young Planning obo SP Energy Networks (0272.003) (0272.004) - In para 1.3.1 the MIR notes that NPF3 identifies ‘the key infrastructure needed to ensure that each part of the country can develop to its full potential’ and also that ‘Planning authorities are required to take the Framework into account when preparing development plans’.

It is considered that in respect of infrastructure development that is primarily in the national rather than mainly local interest and to which there is no in-principle local objection, MIR2 should not simply repeat the terms of NPF3.

It is considered that in respect of infrastructure the direction of travel supported by the policies in LDP1 is being carried forward in MIR2.

It is not proposed to include a specific policy as recommended by the representors in the Proposed Plan. No modification(s) proposed.

Policy IN3 New Waste Management Infrastructure

Scottish Environment Protection Agency (0120.002) – Comments noted. It is proposed to amend the final sentence of the Policy to include the words from SPP.

Policy IN6: Waste Management Requirements for New Development

Scottish Environment Protection Agency (0120.002) - For the purposes of clarity, it is proposed to add further information to the preceding text to policy IN6 to take account of comments.

Policy IN7: Flooding and Development

Scottish Environment Protection Agency (0120.002) - It is considered that the DGC policy is also consistent with the SEPA Development Plan Guidance on Flood Risk. No modification(s) proposed.

Dumfries & Galloway Council Sustainable Development Team (0100.035) -

Supporting text in LDP1 says that Dumfries & Galloway is fortunate in that there is more than enough land to meet the objective of avoiding adding to flood risk. This position has not changed for LDP2. It is considered that the standard identified in the representation is directly expressed by the Policy set out in MIR2 which says “The avoidance principle is the most sustainable form of flood management, in accordance with the policy principle for managing flood risk of SPP and the Flood

Risk Management (Scotland) Act 2009.” However, it remains the case that DGC is not itself able to carry out detailed flood risk assessment (FRA) for sites included in the Plan. Thus, where it is perceived that there may be some flood risk, there will be a requirement that a FRA be carried out to the appropriate level and that unacceptable flood risk does not form part of an approval for any development proposal. No modification(s) proposed.

Cree Valley CC (0284.001) – Comments noted. No modification(s) proposed.

Policy IN8: Surface Water Drainage and SuDS

Scottish Environment Protection Agency (0120.002) - The Policy as set out in MIR2 says that ‘there should be appropriate arrangements for surface water drainage during the construction phase of a development site. This could be by way of a SuDS scheme or some alternative interim solution.’ It is considered that this is consistent with the possibility that such drainage may soon be subject to licensing. No modification(s) proposed.

Issue 10	Transport
Main Issues Report reference:	Section 2: Main Issue 3 – Creating Places
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Network Rail (0002.003) Natural Power (0080.008) Scottish Environment Protection Agency (0120.002) Scottish Natural Heritage (0122.002) Martin Robertson (0146.002) Scottish Borders Council (0265.001) Ryden obo NHS Dumfries (0325.001)</p>	
Summary of the representation(s):	
<p>Transport Infrastructure Level Crossings <u>Network Rail (0002.003)</u> - Development proposals affecting the safety of level crossings in Dumfries and Galloway are an extremely important consideration for Network Rail and Transport Scotland and is one emerging planning policy should address. The impact from development can and will often result in increases in pedestrian and vehicular traffic utilising a crossing, which can in turn have impacts on safety, service provision and queues. Only in exceptional circumstances will permission be given for new crossings to be introduced onto the network. Increased patronage over crossings, could result in reduced train line speed. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with Government aims and objectives of the LDP for improving rail service within Dumfries and Galloway. LDP site assessments must take cognisance of the impact of development proposals affecting level crossings. Transport Assessment and developer contributions policy and supplementary guidance must ensure infrastructure risks are identified and mitigation secured i.e. level crossing upgrades; alternative crossings etc. Of the level crossing within the region the Dunragit Level Crossing has been identified as one to be closed due to the risk it poses. Network Rail welcomes that no land has been allocated for further development at Dunragit and will look to discuss with the Council the options for closure.</p> <p>Railway Stations <u>Network Rail (0002.003)</u> - The potential of new railway stations at Beattock and Thornhill are currently being investigated. A Scottish Transport Appraisal Guidance (STAG) Pre Appraisal study found that there is potential to reopen stations at these locations. SWestrans have agreed to progress the stations reopening through the next stage of the STAG process in relation to the development of a potential bid to the Scottish Stations fund. A range of other options will also be investigated including RailBus – providing effective bus-rail service integration, bus service and route improvements and community transport development. Park and ride along with Active Travel options are also being investigated at Beattock. The delivery of supporting infrastructure is important in mitigating the impact of</p>	

development and helping to create balanced and sustainable communities. The provision of infrastructure is fundamental to the deliverability of a development proposal and in many circumstances development will not be allowed to proceed if the infrastructure and service improvement requirements cannot be met.

General

Scottish Environment Protection Agency (0120.002) - In relation to public health and key road improvements highlight that recent monitoring undertaken at Cairnryan would suggest potential exceedances of the Air Quality Objectives for particulate matter (as detailed in the National Air Quality Strategy). This could lead to the declaration of an Air Quality Management Area (AQMA). Therefore, in line with national planning policy, guidance and advice, SEPA requests that reference should be made to air quality as a significant issue which will require air quality issues to be addressed for all proposed developments within or in close proximity to an AQMA.

Scottish Natural Heritage (0122.002) - The MIR re-states the Active Travel Strategy vision for active travel as the normal choice for “short, everyday journeys”. In this case, short journeys are identified as under 2 miles for walking and under 5 miles for cycling. While many journeys may fall within these categories, the wider strategic network should support people in making journeys of any length.

Martin Robertson (0146.002) - The preferred approach is agreed. The key transport issue in Dumfries and Galloway is better connection of the region to the M74. This would be best achieved by a dual-carriageway from the one just west of Garroch roundabout on the A75 to Lockerbie on the M74. This would have these advantages:

1. Better access both north and south for heavy traffic to the M74.
2. Reduce traffic on A75 Gretna-Dumfries and reduce the accidents.
3. Reduce traffic on the Dumfries by-pass and improve access to the new hospital.
4. Make consideration of the Dumfries Southern By-pass unnecessary.
5. By-pass Lochmaben with resulting improvements.
6. Give Chapelcross industrial site the access it needs to thrive through an improved access off the now less trafficked A75.

Scottish Borders Council (0265.001) - Consideration should be given to the potential extension of the Borders Railway, whilst it may not extend into the D&G boundary, it would be in close proximity and would provide access links to those local residents/businesses.

Ryden obo NHS Dumfries (0325.001) - Support the preferred option and in particular the “Active Travel Strategy” which states “the vision is to see active travel being the normal choice for short, everyday journeys”. In this regard there are significant potential opportunities within the Crichton Quarter.

T1: Transport Infrastructure and T2: Location of Development

Network Rail (0002.003) - Although Policies T1 and T2 set out to try and capture development contributions as part of mitigation, it is aimed at road transport and it is neither clear nor does it work across developments of different sizes in different locations, which would impact on rail use. Rewording of this policy to seek a Levy on all developments within the plan area would be more appropriate and capture the overall impact and the resultant mitigation for existing rail facilities and to

contribute to those facilities.

T2: Location of Development

Natural Power (0080.008) - The policy provides some steer towards decarbonising the transport sector however the Council should lead the transformation through initiatives including low carbon public transport, new low carbon railways in the region for the public and freight and upgrading communications network to facilitate working at home and in rural locations.

Scottish Natural Heritage (0122.002) - Welcome the addition of 'Access Requirements' to this policy. However, suggest that for consistency throughout the policy, this caveat should be reviewed: "Where site master plans are prepared, they should include consideration of the impact of proposals on the local and strategic road network"

In reference to SPP direction on safeguarding and enhancing routes, recommend the following additional amendment: "Where site master plans are prepared, they should include consideration of the impact of proposals on the local and strategic path, cycle route and road networks"

Also recommend that bullet point 4 of Policy T2 should be amended to refer to the Active Travel Strategy in addition to the Local Transport Strategy: "Fit with the policies and recommendations of the Local Transport Strategy and Active Travel Strategy."

Coastal and marine connections are clearly important issues in Dumfries and Galloway. Cairnryan is the only significant commercial freight and passenger hub, but there are fish landings and subsequent transport links from other harbours, notably Kirkcudbright. There is nothing in the MIR about potential for development of new links from the coastal towns, but this is probably unlikely to arise in the short to medium term. However, expansion of ferry (passenger and freight) from Cairnryan to the Isle of Man, elsewhere on mainland west coast Scotland, Northern Ireland and Ireland are possible. A general approach towards possible expansion of existing and possibly new facilities may be required beyond Policy NE9.

T5: Former Transport Routes

Network Rail (0002.003) - The policy is welcomed and in conjunction with a notification zone for development around the infrastructure and former infrastructure is to be welcomed.

Council response and proposed modifications:

Transport Infrastructure

Level Crossings

Network Rail (0002.003) – Comments noted. No modification(s) proposed.

Railway Stations

Network Rail (0002.003) - Comments noted. No modification(s) proposed.

General

Scottish Environment Protection Agency (0120.002) – The SEA Environmental Report notes that air quality within the region is generally good and there are no Air Quality Management Areas within the region. Air quality was one of the factors considered in the assessment of each of the sites considered for inclusion in the plan. The MIR did not bring forward new policy for air quality in Dumfries and Galloway. However, overall, it is considered that the MIR has assessed the issue of air quality across Dumfries and Galloway: Although there is no specific new policy it is also considered that this remains a reasonable response for this region. No modification(s) proposed.

Scottish Natural Heritage (0122.002); Ryden obo NHS Dumfries (0325.001) – Comments noted. No modification(s) proposed.

Martin Robertson (0146.002) – The project outlined in the representation (the M74 fastlink) is included in the Regional Transport Strategy (RTS) delivery plan. Feasibility work has been undertaken. However, the scheme would be reviewed as part of the refreshed RTS. No modification(s) proposed.

Scottish Borders Council (0265.001) – The potential extension of the Borders Railway from Galashiels to Carlisle is the subject of a STAG appraisal covering all transport modes. An extension of the Borders Railway to Carlisle could provide improved access to those communities in the east of the region. The Council would therefore be supportive of the benefits any such improvements could bring. No modification (s) proposed.

T1: Transport Infrastructure and T2: Location of Development

Network Rail (0002.003) - Without further information, the proposal for contributions to be grouped and pooled across all sites as an Infrastructure Levy is not considered necessary due to the regions geography and low rate of development. Similar representation received to the developer contributions overarching policy. No modification(s) proposed.

T2: Location of Development

Natural Power (0080.008) – The Council works with colleagues in the Scottish Government to decarbonise the transport network where possible subject to funding. This includes working with the railways operator to decarbonise the railway between Glasgow and Stranraer with the introduction of bimodal trains such as diesel and electric. As part of the public sector procurement process the Council seeks to acquire the most efficient vehicles including low carbon buses. Improvements are ongoing to provide and improve the communication network and broadband improvements to facilitate home working. No modification(s) proposed.

Scottish Natural Heritage (0122.002) – Comments noted. At bullet point 4 it is accepted that reference should be made to the Active Travel Strategy and it is proposed to include this reference. Reference to paths and cycle routes will be included in the bullet point on masterplans consistent with Policies OP1e and CF4. Comments noted in relation to coastal and marine connections and Policy NE9.

T5 Former Transport Routes

Network Rail (0002.003) – Comments noted. No modification(s) proposed.

Issue 11	Annan HMA
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.2 Annan Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Clagan Ltd obo Murray Bell (0003.005) SportsScotland (0008.003) Historic Environment Scotland (0012.004) Taylor & Hardy obo Donald Jefferson (0019.010) Taylor & Hardy obo Gretna Green Group (0019.012) (0019.013) (0019.014) (0019.015) (0019.016) (0019.017) Butler Land Management obo David Wilson (0038.014) John A MacColl (0048.032) Thomson Roddick & Laurie (0056.005) Robert Potter obo Norman (0064.029) Laurence T Wilson (Planning) obo Armitstead (0070.010) David Fallas obo Kerr Investments (0071.007) GVA obo NDA and Magnox (0079.005) Dumfries & Galloway Council Development Plan Team (0100.043) (0100.044) Scottish Natural Heritage (0122.002) A Stevenson (0143.001) Martin Robertson (0146.002) Alan and Toni Balfour (0148.001) Amos Balfour (0149.001) H&H Land & Property obo Mr Kirkbride (0158.001) Jill Callander (0167.001) Alan Mclatchie (0169.001) David Jones (0176.001) Darren Lloyd (0187.001) Beverley Ann Robinson (0193.001) John Bewick (0199.001) Lucy Walker (0207.001) Eastriggs, Dornock & Creca CC (0211.001) Springfield and Gretna Green CC (0238.001) (0238.002) R and J Atkinson (0239.001) Mr and Mrs Noreen Boyes (0242.001) Janet Graham (0248.001) Cunninghame Housing Association Ltd (0264.001) Gretna & Rigg CC (0273.001) (0273.002) Ian Richmond (0285.006) Douglas Campbell (0293.001) Barry Smitham (0297.001) Mr C and Mrs J Dodd (0302.001) (0302.002) (0302.003) Ingrid Carruthers (0309.001) Hoddum & Ecclefechan CC (0314.001) Mrs E Pollock (0320.001) (0320.002) Kevin and Isabelle A Clark (0321.001)</p>	

Summary of the representation(s):

Annan HMA - General

Robert Potter obo Norman (0064.029) - Annan Housing Market Area and Housing Land Audit 2016:

The current audit is to 31 March 2016 and was published in June 2016. A representation was made by Robert Potter and Partners to its draft on 8 July 2016. It argued that GTN.H5 Land North of Old Graitney Road, GTN.H7 Land North of Victory Avenue and GTN.MU1 Former Golf Course were each suspect in terms of effectiveness. It is considered these sites will fail to contribute these number of units to the housing supply.

Despite this representation the draft was not changed nor any explanation advanced why these comments were considered to be wrong before its publication in June 2016. It is still considered that there are material weaknesses in the way the Council has assessed effectiveness of these and other sites, to the extent that on a practical level the expected numbers will not be delivered by the market. Further, the Council has never explained why the date on this document precedes the expiry of the consultation period.

Page 5 of the Housing Land Audit (HLA) Summary of June 2016 states that the effective housing land supply *is land immediately available for development* (our italics).

GTN.H5 (stated capacity 45 units at 2016 in the HLA) does not fall into this category. It only has planning permission in principle pending conclusion of a Section 75 Planning Obligation. When the CFS submission was lodged in January 2016 this matter was outstanding. According to e-Planning it still is, even after all this time. In the absence of a viable permission in principle, no progress can be made on the approval of essential details. The land is therefore currently unavailable for development and it is unknown when this condition might change. Similarly with GTN.MU1 (former golf course) (stated capacity 200 units at 2016 in the HLA) the planning permission in principle for 200 houses only has pending status. Again, a Section 75 Planning Obligation remains to be concluded. In the absence of a viable permission in principle, no progress can be made on the approval of essential details. The land is therefore currently unavailable for development and it is unknown when this condition might change.

GTN.H7 Land north of Victory Avenue Phase 2 is allocated in the HLA post 2024 for 160 units. However, paragraph 3.2.21 of the MIR states that this allocation should be reviewed for inclusion as it involves the loss of prime quality agricultural land and further information is required on its relative effectiveness. This was previously part of the LA42 allocation in the Annandale & Eskdale Local Plan of October 2006. Homes for Scotland Guidance is that old sites, of which this is now one, which have appeared in audits for 12 years or more without significant recent progress should be regarded as non-effective.

GTN.H6 Land South of Old Graitney Road (stated capacity 20 units at 2016 in the HLA) shown in the LDP for 4 units to 2021 and 16 units to 2024 is also to be reviewed as it lies within the Historic Battlefields boundary. In addition the SEA notes that this site was not promoted by the landowner, thereby calling into question the effectiveness of this site.

The combination of these factors indicates that the delivery of the 425 units described in the LDP is not achievable, in part because of the loss of 180 units noted above.

Martin Robertson (0146.002) - Support the preferred approach set out to the sites and settlements in the Annan HMA.

DISTRICT CENTRES – HOUSING AND MIXED USE SITES

Annan - General

Janet Graham (0248.001) - Agricultural land needs to be safeguarded for food production. The nation needs to be more self-reliant. Numerous vacant buildings in Annan. Incentives need to be provided to encourage long term owner occupation and social housing within current housing stock rather than new stock. There are many brownfield sites in Annan including larger buildings. An ageing population needs more suitable housing stock to meet their housing needs which in turn should free up family housing. Siting of these dwellings needs to be carefully considered. Community services must be central to planning, along with access to them. Important to an ageing population. Utilities are an ongoing issue in Annan.

Annan - ANN.H5 land between Scott's Street and Seaforth Park

Thomson Roddick & Laurie (0056.005) - Landowner has met with the adjoining Scrap Yard owner and agreed improved access along with a bunding to minimise any impact of the scrap yard on the adjacent development.

Annan - ANN.H6 land at Watchhall Road

R and J Atkinson (0239.001) - Object to the proposed affordable social housing at Watchhall Road, Annan - ANN.H6. Social housing directly opposite is set to reduce the value of the private dwelling houses opposite the site in Watchhall Place. Negative effects on amenity in terms of increased noise, disturbance and loss of privacy. Negative / adverse visual impact of the development on the landscape. Watchhall Road is too narrow and would have to be widened for the extra traffic. Could this be done while keeping the current hedge and trees

Annan - ANN.H8 land between Hallmeadow Place and Elm Road

Historic Environment Scotland (0012.004) - Historic Environment Scotland generally support inclusion of listed buildings within development sites, where this will support the reuse of the building. In this case, it is not clear that this allocation will support reuse of the building, as it may lead to loss of amenity. It is noted that the 'Longmeadow' after which the house is named is clearly identifiable as the fields to the east and west of the house: this historic association will be lost if the land is built on. If the house requires restoration, it is suggested that this might be better supported through the new enabling development policy.

Scottish Natural Heritage (0122.002) - ANN.H8 is allocated as a long-term site in the current LDP; however the MIR proposes a boundary change to include Longmeadow House and its curtilage. It is noted that the existing allocation requires developers to demonstrate how existing trees and other structural features such as walls and hedgerows will be incorporated into development of the site. It is recommended that these requirements, along with pedestrian and cycle routes and access are carried forward in the long-term allocation.

Lucy Walker (0207.001) - Development would increase surface water run-off and increase risk of flooding at Longmeadow Avenue and Hallmeadow Place

Adverse impact on wildlife, birds and bats. Development would result in loss of sunlight and adverse impact on landscape. Development raises road safety concerns in respect of increased vehicular traffic and loss of car parking, Will the main access at Elm Road require to be widened with the removal of the pedestrian refuges? Is the railway bridge at Station Road/Elm Road strong enough to cope with increased traffic including heavy construction lorries? The local road network is heavily congested at St Johns Road, Wood Avenue and Port Road. Concern about loss of public open space and maintenance of paths along River Annan and open space. Public open space associated with the schools is only available to school children during school hours as the schools are locked up when not in use. Site would be far better suited to a woodland park to encourage the wildlife to remain within their existing habitat.

Douglas Campbell (0293.001) - Development would increase surface water run-off and increase risk of flooding at Longmeadow Avenue and Hallmeadow Place. The local road network is heavily congested at St Johns Road, Wood Avenue and Port Road. Strongly object to development of site due to adverse impact on local road network and infrastructure.

(i) Cunninghame Housing Association Ltd (0264.001) - It is requested that Longmeadow House and its associated garden ground is treated as a separate housing allocation from ANN.H8. The sites are currently in separate ownership and it is our opinion that it would prove difficult to package the sites as a single development. It is also understood that the current landowner has his own development plans for Longmeadow House.

(ii) Cunninghame Housing Association Ltd (0264.001) - It is requested that the long term option on ANN.H8 be removed. Cunninghame HA have purchased a brownfield site in Annan identified in the Annan Regeneration Masterplan, however, the remainder of the brownfield sites identified within the document currently have sitting tenants and are unsuitable for housing development at this time. There are several constraints on housing allocations ANN.H5 and ANN.H6 which would render them undevelopable and the owner of ANN.H7 wishes to remove the site from LDP2. It is our opinion that ANN.H8 should be developed within the current SHIP period to meet existing housing demand in the area. Initial discussions have been held with the current land owner and view the site as easily developable within the current SHIP period subject to planning approval.

Annan - ANN.H202 Shawhill Road

A Stevenson (0143.001) - Strongly oppose any development as would result in congestion and problems gaining access to my property

Annan - ANN.H203 north of Murray Park

Clagan Ltd obo Murray Bell (0003.005) - Summary Note – Councillor Henry McClelland

Site H.203 North of Murray Park should be allocated for housing development in the Plan and object to the fact that the site has not been included in the MIR due to the high voltage electricity route and pylons traversing the site and issues of development viability and adverse planning issues. Refusal on the grounds of the land being prime agricultural land and unsuitable for development is contradictory considering the extent of immediate and surrounding development already

completed.

Other sites in the immediate vicinity have been developed where high voltage overhead lines traverse the sites including the completed housing site at Murray Park and the development sites at ANN.H1 Land north of Windermere Road and the business and industry site at ANN.B&I1 Stapleton Road

Site H.203 North of Murray Park forms part of the field already developed known as Murray Park, this development was completed with no significant issues relating to development viability nor were there any adverse planning issues. H.203 is a 'mirror image' of what the Murray Park site was pre-development, it is suggested that logically H.203 cannot suddenly have significant issues relating to development viability or even adverse planning when the Murray Park site has been easily developed.

Gretna Border - New Housing Sites

(i) H&H Land & Property obo Mr Kirkbride (0158.001) - The Council treats Gretna, Gretna Green and Springfield as one district centre (Gretna Border). Springfield and Gretna Green are distinct from Gretna, separated by the M74 and the main rail line, and have their own character. Springfield/Gretna Green should be regarded as a Local Centre in its own right. The drawing of the settlement boundary tight around existing built development at Springfield means there is little scope for future growth.

Consideration should be given to allocating additional housing land in Springfield/Gretna Green in order to cater for household growth within those settlements. It would also increase the level of population to make it more self-sustaining. Development of the housing sites proposed in Gretna would not help in this matter. Springfield Community Council wish to see an increased level of housing development in the village to provide a larger local population to support local services and facilities to help secure the future of the local primary school given its low pupil roll.

(ii) H&H Land & Property obo Mr Kirkbride (0158.001) - Schools and transport links would be utilised by the allocation of sites (GTN.H212 Land south of Lyndhurst, Main Street, Springfield) for housing development.

Question 27 – Disagree with the preferred approach set out to the sites and settlements in the Annan HMA. The settlement boundary for Springfield has been drawn too tightly and there is an absence of housing sites to support the population. Support allocation of sites for housing development in Springfield. Site GTN.H1 has been allocated for housing development for a number of years, but has not been developed. Site GTN.H210 School Lane is an option (See reference). Site GTN.H212 Land south of Lyndhurst, Main Street should be allocated for housing. This site should be within the village boundary for development as it follows the natural line of the village. The original 1710 plans for Springfield show two rows of housing, but for some reason it never happened. We are not aware that this land has been put forward for the LDP although it may be classed as prime agricultural land.

Springfield and Gretna Green CC (0238.001) - Sites should be allocated for housing development in Springfield to meet local needs in the village – GTN.H210 School Lane and GTN.H212 Land south of Lyndhurst, Main Street

Gretna Border - Services/General

Springfield and Gretna Green CC (0238.002) - Springfield needs housing development to sustain the primary school, shop/post office and village hall. The primary school roll is falling. A meeting with Loreburn HA advised there is a social housing waiting list of 46 people. We are also aware of young families who would like to buy homes in Springfield.

Ian Richmond (0285.006) - Allocated land for housing development in Gretna fails to address the danger from longwall mining licences which have been issued. If taken up this will cause subsidence of between 1 and 2 metres.

Gretna Border - Settlement Map

Taylor & Hardy obo Gretna Green Group (0019.016) - This representation is submitted in relation to the land located to the north and south of the Toll Bar Café/Restaurant at Gretna with specific reference to the extent of the settlement boundary. It is considered that there are sound justifications for extending the settlement boundary to include sites GTN.MU201 and GTN.MU202.

In respect of the land to the north of the Toll Bar the settlement boundary was previously drawn to take account the extant planning permission for the erection of a retail foodstore, however, the settlement boundary does not accurately represent the extent of the application site.

It is proposed that the settlement boundary be redrawn to take account the full extent of the food store site. In doing so it would be logical to incorporate the Toll Bar café/restaurant and land immediately to the south, which is bound by the River Sark.

Mr C and Mrs J Dodd (0302.001) - The Indicative map of Gretna shown on page 57 of the Main Issues Report should have the shops, school, community centre/ library and doctors highlighted on the map.

The map should also show, a marker on each site showing the vehicle access points to the sites being proposed.

The real distance to school, the local amenities etc, and the extra car journeys that will be needed for some of the sites in the LDP2 plan would be shown. We all need to reduce carbon emissions.

Maps on other pages of the MIR showing proposed development plots should also show the same content.

Mrs E Pollock (0320.002) - The Indicative map of Gretna shown on page 57 of the Main Issues Report should show the vehicle access points to the proposed sites. Drainage, flood protection, water and electricity should also be shown on the maps.

Gretna Border - GTN.H1 adjacent to Hazeldene

Taylor & Hardy obo Gretna Green Group (0019.017) - This representation is submitted in relation to Site GTN.H1 (Land adjacent to Hazeldene, Springfield), which is allocated for housing development under the Local Development Plan 1 – 2014 (LDP1).

The landowner wishes to support the continued allocation Site GTN.H1 within the Local Development Plan and objects to the recommendation in the Main Issues Report (MIR) which suggests that the site's status as an allocated site should be reviewed.

The suggested review is based upon a Site Assessment carried out as part of the

evidence base supporting the Local Development Plan 2. The Site Assessment document states:

“Significant environmental issues due to proximity of M74 and slip roads at height. Noise assessment required. Mitigation measures considered unlikely to be successful.”

It is commonplace throughout both Scotland and England for residential development to be located in relative close proximity to motorways and no sound justification to take an alternative approach has been tabled by the Council. Site GTN.H1 is currently allocated in the LDP1, which was adopted in 2014. Site GTN.H1 was allocated for residential development by the Council in September 2014 following their assessment of the site and after undertaking consultation with a variety of stakeholders, all of whom will have expressed their view as to whether or not the site was suitable for adoption. It is therefore considered illogical that the Council should make an entirely contradictory assessment of the site less than 3 years after the adoption of its current LDP.

Site GTN.H1 also benefits from an extant planning consent for the partial development of the site for residential purposes (L.P.A. 13/P/4/0374). The Council’s Site Assessment, which forms part of the Council’s supporting evidence base, incorrectly makes reference to that planning permission having expired. The fact that permission has been granted for residential use makes it clear that the Council does in fact consider that the site is suitable for residential use, therefore supporting our assertion that the Council’s current position is illogical. Our client’s commercial agent is also in discussion with potential developers regarding the sale of the site. This includes discussions with Registered Social Landlords.

There has been no material change in circumstances that would warrant the Council to deallocate Site GTN.H1, particularly given less than three years have passed since the Council, following a rigorous assessment, determined that it was suitable for allocation.

In relation to both Site GTN.H1 the following weigh in favour of the allocation:

- The site provides an opportunity for a logical expansion to Springfield as well as the only suitable available site in Springfield, particularly given that alternative sites have been discounted by the Council;
- The site is physically contained and well related to the built form of Springfield;
- Additional housing development in close proximity to Springfield will help support Springfield Primary School, which is understood to be operating below its available capacity and is potentially at risk from closure;
- Any perceived concerns relating to the proximity of the motorway can be addressed through the detailed design of the house type, as is often the case throughout both England and Scotland;
- The development of the site does not raise any significant access issues that cannot be overcome and the surrounding road network has sufficient capacity to accommodate a development of this nature;
- The inclusion of the site within the LDP2 provides for increased choice and competition in the market place for land;
- The site is not covered by any specific landscape designation that warrant protection in its own right;
- The site could be developed without adversely affecting the living conditions of the occupiers of any surrounding residential properties;
- The development will help to sustain existing facilities and support the growth of Gretna’s economy; and

- The site's development for residential purposes complies with the thrust of the policy objectives contained within the MIR.

In light of all matters discussed above it is our view that the allocation of Site GTN.H1 is wholly appropriate. Welcome the opportunity to discuss the allocation of this land at the Local Plan Examination.

Scottish Natural Heritage (0122.002) - GTN.H1 is being reviewed for inclusion in the Proposed Plan but paragraph 3.2.21 notes that it represents a poor environment due to proximity to the A74(M). Experience of similar sites has demonstrated that such allocations represent placemaking challenges that are not easily overcome. The same principles would apply to GTN.H205, which is an extension of GTN.H1.

Ian Richmond (0285.006) - Housing site GTN.H1 is both too close to the M74 and will cause health damage

Gretna Border - GTN.H2 land north of Victory Avenue (Phase 1)

Taylor & Hardy obo Gretna Green Group (0019.013) - Welcome the inclusion of this site in the Main Issues Report and support the Council's rationale for doing so. This representation is submitted in relation to Site GTN.H2 (Land at Victory Avenue) which is allocated for housing development under the Local Development Plan 1 – 2014 (LDP1).

Support the Council's proposal to retain the allocation, as outlined in the Main Issues Report.

Permission in Principle has previously been granted for the development of Site GTN.H2 for residential purposes (LPA Reference 10/P/4/0200). A further planning application seeking Permission in Principle for the residential development of the same site is currently awaiting determination by the Council (LPA Reference 16/1773/PIP).

A Full planning application has also been submitted for the formation of a roundabout to provide access to the site has also been submitted to the Council (LPA Reference 16/1774/FUL). The purpose of submitting this application is to demonstrate to prospective purchasers of the site that the means of accessing the site has been agreed.

It is anticipated that both of the aforementioned planning applications will be approved in due course, subject to some minor technical matters being resolved. The above commentary demonstrates clear evidence of the landowner's intentions and efforts to make the site available for development.

Alan and Toni Balfour (0148.001); Amos Balfour (0149.001) - Object to the allocation of GTN.H2 Land north of Victory Avenue (Phase 1) for housing for the following reasons:

Parking congestion in vicinity of school and shops. Major issue first thing in a morning and also at school closing time. Insufficient parking spaces at the school and shops.

Traffic – concerned about road safety on Victory Avenue and at the fork junction at the top of Victory Avenue.

Sewage - The sewage system isn't adequate enough for the housing area in Gretna as there are frequent blockages or burst pipes.

School – Insufficient capacity at local primary school.

Flooding - area is prone to flooding at the primary school and at the back gardens

of the homes in Victory Avenue flood every year
Concern about the loss of field which is used as open space by local people. The nearest public open space is at Central Avenue
GP surgery cannot cope with existing demand
Limited dentist service in Gretna
Police station is not manned every day. Increase in population could increase crime rates
More people living in Gretna will reduce the availability of jobs for local people
Train and bus routes are restricted and cancelled

Gretna & Rigg CC (0273.001) - Site has access issues. Masterplan includes access into GTN 7. and through to GTNH2/3/4. Multiple landowners of adjacent plots unlikely to agree to access making Masterplan unusable.

Site has elevated roadways on two sides, both are heavily trafficked by HGVs accessing the A75 & M74. Emission and noise pollution issues could arise.

Proposed roundabout access from B7076 would need to incorporate Gretna Industrial Estate junction to maintain a safe exit and entry. HGVs need the full width of the carriageway to go south.

Current site proposed by developer for the roundabout would have road safety issues for both the Industrial Estate and Rosebank Court residents, sightlines of approaching vehicles too short to allow safe transit.

Road Safety assessment required.

Emissions assessment and mitigation would be required between the roundabout and existing dwellings on Victory Avenue to address noise and emission pollution from the B7076. The roundabout would reroute traffic to within a few metres of existing dwellings blighting the adjacent properties.

A further roundabout would be yet another barrier to the smooth progress of vehicles on Glasgow Road, and would result in more standing traffic, currently there is a roundabout and three sets of Traffic lights within a short distance..

Potential for vehicles especially HGVs from the A6071 joining the A75 & M74 using the Springfield by pass avoiding Glasgow Road causing problems for businesses on that route.

Gretna has water connection limitations, is this site blocking other potential developers?

Gretna Border - GTN.H4 Halcrow Stadium

Sportscotland (0008.003) - Should a planning application be submitted on a site which the representor is a statutory consultee, the response would be based against the provisions of Scottish Planning Policy (SPP) paragraph 226. This states that outdoor sports facilities should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

- the relevant strategy (see paragraph 224) and consultation with sportscotland show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

GTN.H4 – Halcrow Stadium appears to be goals on the site containing potential pitch

Gretna Border - GTN.H6 land south of Old Graitney Road

Historic Environment Scotland (0012.004) - This site is located within the Battle of Sark (Inventory Battlefield, BTL40). Sensitive development is possible on this site, subject to an assessment of potential impacts on the historic battlefield. Noted that a historic assessment is required to identify mitigation measures, and support this approach.

John Bewick (0199.001) - The land to the rear of my property had been recognised as the site of the Battle of Sark by Historic Environment Scotland and had been included in the National Inventory of Historic Battlefields.

As GTN.H6 is the smallest area identified for possible future development within Gretna, and could possibly accommodate 19 homes, consideration should be given to removing it from Local Development Plan 2. Development of 19 houses on the site would be overdevelopment.

Mr and Mrs Noreen Boyes (0242.001) - Object to development of site for housing as within the boundary of the Battle of Sark and has been included in the Ancient Monuments and Archaeological Areas Act 1979 Inventory of Historic Battlefields. So therefore why would you even consider GTN.H6 to be a proposed site? It would be devastating to consider building on such a historical place. Site frequently floods (see photographs)

Gretna Border - GTN.H7 land North of Victory Avenue (Phase 2)

Scottish Natural Heritage (0122.002) - GTN.H7 is a long-term site that is included in the current LDP. We note that the current allocation includes “careful integration of open space with existing pedestrian/cycle path connecting Gretna to railway station and with the burn running north-south through another part of the site”. The burn corridor running through the site offers an opportunity to create a green network, contributing towards naturalisation of the burn corridor through this site.

Alan and Toni Balfour (0148.001); Amos Balfour (0149.001) - Object to the allocation of GTN.H7 Land north of Victory Avenue (Phase 2) for housing for the following reasons:

Parking congestion in vicinity of school and shops. Major issue first thing in a morning and also at school closing time. Insufficient parking spaces at the school and shops.

Traffic – concerned about road safety on Victory Avenue and at the fork junction at the top of Victory Avenue.

Sewage - The sewage system isn't adequate enough for the housing area in Gretna as there are frequent blockages or burst pipes.

School – Insufficient capacity at local primary school.

Flooding - area is prone to flooding at the primary school and at the back gardens of the homes in Victory Avenue flood every year

Concern about the loss of field which is used as open space by local people. The nearest public open space is at Central Avenue

Gretna & Rigg CC (0273.002) - Greenfield site used for food production.

Green Corridor between the settlements, loss of local amenity and access to green space.

Heritage. This development would effectively join Gretna and Gretna Green, concern with loss of village identity, Gretna Green is a unique tourist destination. Sewage flooding issues on-going.

Masterplan requires road connection to GTN H2/3/4. Multiple landowners unlikely to agree access through their land.

Site is bounded by A75 & West Coast railway, close proximity to the elevated M74, Residents would be subject to health issues caused by noise, light & vehicle emissions..

Gretna oversubscribed with development land.

Site has been available for development for many years, with no result, concern that other developments could be blocked due to water and sewage issues.

Mr C and Mrs J Dodd (0302.002) - This site should remain in the LDP instead of GTN.MU1. (former Golf Course) on the following grounds -

- Proximity to local amenities, saving unnecessary car journeys.
- Natural progression and completes the infill between GTN.H2, The Hawthorns and GTN.H4. A previous Master Plan showed a bus route through the development site.
- Forms a natural boundary for the LDP and not fragmented.
- GTN.MU1. (former Golf Course) extends and protrudes into the countryside.
- Loss of Prime agricultural land applies to GTN.MU1.
- The site has a very busy public footpath with street lights crossing it from Gretna to the railway station and Gretna Green.

GTN.MU1. (former Golf Course), has more wildlife because of lack of public access.

Gretna Border - GTN.MU1 former Golf Course

Sportscotland (0008.003) - Should a planning application be submitted on a site which the representor are a statutory consultee, they would base the response against the provisions of Scottish Planning Policy (SPP) paragraph 226. This states that outdoor sports facilities should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with sportscotland show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to

the overall quality of provision.

Beverley Ann Robinson (0193.001) - Concern that the development of the site goes against public benefit as it would involve the development of currently used and occupied agricultural land when there are other sites within Gretna which are better suited to development

Major problem of restricted water pressure and problem with sewage

Concern about road safety and road maintenance by increasing the traffic flow by 400 vehicles twice daily.

Questions whether there is capacity in the school

Questions whether there is capacity at the Doctors surgery

Questions who would benefit from the development going ahead apart from the landowner?

Mr C and Mrs J Dodd (0302.002) - Object to inclusion of site in LDP2 for the following reasons

- Site extends and protrudes into the countryside
- Involves the loss of prime agricultural land

The site has more wildlife because of lack of public access

Mr C and Mrs J Dodd (0302.003); Mrs E Pollock (0320.001) - Object to inclusion of site in LDP2 on the following grounds -

Although planning permission in principal was given in May 2016 (15/P/4/0277).

The requirement to approve, subject to the successful completion of a Section 75 Planning Obligation within 6 months of the date of the decision, has not been completed within the time period required at this time.

It is out with the village and 30 MPH signs. Concern about distance from services and amenities resulting in additional car journeys and pollution. Other sites are closer to local amenities.

It is prime agricultural land, with a large amount of wild life.

Local water problems are unresolved and other infrastructure may not cope

Mr C and Mrs J Dodd (0302.003) - The provision to provide pedestrian access through third party land to Dominion Road (to the East) appears not to be arranged to date, which was also requested.

If included in LDP2 it should be allocated as a long term site. This would also give time for problems with water and services to be resolved.

Gretna Border - GTN.H201 adjacent to Rhone Villa

Taylor & Hardy obo Gretna Green Group (0019.012) - This representation is submitted in relation to Site GTN.H201 (Land adjacent to Rhone Villa) which has been discounted as a potential housing site within the Local Development Plan (LDP) Main Issues Report (MIR). The landowner wishes to object to the exclusion of this site for the reasons that follow in this representation.

The Council's document titled 'Sites Submitted Through the Call for Sites not Included in the Main Issues Report', summarises the Council's rationale for discounting sites for allocation. In respect of Site GTN.H201 the Report states:

"The site has not been included in the MIR for development as development of the site would have significant adverse environmental and landscape impacts. A number of other sites have been included for development in the settlement that are considered to meet the identified housing strategy."

Under the following headings the Council advised that the development of the site for residential purposes would have a 'neutral' impact.

- Biodiversity, Fauna and Flora;
- Water;
- Climatic Factors; and
- Cultural Heritage.

A positive and a negative impact was identified under the criteria titled 'Population and Human Health'. The rationale for this approach relates to the fact that in the Council's view the site is not within reasonable walking distance of the majority of community facilities in Gretna, but that the site is in close proximity to Gretna Station which could encourage the use of sustainable transport. The Council's conclusions relating to the above criteria would not preclude the site being allocated for development on the basis of the Council's site assessment criteria.

The assessment is considered to be unsound for the following reasons -

- *Soils. Loss of prime agricultural land currently in production. Negative SEA impact as loss of prime agricultural land.*

This site is contained to all of its boundaries by either road or rail infrastructure or by existing residential properties. Given the site's location within the built up area it is of limited agricultural value and its use results in farm traffic passing through the settlement, which can pose practical problems as well as highway safety issues.

The agricultural activities on the site, such as spreading of slurry, the use of machinery or pesticides, are also not compatible with the adjacent residential properties.

Furthermore, based on the 'National Soil Map of Scotland', which can be accessed via the following link www.soils-scotland.gov.uk, it is questionable as to whether the land can actually be regarded as prime agricultural land.

- *Air Quality. Significant environmental issues due to proximity of M74 at height and railway line. Noise assessment required. Mitigation measures considered unlikely to be successful.*

It is somewhat irrational to suggest a Noise Assessment should be undertaken, yet in the same paragraph dismiss the prospective mitigation measures that may be recommended following the completion of that assessment. It is commonplace throughout both Scotland and England for residential development to be located in relative close proximity to motorways.

- *Material Assets. No servicing constraints in relation to this site. Negative SEA impact as a loss of greenfield site.*

The Council's rationale for concluding that the development will have a negative impact is based on the loss of the greenfield site. This is a factor that is applicable to other housing allocating in Gretna and, cannot therefore, be a determining factor in whether or not the site is allocated for development.

- *Landscape. Not suitable for housing development due to significant adverse landscape reasons. Significant negative impact as site dominated by M74, A75 and railway line which abut the site. Impacts from the M74 which is overlooking the site are particularly significant and very little scope to mitigate impact.*

The impact that the M74 would have on the future use of the site for residential purposes is overstated. A mature landscaped belt borders the site's boundary with the M74 and undermines the perception that the site is overlooked. Any perceived issues associated with the proximity of the site to the railway line or the A75 can be addressed through noise mitigation measures, such as

landscaping or an acoustic fence, as is common place throughout Scotland and England. It is questionable whether the Council were correct to suggest that the development would have an overall 'negative' impact, when such a conclusion cannot be justifiably reached.

The allocation of the land for residential purposes is appropriate for the following reasons:

- The site provides an opportunity for a logical expansion to Gretna;
- Additional housing development in close proximity to Springfield will help support Springfield Primary School, which is understood to be operating below its available capacity and is potentially at risk from closure;
- The site is physically contained and well related to the built form of the settlement;
- Any perceived concerns relating to the proximity of the motorway can be addressed through the through the detailed design of the house type, as is often the case through both England and Scotland;
- The development of the site does not raise any significant access issues that cannot be overcome and the surrounding road network has sufficient capacity to accommodate a development of this nature;
- The inclusion of the site within the LDP2 provides for increased choice and competition in the market place for land;
- The site is not covered by any specific landscape designation that warrants protection in its own right;
- The site could be developed without adversely affecting the living conditions of the occupiers of any surrounding residential properties;
- The development will help to sustain existing facilities and support the growth of Gretna's economy; and
- The site's development for residential purposes complies with the thrust of the policy objectives contained within the MIR.

The allocation of the site for housing is appropriate. Welcome the opportunity to discuss the allocation of this land at the Local Plan Examination.

Gretna Border - GTN.H202 Raydale, Annan Road

Taylor & Hardy obo Donald Jefferson (0019.010) - Landowner welcomes the fact that the Main Issues Report proposes the site is allocated for residential development.

- 1) The site is well related to the existing built form of Gretna Border being surrounded to all sides by existing development and allocations which have been made in the Local Development Plan
- 2) The site is already developed, but is very underutilised. The buildings in their present use are not well related to one another and the redevelopment of the site for residential development, whilst respecting the significant and healthy trees to the site perimeter would result in a much more beneficial use of the site.
- 3) The redevelopment of the site for residential purposes is appropriate to the context of the surrounding land uses- both existing and allocated.
- 4) The site has considerable residential development potential and subject to safeguarding the significant/healthy trees to the site perimeter, is not constrained. There is adequate highway frontage; the site is not subject of Flood Risk; and is connected to water, drainage, electricity and gas.
- 5) The development of the site for residential purposes would accord with the first planning objective for Gretna Border as it would contribute to the consolidation

and enhancement of Gretna Borders role as a District Centre within the settlement hierarchy.

Ian Richmond (0285.006) - GTN H202 abuts Raydale, one of the few remaining potential sites for leisure facilities. Further restricting the potential to develop Raydale for the benefit of the community places undue restrictions on it.

Gretna Border - GTN.H205 adjacent to Hazeldene (Extended)

Taylor & Hardy obo Gretna Green Group (0019.017) - This representation is submitted in relation to Site GTN.H205, which is a proposed extension to that allocation GTN.H1.

In relation to both Site GTN.H205 the following weigh in favour of its allocation:

- The site provides an opportunity for a logical expansion to Springfield as well as the only suitable available site in Springfield, particularly given that alternative sites have been discounted by the Council;
- The site is physically contained and well related to the built form of Springfield;
- Additional housing development in close proximity to Springfield will help support Springfield Primary School, which is understood to be operating below its available capacity and is potentially at risk from closure;
- Any perceived concerns relating to the proximity of the motorway can be addressed through the detailed design of the house type, as is often the case throughout both England and Scotland;
- The development of the site does not raise any significant access issues that cannot be overcome and the surrounding road network has sufficient capacity to accommodate a development of this nature;
- The inclusion of the site within the LDP2 provides for increased choice and competition in the market place for land;
- The site is not covered by any specific landscape designation that warrant protection in its own right;
- The site could be developed without adversely affecting the living conditions of the occupiers of any surrounding residential properties;
- The development will help to sustain existing facilities and support the growth of Gretna's economy; and
- The site's development for residential purposes complies with the thrust of the policy objectives contained within the MIR.

The allocation of Site GTN.H205 is appropriate. Welcome the opportunity to discuss the allocation of this land at the Local Plan Examination.

Scottish Natural Heritage (0122.002) - GTN.H1 is being reviewed for inclusion in the Proposed Plan but paragraph 3.2.21 notes that it represents a poor environment due to proximity to the A74(M). Experience of similar sites has demonstrated that such allocations represent placemaking challenges that are not easily overcome. The same principles would apply to GTN.H205, which is an extension of GTN.H1.

Ian Richmond (0285.006) - GTN.H205 is too close to the M74 and will cause health damage.

Gretna Border - GTN.H207 Old Graitney

Robert Potter obo Norman (0064.029) - LAND AT OLD GRAITNEY, GRETNA.
Background:

1. In 2012/13 the landowner sought to have this land identified for housing purposes in LDP1. The Council decided against including it. As part of the LDP2 process, the landowner resubmitted the site under the Council's Call for Sites (CFS) procedures on the 29 January 2016. The Council has again omitted to include the site in the MIR, its brief explanation being set out in the Call for Sites Submitted and Not Being Taken Forward document.

2. The landowner's response to the Council's decision is set out. The terms of the original submission and its associated documents continue to form part of this case and continue to be founded upon. Landowner wishes the Council to reconsider its decision and objects to the decision to exclude the site from the MIR list of sites proposed to be included in LDP2.

Marketability and Deficit Funding:

3. The market report from Rydens has already been lodged. The 2 following topics are two of the essential tests in PAN 2/2010 and are of fundamental importance in assessing the effectiveness of any site. The Council has failed to respond to the points made in the Call for Sites submission. As noted in the CFS submission, as this site is adjacent to GTN.H5, clear and beneficial synergies would arise in their development that would enhance marketability and limit deficit funding requirements.

Access:

4. Mutual benefit would arise in terms of the provision of appropriate access arrangements. In the absence of joint working, the question arises whether an acceptable access can be provided to GTN.H5 in isolation. It is noted that the proposed access to GTN. H5 has restricted visibility of 43m. If the Old Graitney site is allocated for development, this restriction would be removed. The relative merits of the Old Graitney site compared to other sites is set out in Dougall Baillie Associates report. While this is dated March 2013 and was lodged as part of the LDP1 process, its assessment of the Paxville site is still relevant. .

Flooding:

5. The situation for this site is the same as for GTN.H5 so this cannot be an impediment. Joint working would facilitate the provision of more economic infrastructure, further improving marketability and potentially speeding up the development.

The benign landscape impact of the site is clearly explained in the Hirst Landscape Architects report dated 4 March 2013, the terms of which are once again commended to the Council.

Comment on Call for Sites submissions, not Being Taken Forward – Site GTN.H207

Agricultural and Greenfield Land: The loss referred to is a factor affecting any non-brownfield site around Gretna and it has not inhibited the Council from allocating similar land before. In addition the Council is referred to the terms of the report by Simon Hirst dated 6 March 2013 setting out why this site should not be discriminated against on this ground.

Requirement: It is considered that the Council's comments do not stand scrutiny given the status of the sites referred to above. In fact, allocation of this site would allow the Council to meet its 5 year minimum land availability requirement, in part because it would facilitate the successful implementation of GTN.H5 and itself is free of physical and ownership constraints.

In addition to these factors, it is noteworthy that the Strategic Environmental Assessment concludes that the negative SEA issues are minor and that these are countered by positive effects.

This site would contribute in a positive way to the local housing market. This site should be allocated in LDP2 for 110 units, object to its exclusion from the proposed MIR sites and object to the settlement boundary being defined in this location by the GTN.H5 site. This boundary placement would put the site in countryside with regards to planning policy, a change which introduces significant and unnecessary restrictions.

The following Appendices were also submitted:

1. Copy of Robert Potter & Partners LLP representation on HLA 2016 dated 8 July 2016.
2. Dougall Baillie Associates comparison of sites dated March 2013.
3. Hirst Landscape Architects report on the landscape merits of the site dated 5 March 2013.
4. Report on use of agricultural land by Simon Hirst dated 6 March 2013.

Gretna Border - GTN.H208 south of Braemar, Main Street, Springfield

Butler Land Management obo David Wilson (0038.014) - The landowner requires the site to be allocated for housing development

Gretna Border - GTN.H210 School Lane, Springfield

Darren Lloyd (0187.001) - Fully agree of the decision not to carry forward this site for development GTN.H210, School Lane, Springfield.

Housing development on this site would be a severe detriment to the landscape – one that has already been marred by the erection of 9 wind turbines at Beck Burn, Longtown, England.

This area is prime agricultural land and greenfield site that should remain wholly intact for the benefit of the community as a semi rural area and the rich wildlife beauty and environmental freshness this brings against the local high volume tourist pollution.

School Lane is a safe well used passage for leisure, dog walkers and indeed agricultural machines who enjoy the reasonable terrain (not withstanding pot holes) and open views and far reaching landscape visuals that this undeveloped area should hold onto.

The undefensible boundary, again a reason not to develop.

The water pressure supply, sewerage and drainage issues could not sustain further housing without major disruptive and financially limiting contractor costs.

The decision is correct not to include this site in the main issue report.

Springfield and Gretna Green CC (0238.001) - The site should be considered for housing development. The field should be brought into the settlement boundary and allocated for development.

Springfield and Gretna Green CC (0238.002) - The site should be allocated for housing development. The site is opposite Springfield Playing Field and if developed would add extra security to the playing field and play park . At present the field and play park is a remote with housing only on one side. If it was enclosed with housing it would be more secure for children to play . If the land was to be developed Old School Road could be brought up to standard for an access to schools route ie footpaths.

The land is prime agricultural land and if developed this would be lost as would the view. Most land in the Springfield, Gretna Green, and Gretna area is prime agricultural land and the view has already been lost with the recent development

of the Beck Burn wind farm.

Gretna Border – Housing new site: GTN.H212 land south of Lyndhurst, Main Street, Springfield

H&H Land & Property obo Mr Kirkbride (0158.001) - The site GTN.H212 Land south of Lyndhurst, Main Street, Springfield should be allocated for housing development. The landowner has confirmed availability for development. It appears that no land in this vicinity is considered suitable for inclusion given the comments on the discarded sites GTN.H208 and GTN.H211, and the concerns expressed regarding sites GTN.H1 and GTN.H205 at 3.2.22 of the Main Issues Report.

The site is bordered by development. Immediately to the north is the main street of Springfield and the other sides are bordered by roads. Springfield itself is surrounded by development, including Gretna, Gretna Green, major roads (M74 & A75), and the main railway. In terms of landscape impact the site is very well shielded from the public domain – the road to the south is set at a very much lower level, from the west a small woodland shields the site and from the north existing built development obscures the site from views from Main Street. Development of the site would therefore have a minimal landscape impact.

Springfield and Gretna Green CC (0238.001) - The site should be considered for housing development. The field should be brought into the settlement boundary and allocated for development.

Springfield and Gretna Green CC (0238.002) - Site GTN.H212 Land south of Lyndhurst, Main Street should be allocated for housing. This site should be within the village boundary for development as it follows the natural line of the village. The original 1710 plans for Springfield show two rows of housing, but for some reason it never happened. This land has not been put forward for the LDP although it may be classed as prime agricultural land.

Gretna Border - GTN.MU201 land adjacent to Toll Bar, west of B7076

Taylor & Hardy obo Gretna Green Group (0019.015) - This representation is submitted in relation to Site GTN.MU201 which was previously put forward, with Site GTN.MU202 as a mixed use allocation comprising office, recreation, retail and leisure uses.

It was anticipated that the office development could be accommodated to the west of the B7076, with the tourist, leisure and retail facilities provided on the eastern side of the road. The landowner wishes to object to the exclusion of this site for the reasons that follow in this representation.

Under the following headings the Council advised that the development of the site would have a 'neutral' or a 'positive' impact.

- Biodiversity, Fauna and Flora;
- Population and Human Health;
- Air Quality;
- Climatic Factors;
- Cultural Heritage; and
- Landscape.

The Council's Site Assessment does however identify a negative or a significant negative impact in relation to the criteria listed below. The specific criteria are listed in *Italic*, together with a summary of the Council's comments.

Soils. Loss of prime agricultural land currently in production. Negative SEA impact as would involve the loss of prime agricultural land.

This land cannot be regarded as prime agricultural land. Due to its irregular shape it is impractical for growing arable crops and is only suitable to be used as grazing land.

Material Assets. No known servicing constraints. Negative SEA impact as would involve the loss of a greenfield land

Under the assessment relating to 'Material Assets' only neutral impacts were identified and, therefore, it seems illogical to conclude that overall the development of the site will have a negative impact.

The Council's rationale for concluding that the development will have a negative impact can therefore only be based on the loss of the greenfield site. This is a factor that is applicable to other allocated sites in Gretna and, cannot therefore, be a determining factor in whether or not the site is allocated for development.

Water. Development of this site is unacceptable due to flood risk - within potentially vulnerable area of fluvial and coastal flooding. Fully within the 1 in 200 year floodplain of River Esk.

Gretna – limited capacity in mains water network subject to planned upgrading which will require developer contributions. Supplementary Guidance Developer Contributions to Upgrade the Water Supply at Gretna Border refers. Flood risk assessment required

Significant negative SEA impact as site within an identified flood risk area.

Under this criteria the Council's assessment focuses on two areas, which relate to flood risk and the capacity of the water supply.

In relation to the latter, this is a factor that affects the whole of Gretna and is not an issue that is insurmountable or one which is precluding the allocation of land in Gretna per se.

Turning to the more significant issue of flood risk, the Council have failed to take account of discussions that Taylor and Hardy has had with SEPA and the Council's Flood Risk Management Team (FRMT) in relation to land on the eastern side of the B7076.

These discussions took place in relation to an approved application for the erection of a food retail store on the land to the north of the Toll Bar, which was approved on 15th February 2017 under LPA Reference 15/P/4/0232. As part of SEPA's consultation response in relation to that application SEPA advised "*that the embankments could be formalised to create a formal direct defence*" and that those defences could be upgraded to provide protection against a 1 in 200 year flood event. The FRMT also raised no objections to that application.

More recently Taylor and Hardy has submitted a planning application to erect cycle centre on land directly adjacent to the east of the Toll Bar (LPA Reference 16/1660/FUL). In relation to that application SEPA stated the following in its consultation response:

"It is acknowledged that the proposal is for a cycle hire/retail store in an area currently used for a caravan/camping site. Based on our land use vulnerability guidance this would represent a change to a less vulnerable use (most vulnerable to less vulnerable). This is something we would clearly be supportive of as it should help reduce overall flood risk in the catchment. The existing (sic) against proposed site plan also suggests no significant change in floodplain storage or conveyance, particularly assuming appropriate protection from the flood embankment.

Furthermore, in line with the planning condition attached to planning application

08/P/4/0187 we note that the whole embankment will be formalised and appropriately maintained for the lifetime of the development. Therefore the embankment would provide a 1 in 200 year standard of protection for the area which we view as the appropriate standard for development. It is stated that this has also been accepted by the Flood Prevention Authority (FPA). We note that a residual flood risk remains in the event of overt-topping or failure, particularly with a natural low point identified. We would also be in agreement with the Flood Risk Assessment (FRA) recommendation of improvements to this low lying section of the embankment.”

In respect of the application the FRMT have also confirmed that they have no objections to the proposal. In light of the above it is clear that the Council have failed to take account of the fact that Flood Risk Assessments for the land to the east of the B7076 have been submitted to the Council and that the findings of these assessments have been accepted by SEPA and the FRMT.

In relation to Site GTN.MU201 the Council suggest that the site is potentially vulnerable to fluvial and coastal flooding. The Council have not taken into account the presence of existing flood defences which takes the form of an embankment. The existing defences could be upgraded to provide a 1 in 200 year standard of protection, which development on Site GTN.MU201 could fund and maintain for the lifetime of the development. This approach has been accepted by SEPA and the FRMT in relation to the land to the east of the B7076 and there is no reason why a similar approach could not be adopted in relation to Site GTN.MU201. In light of these facts it is clear that the Council’s site assessment under the criteria titled ‘Water’ is unsound and should not result in a significant negative impact.

On the basis of the aforementioned criteria the Council are clearly incorrect to suggest that the development of the site should be resisted on the grounds of flood risk.

Turning back to the Council’s reasoning for not allocating the site for development, the second strand of their rationale is on the basis that “*The site has been proposed for tourist recreation / leisure uses, retail and office development. The plan does not make any specific allocations for this type of development as there are policies which would be used to assess any proposal*”.

The fact that there is not a designation or policy that enables the Council to assess a proposal for the type of mixed use proposed is not an adequate explanation for deciding not to promote the land for development. In preparing a new Local Plan it is within the Council’s gift to write such a policy or designate the land for the use proposed.

In respect of Site GTN.MU201 it was suggested in the original representation that the site could be used to provide office development. The Council do have an allocation that relates to business and industrial sites. The Council could deal with Site GTN.MU201 and Site GTN.MU202 independently and in doing so allocate Site GTN.MU201 for business use.

In our previous representation to the Council we have explained our reasoning behind promoting development at this strategic site, which is located at the ‘Gateway to Scotland’. This current representation needs to be read in conjunction with our previous submission, which makes reference to the regeneration initiatives that the Council seeks to support through the Local Plan. The LDP Vision, as described on page 9 of the MIR, describes how it perceives Dumfries and Galloway will look in 20 years’ time. It states:

“It will be a thriving region with a sustainable economy built on sustainable

principles that safeguard the landscape, natural and historic environment, promote growth, maximise the use of existing infrastructure and enhance connectivity. It will have maximised its location to attract investment to create employment and investment opportunities (my emphasis) which will in turn attract people of working age to the region.

... new jobs will have been created within the Gretna, Lockerbie, Annan regeneration corridor; and the other towns across the region will occupy niche positions making the most of their geographical locations.”

In order to achieve this objective the Council need to be more ambitious in its vision, particularly in relation to Gretna which occupies a strategic position. Investors and developers need the confidence to invest. That confidence is driven by the designation of land and the creation of policies in the Local Plan that clearly support development. Without such a clear signal investors will not look to Gretna, or Dumfries and Galloway for that matter. The Council need to be mindful that Dumfries and Galloway is competing with other geographic locations within both England and Scotland that provide more attractive opportunities for investors. The Council need to be bolder in their approach if they are to compete with these locations.

For the reasons cited in this representation and the representation that has previously been submitted there is clear justification for the allocation of the land for either business use or a mixed use comprising recreation, retail and leisure uses. There is also a sound justification for the creation of a policy or policies that promote this site and Gretna as a key location for development given its strategic location at the ‘Gateway to Scotland’.

In light of all matters discussed above it is our view that the allocation of Site GTN.MU201 is wholly appropriate. Welcome the opportunity to discuss the allocation of this land at the Local Plan Examination.

Gretna Border - GTN.MU202 land adjacent to Toll Bar, east of B7076

Taylor & Hardy obo Gretna Green Group (0019.014) - This representation is submitted in relation to Site GTN.MU202 which was previously put forward as a mixed use allocation comprising office, recreation, retail and leisure uses.

It was anticipated that the tourist, leisure and retail facilities could be accommodated to the east of the B7076, with the office development provided on the western side of the road.

The landowner wishes to object to the exclusion of this site for the reasons that follow in this representation.

The Council’s Site Assessment identifies a negative or a significant negative impact in relation to the criteria listed below.

The Council’s assessment is considered to be unsound for the following reasons.

- *Soils. Loss of prime agricultural land currently in production. Negative SEA impact as would involve the loss of prime agricultural land.*

This assessment is clearly flawed as the land in question is not agricultural land.

Under the criteria titled ‘Material Assets’ the Council correctly refer to the site as a brownfield site. Consequently the Council’s conclusion that the site will have a negative impact is unsound.

- *Water. Flood management measures would require to formalise river embankment to provide 200 year standard of protection. A FRA would be required to be agreed with SEPA. Gretna – limited capacity in mains water network subject to planned upgrading which will require developer contributions. Supplementary Guidance Developer Contributions to Upgrade the Water Supply at Gretna Border*

refers. Flood risk assessment required.

Negative SEA impact as high risk of fluvial flooding. Flood management measures would require to formalise embankment to provide 200 year standard of protection. A FRA would be required to be agreed with SEPA.

Under this criteria the Council's assessment focuses on two areas, which relate to flood risk and the capacity of the water supply.

In relation to the latter, this is a factor that affects the whole of Gretna and is not an issue that is insurmountable or one which is precluding the allocation of land in Gretna per se.

Turning to the more significant issue of flood risk, the Council have failed to take account of discussions that Taylor and Hardy has had with SEPA and the Council's Flood Risk Management Team (FRMT).

These discussions took place in relation to an approved application for the erection of a food retail store on the land to the north of the Toll Bar, which was approved on 15th February 2017 under LPA Reference 15/P/4/0232. As part of SEPA's consultation response in relation to that application SEPA advised "*that the embankments could be formalised to create a formal direct defence*" and that those defences could be upgraded to provide protection against a 1 in 200 year flood event. The FRMT also raised no objections to that application.

More recently Taylor and Hardy has submitted a planning application to erect cycle centre on land directly adjacent to the east of the Toll Bar (LPA Reference 16/1660/FUL). In relation to that application SEPA stated the following in its consultation response:

"It is acknowledged that the proposal is for a cycle hire/retail store in an area currently used for a caravan/camping site. Based on our land use vulnerability guidance this would represent a change to a less vulnerable use (most vulnerable to less vulnerable). This is something we would clearly be supportive of as it should help reduce overall flood risk in the catchment. The existing (sic) against proposed site plan also suggests no significant change in floodplain storage or conveyance, particularly assuming appropriate protection from the flood embankment.

Furthermore, in line with the planning condition attached to planning application 08/P/4/0187 we note that the whole embankment will be formalised and appropriately maintained for the lifetime of the development. Therefore the embankment would provide a 1 in 200 year standard of protection for the area which we view as the appropriate standard for development. It is stated that this has also been accepted by the Flood Prevention Authority (FPA). We note that a residual flood risk remains in the event of overt-topping or failure, particularly with a natural low point identified. We would also be in agreement with the Flood Risk Assessment (FRA) recommendation of improvements to this low lying section of the embankment."

In respect of the application the FRMT have also confirmed that they have no objections to the proposal.

In light of the above it is clear that the Council have failed to take account of the fact that Flood Risk Assessments for this land have been submitted to the Council and that the findings of these assessments have been accepted by SEPA and the FRMT.

In light of these facts it is clear that the Council's site assessment under the criteria titled 'Water' is clearly unsound and should not result in a significant negative impact. On the basis of the aforementioned criteria the Council are clearly incorrect to suggest that the development of the site should be resisted on

the grounds of flood risk.

Turning back to the Council's reasoning for not allocating the site for development, the second strand of their rationale is on the basis that "*The site has been proposed for tourist recreation / leisure uses, retail and office development. The plan does not make any specific allocations for this type of development as there are policies which would be used to assess any proposal*".

The fact that there is not a designation or policy that enables the Council to assess a proposal for the type of mixed use proposed is not an adequate explanation for deciding not to promote the land for development. In preparing a new Local Plan it is within the Council's gift to write such a policy or designate the land for the use proposed.

In our previous representation to the Council we have explained our reasoning behind promoting development at this strategic site, which is located at the 'Gateway to Scotland'. This current representation needs to be read in conjunction with our previous submission, which makes reference to the regeneration initiatives that the Council seeks to support through the Local Plan. The LDP Vision, as described on page 9 of the MIR, describes how it perceives Dumfries and Galloway will look in 20 years' time. It states:

"It will be a thriving region with a sustainable economy built on sustainable principles that safeguard the landscape, natural and historic environment, promote growth, maximise the use of existing infrastructure and enhance connectivity. It will have maximised its location to attract investment to create employment and investment opportunities (my emphasis) which will in turn attract people of working age to the region. ... new jobs will have been created within the Gretna, Lockerbie, Annan regeneration corridor; and the other towns across the region will occupy niche positions making the most of their geographical locations."

In order to achieve this objective the Council need to be more ambitious in its vision, particularly in relation to Gretna which occupies a strategic position. Investors and developers need the confidence to invest. That confidence is driven by the designation of land and the creation of policies in the Local Plan that clearly support development. Without such a clear signal investors will not look to Gretna, or Dumfries and Galloway for that matter. The Council need to be mindful that Dumfries and Galloway is competing with other geographic locations within both England and Scotland that provide more attractive opportunities for investors. The Council need to be bolder in their approach if they are to compete with these locations.

For the reasons cited in this representation and the representation that has previously been submitted there is clear justification for the allocation of the land for a mixed use comprising recreation, retail and leisure uses. There is also a sound justification for the creation of a policy or policies that promote this site and Gretna as a key location for development given its strategic location at the 'Gateway to Scotland'.

In light of all matters discussed above it is our view that the allocation of Site GTN.MU202 is wholly appropriate. Welcome the opportunity to discuss the allocation of this land at the Local Plan Examination.

LOCAL CENTRES – HOUSING AND MIXED USE SITES

Eaglesfield - EGL.H2 land between Ashyards Crescent and Sunnybrae Ingrid Carruthers (0309.001) - Development of this scale (78 units) would have detrimental impact on the layout of the village. Development of EGL.H2 would

result in increased traffic congestion and restricted visibility at the proposed eastern access. Concerns about parked vehicles as Ashyards Crescent is currently used as a turning point. There are nature conservation interests (badgers) on site which should be protected. The scale of the development would have a considerable impact on the environment.

Eaglesfield - EGL.H202 Belmont Avenue/Bower Bank 2

Scottish Natural Heritage (0122.002) - The alternative allocation EGL.H202 is adjacent to National Cycle Network route 74, now largely complete after some years in development. If allocated, this site may offer an alternative route into Eaglesfield from the long distance route.

Eaglesfield - EGL.H203 land East of Former Roads Depot, Burnswark

David Fallas obo Kerr Investments (0071.007) - The site is in the same ownership as site EGL.H1 immediately to the west. The allocated site is shortly to be the subject of a planning application for residential development. The proposed layout links through from site EGL.H1 to site EGL.H203. A series of changes are also proposed to the public road network to create a simplified junction layout at the B722/Burnswark View. With the development of site EGL.H1 access would be resolved and constraint resolved. The development of site EGL.H1 would overcome the principal reason for discounting this sites inclusion within LDP2, and the site should be reconsidered for inclusion within LDP2. The inclusion of this site would lead to a greater degree of choice of sites within the HMA and would be consistent with the wider housing strategy as proposed in the Plan.

Eastriggs - ERL.H1 Gillwood Road

Alan Mclatchie (0169.001) - Object to development of site as loss of privacy

Eastriggs, Dornock & Creca CC (0211.001); Kevin and Isabelle A Clark (0321.001) - The site should be redesignated from an allocated housing site to protected area of open space for community use.

Eastriggs - ERL.MU1 Stanfield Farm

John A MacColl (0048.032) - Landowner (part of the site to the east fronting B721) confirms availability of site for development and supports its retention in LDP2. Discussions are shortly to take place with the adjoining landowner regarding the preparation of a Master Plan for the site. The availability of part of the site has been made known to care/nursing home operators to meet the identified need for this type of facility in the Eastriggs area. The retention of this site in the Plan will strengthen the community of Eastriggs.

Eastriggs, Dornock & Creca CC (0211.001) - The allocation of this site for mixed use will meet the needs of the community.

Eastriggs – Mixed Use new site: ERL.MU202 land adjoining Stanfield Farm

David Jones (0176.001) - The field unit (2.2ha) adjoining site ERL.MU1 Stanfield Farm should be allocated for development as it would make a logical boundary to the site. Landowner confirms availability.

Ecclefechan - General

(i) Jill Callander (0167.001) - Maps and site assessments do not take into account

significant developments in the village.

(ii) Jill Callander (0167.001) - Cressfield Caravan Park should be included within settlement boundary.

Questions whether there is capacity in the sewage works.

(iii) Jill Callander (0167.001) - Questions whether increased development at Broadmeadow Sawmill has planning consent. Raises concern about increased traffic and emissions.

(i) Hoddom & Ecclefechan CC (0314.001) - Raises concern that existing business development at the north end of the village east of the B7076 and at Hoddacrete at the junction of B725/B7076 are not shown on the settlement map

(ii) Hoddom & Ecclefechan CC (0314.001) - Cressfield Caravan Park is a larger site than shown on the settlement map.

Ecclefechan - ECC.H1 land adjacent to Tiree

Jill Callander (0167.001) - The existing SUDS pool associated with the Meadowfoot development is not shown on the proposals map and raises concern about maintenance issues.

There is a direct environmental conflict between sites ECC.H3 Ibrak Farm and ECC.H1 Land adjacent to Tiree in terms of surface water drainage and increased flood risk within the vicinity.

Hoddom & Ecclefechan CC (0314.001) - Object to development of site for housing as currently in business use.

Ecclefechan - ECC.H2 land south of Buccleuch Cottage

Jill Callander (0167.001) - Raises concerns about potential landuse conflict between housing site ECC:H2 Land south of Buccleuch Cottage and the adjacent industrial operation (Hoddacrete) in terms of environmental conflict, noise, dust and increased lorry movements.

Hoddom & Ecclefechan CC (0314.001) - Objects to development of existing poultry farm for development as existing business. Supports development of associated greenfield site for housing

Ecclefechan - ECC:H3 Ibrak Farm

Jill Callander (0167.001) - Raises concerns that there is a direct environmental conflict between sites ECC.H3 Ibrak Farm and ECC.H1 Land adjacent to Tiree in terms of surface water drainage and increased flood risk within the vicinity.

Raises concerns about the maintenance of the existing SUDS pool associated with the Meadowfoot development.

Hoddom & Ecclefechan CC (0314.001) - The SUDS pool associated with the Meadowfoot development has not been identified. Concerns that it is unsafe, an eyesore to the village and ongoing issues as to who is responsible for it.

Ecclefechan – Housing New Site: ECC.H201 land due south of Fairview

Hoddom & Ecclefechan CC (0314.001) - The site ECC.H201 Land due south of

Fairview, Ecclefechan should be allocated for housing plots. Landowners – Bell of Hoddom Town Farm and Hoddacrete

BUSINESS AND INDUSTRY

Chapelcross - General

GVA obo NDA and Magnox (0079.005) - Support the continued allocation of Chapelcross North (B&I1), Chapelcross South (B&I2) and Chapelcross West (B&I3). Consider that the scope and scale of any required transport infrastructure requirements would be identified by the Transport Assessment during the respective development management or SPZ preparation processes.

The decommissioning of Chapelcross is subject to various pieces of legislation outside of planning's remit. The decommissioning and remediation process is governed by national strategies which are subject to regular review and consultation. Magnox translates these strategies into its own Integrated Decommissioning and Waste Management Strategy, the latest version of which was published in May 2016. National strategies on radioactive waste have been recognised as national policy in the planning arena. This position was supported by the Inspector during the Somerset County Council Waste Core Strategy Examination, and is reflected in a number of adopted and emerging development plan documents including the Suffolk County Council Waste Core Strategy and Kent County Council Minerals and Waste Local Plan.

The NDA and Magnox are pleased to see that the Council has taken on board comments made by GVA (on behalf of the NDA and Magnox) as part of the Call for Sites process. In particular, the NDA and Magnox welcome the continued allocation of land at Chapelcross as strategically important business and industry sites.

Barry Smitham (0297.001) - Clarification sought on what type of businesses will be developed at the Chapelcross sites. Clarification sought on the likely types of emissions and likely impact in terms of noise, dust and exhaust. What will be the impact of the development in terms of increased vehicular traffic on the B722? Will the B722 be resurfaced and improved? Will there be a permanent entrance to the site from the B722 and what traffic/speed control measures will be in place to ensure safety during increased times of activity?

Chapelcross - CPC.B&I1 Chapelcross North

GVA obo NDA and Magnox (0079.005) - Support the continued allocation of Chapelcross North (B&I1). Consider that the scope and scale of any required transport infrastructure requirements would be identified by the Transport Assessment during the respective development management or SPZ preparation processes.

Chapelcross - CPC.B&I2 Chapelcross South

GVA obo NDA and Magnox (0079.005) - Support the continued allocation of Chapelcross South (B&I2). Consider that the scope and scale of any required transport infrastructure requirements would be identified by the Transport Assessment during the respective development management or SPZ preparation processes.

Chapelcross - CPC.B&I3 Chapelcross West

GVA obo NDA and Magnox (0079.005) - Support the continued allocation of

Chapelcross West (B&I3). Consider that the scope and scale of any required transport infrastructure requirements would be identified by the Transport Assessment during the respective development management or SPZ preparation processes.

Annan – New Site: ANN.B&I201 South of the A75(T) and East of the B6357 Dumfries & Galloway Council Development Plan Team (0100.043) - Need to identify additional sites for business and industry in Annan area to meet potential growth needs of local businesses. The current phase of Annan Business Park is on the verge of being fully built out and there is unmet demand for plots in the area.

Annan – New Site: ANN.B&I202 land between B6357 and B721 (south) Dumfries & Galloway Council Development Plan Team (0100.044) - Need to identify additional sites for business and industry in Annan area to meet potential growth needs of local businesses. The current phase of Annan Business Park is on the verge of being fully built out and there is unmet demand for plots in the area.

Ecclefechan - ECC.B&I1 land adjoining B7076, Jct 19 A74 (M) Jill Callander (0167.001) - Existing business development at the north end of Ecclefechan and the development of site ECC.B&I Land Adjoining B7076, Jct 19 A74 (M) will impact on the village as a result of increased surface water run off.

Hoddum & Ecclefechan CC (0314.001) - There is a flood risk on this site and in the vicinity

Ecclefechan – New Site: ECC.B&I202 Pennersaugh Farm Laurence T Wilson (Planning) obo Armitstead (0070.010) - Site ECC.B&I202 Pennersaugh's Farm should be allocated for business and industry in LDP2. The landowner has confirmed the availability of the site. Phase 1 would be developed as a Business Park and Phases 2 & 3 would be developed as roadside services, manufacturing, servicing and associated businesses. Access to the A74 (M) can be provided to the north and south of the site at Junctions 19 and 20. Development of the site for business and industry provides a better option than site ECC.B&I1 Land adjoining B7076, Junction 19 A74 (M) which will have substantial infrastructure costs and is subject to flood risk.

Council response and proposed modifications:

Annan HMA - General

Robert Potter obo Norman (0064.029) - It is considered that sufficient housing land has been allocated within the Annan HMA to adequately meet the housing land requirement. All sites submitted for consideration for inclusion in LDP2 have been subject to a full planning assessment as well as an SEA assessment. The landownership and marketability of sites has been considered during the site assessment process. Further discussions have taken place with landowners to ascertain the marketing arrangements for sites. Housing Land Audit 2017 has been issued for consultation. Site GTN.H5 Land north of Old Graitney Road was granted planning permission in principle for residential development in August

2017 (14/P/4/0502). It is proposed to remove site GTN.H6 Land south of Old Graitney Road (20 units) from the proposed plan as the site is considered to be non-effective. The other sites referred to are discussed separately below. Comments noted. No modification proposed.

Martin Robertson (0146.002) – Comments noted. No modification proposed.

DISTRICT CENTRES – HOUSING AND MIXED USE SITES

Annan - General

Janet Graham (0248.001) - Comments noted. Policy HI supports the development of brownfield sites, Policy H5 supports the development of affordable housing and Policy H6 supports the development of particular needs housing.

The LDP recognises the importance of community services as supported by Policy CF1.

Comments noted. No modification proposed.

Annan - ANN.H5 land between Scott's Street and Seaforth Park

Thomson Roddick & Laurie (0056.005) - The site is considered to be ineffective.

These are issues concerning access to the site, environmental impact of the adjacent scrap yard and drainage and surface water issues. The landowner would require to demonstrate that these issues could be overcome.

Recommended to remove site from Proposed Plan.

Annan - ANN.H6 land at Watchall Road

R and J Atkinson (0239.001) - The allocation of sites in the LDP are assessed on the basis as to whether they are suitable for housing. Policy OP2 Design Quality of New Development and its associated supplementary guidance seeks good quality design for all developments and the principles that these set out should be followed. Loss of privacy need not arise with careful site design and layout which would be addressed at the application stage. The site guidance contained within the current LDP advises that tree and hedge boundary should be retained subject to access points. Road widening will be required along Watchall Road. Issues such as potential increased noise and disturbance from new housing are not material planning considerations.

Recommended to retain site in Proposed Plan.

Annan - ANN.H8 land between Hallmeadow Place and Elm Road

Historic Environment Scotland (0012.004); Scottish Natural Heritage (0122.002) -

It is proposed to amend the allocation boundary to include Longmeadow House and the site guidance will include the need for the sensitive restoration and conversion of the building and the need to respect its setting. The site and Longmeadow House is now included in the Council's SHIP programme. Site guidance will also include the need to demonstrate that the existing trees, hedgerows and walls should be retained subject to road/pedestrian access. Recommended to retain site in Proposed Plan, amend site boundary and site guidance as stated.

Lucy Walker (0207.001); Douglas Campbell (0293.001) - The Council holds flood records in relation to this site. A Drainage Impact Assessment will require to be submitted and this requirement will be included in the site guidance. European Protected Species (bats) may occur on or close to this site. Developers will be

required to provide sufficient information to enable the Council to conclude that there will be no likely significant effect on these species as a result of the development. Policies NE4 and OP1d are relevant in the determination of a planning application. Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other. The term Protected Open Space covers a range of types of land but it does not necessarily need to be publicly accessible at all times to serve an open space function. There is considered to be sufficient public open space in the immediate area. Policy T2: Location of Development and Access Requirements sets out the requirements for all development proposals in terms of accessibility and on/or off site mitigation measures. A transport assessment will be required and this will be added to the site guidance. Impact on the local road network and the need for any road improvements would be addressed at the planning application stage.

Recommend retain site in the Proposed Plan and site boundary will be amended to include Longmeadow House. Site guidance will be amended to include the requirement for a bat survey along with any proposed mitigation, the requirements for a Drainage Impact Assessment and a Transport Assessment.

(i) Cunninghame Housing Association Ltd (0264.001) – It is acknowledged that Longmeadow House and associated grounds are in separate ownership. However in order to secure an appropriate layout and preserve the setting of Longmeadow House, a listed building, it is considered appropriate that the sites are planned as an entity. The site guidance contained in the existing LDP requires the need for a master plan to address a range of issues.

Comments noted. Recommended to retain site in Proposed Plan and amend boundary to include Longmeadow House.

(ii) Cunninghame Housing Association Ltd (0264.001) - In order to provide a range of sites in the plan period the site will be allocated for developed in the period to 2029. It is accepted that site ANN.H5 is non effective and it is proposed to remove the site from the Proposed Plan. The landowner of ANN.H7 does not wish the site to be developed and it is proposed to remove the site from the Proposed Plan. ANN.H6 is considered to be an effective housing site and it is proposed to retain the site in the Proposed Plan.

Recommended to retain site in Proposed Plan in the first 10 year period to 2029.

Annan - ANN.H202 Shawhill Road

A Stevenson (0143.001) – The site is less than 0.2ha and it is not proposed to allocated such small sites in the Proposed Plan.

Recommended not to include site in Proposed Plan.

Annan - ANN.H203 north of Murray Park

Clagan Ltd obo Murray Bell (0003.005) - The Reporters findings on the final draft plan did not recommend inclusion of this site in the current LDP due to the high voltage electricity route traversing the site resulting in issues of development viability and significant adverse planning issues. These issues remain relevant.

Recommended not to include site in Proposed Plan.

Gretna Border - New Housing Sites

(i) H&H Land & Property obo Mr Kirkbride (0158.001) - The Settlement Hierarchy

Technical Paper sets out how different types of settlement are classified based on a number of factors. For the purpose of the LDP the settlement hierarchy classifies Gretna Border as a district centre which includes Gretna, Gretna Green and Springfield. The settlement boundary indicates the extent of built development expected within the plan period for planning purposes. It does not necessarily indicate what the community may consider the extent of the settlement to be. The site GTN.H1 Adjacent to Hazeldene (36 units) is currently allocated in the LDP for housing and it is recommended that the site is extended to ensure development viability GTN.H205 Adjacent to Hazeldene (extended) Comments noted. No modification proposed.

(ii) H&H Land & Property obo Mr Kirkbride (0158.001); Springfield and Gretna Green CC (0238.001) – The settlement boundary indicates the extent of built development expected within the plan period for planning purposes. It does not necessarily indicate what the community may consider the extent of the settlement to be.

Site GTN.H1 Adjacent to Hazeldene (36 units) is currently allocated in the LDP for housing and it is recommended that the site is extended to ensure development viability GTN.H205 adjacent to Hazeldene (extended) with an indicative capacity of 70 units. The site is included in the Council's Strategic Housing Investment Programme (SHIP) and there is a willing landowner.

Site GTN. H210 School Lane was assessed a part of the MIR and it was not included in the MIR as development would involve the loss of prime agricultural land, greenfield land and would have an adverse impact on the landscape. There is limited scope to mitigate in part with landscaping and planting the site is open to the east and there is no defensible boundary given topography. A number of other sites in Gretna Border have been included for development that are considered to meet the identified housing strategy.

Site GTN.H212 Land south of Lyndhurst, Main Street, Springfield has been assessed and it is not proposed to include the site in the Proposed Plan for reasons of road access/infrastructure. There may be scope to provide access links to Main Street, but these would appear to be over third party land outwith the identified site. Access to the site may be formed onto the C141a to the south however the road is outwith the settlement, is rural in nature and the national speed limit applies. As the site frontage onto the C141a progresses eastwards, the site level rises presenting more of an engineering challenge. Without clarity regarding access, there are reservations regarding development of the site.

There are a range of sites available in Gretna Border to meet local needs including the proposed housing allocation at GTN.H205 Adjacent to Hazeldene (extended).

Comments noted. No modification proposed.

Gretna Border - Services/General

Springfield and Gretna Green CC (0238.002) – Comments noted. No modification proposed.

Ian Richmond (0285.006) - Information from the coal authority maps indicates high risk areas are in the vicinity of Rowanburn. High risk areas are where there is one or more recorded coal mining related features which have the potential for instability or a degree of risk to the surface from the legacy of coal mining operations. These records do not show longwall mining licences in the Gretna

area.

Comments noted. No modification proposed.

Gretna Border - Settlement Map

Taylor & Hardy obo Gretna Green Group (0019.016) - Comments noted and settlement boundary will be redrawn to reflect these recent planning consents for retail development as they relate in part to site GTN.MU202 (15/P/4/0232 & 16/1660/Full). Site GTN.MU201 Land adjacent to Toll Bar, West of the B7076 was not included in the MIR due to significant flood risk and SEPA advise that the site should not be allocated for development.

Recommended to alter settlement boundary to include consents for retail development (15/P/4/0232 & 16/1660/Full).

Mr C and Mrs J Dodd (0302.001) - The purpose of the LDP settlement maps is to show the extent of built development expected within the plan period for planning purposes.

Comments noted. No modification proposed.

Mrs E Pollock (0320.002) – The purpose of the LDP settlement maps is to show the extent of built development expected within the plan period for planning purposes. It is not the intention to show the level of detail suggested.

Comments noted. No modification proposed.

Gretna Border - GTN.H1 adjacent to Hazeldene

Taylor & Hardy obo Gretna Green Group (0019.017) - Part of the site was granted planning permission in principle for residential development in 2015. It is proposed to allocate site for housing development in LDP2. It is recommended that the site is extended to ensure development viability GTN.H205 Adjacent to Hazeldene (extended) with an indicative capacity of 70 units. The site is included in the Council's Strategic Housing Investment Programme (SHIP) and there is a willing landowner. The site guidance contained within the current LDP requires a noise assessment and any necessary mitigation from adjoining A74(M).

Landscaping along the boundary of the site with the A74(M) is also required.

Comments noted. Recommended to include site in Proposed Plan as GTN.H205 Adjacent to Hazeldene (extended) with an indicative capacity of 70 units.

Scottish Natural Heritage (0122.002) - Part of the site was granted planning permission in principle for residential development in 2015. It is proposed to allocate site for housing development in LDP2. The site guidance contained within the current LDP requires noise assessment and any necessary mitigation from adjoining A74(M). Landscaping along the boundary of the site with the A74(M) is also required. Policy OP2 allows for successful Placemaking and a planning application would require to be assessed in this context.

Comments noted. Recommended to include site in Proposed Plan as GTN.H205 Adjacent to Hazeldene (extended) with an indicative capacity of 70 units.

Ian Richmond (0285.006) - The site guidance contained within the current LDP requires noise assessment and any necessary mitigation from adjoining A74(M). Comments noted. Recommended to include site in Proposed Plan as GTN.H205 Adjacent to Hazeldene (extended) with an indicative capacity of 70 units.

Gretna Border - GTN.H2 land north of Victory Avenue (Phase 1)

Taylor & Hardy obo Gretna Green Group) (0019.013) - Planning applications - 16/1773/PIP for residential development at land north of Victory Avenue & 16/1774/FULL for formation of roundabout at Glasgow Rd/Victory Avenue are currently being determined.

Comments noted. Recommended to retain site in Proposed Plan.

Alan and Toni Balfour (0148.001); Amos Balfour (0149.001) - Planning applications - 16/1773/PIP for residential development at land north of Victory Avenue & 16/1774/FULL for formation of roundabout at Glasgow Rd/Victory Avenue are currently being determined. There is a requirement for a masterplan to be submitted and agreed with the Council which requires to address a range of matters.

Policy T2: Location of Development and Access Requirements sets out the requirements for all development proposals in terms of accessibility and on/or off site mitigation measures. A transport assessment will also be required and this will be added to the site guidance. Impact on the local road network and the need for road improvements would be addressed at the planning application stage. A water course traverses the site. A Drainage Impact Assessment should be submitted and dependent on its findings a flood risk assessment may be required to be agreed by SEPA and the Council as part of any planning application. This requirement will be included in the site guidance.

Scottish Water have advised there is sufficient capacity at the Gretna Waste Water Treatment Works, subject to a Drainage Impact Assessment and early engagement with Scottish Water via the Pre-Development enquiry process. Education Department have advised that developer contributions would be required for Gretna Primary School and Annan Academy.

The site is not identified as a protected area of open space, but it is acknowledged it may be used informally as open space given its location on the edge of Gretna. Policy CF3:Open Space provides for the provision of open space in housing developments.

Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities.

Gretna is served by frequent bus and rail services.

Potential issues concerning increased crime rates and lack of jobs are not matters directly related to the LDP.

Recommended to retain site in Proposed Plan.

Gretna & Rigg CC (0273.001) - Planning applications - 16/1773/PIP for residential development at land north of Victory Avenue & 16/1774/FULL for formation of roundabout at Glasgow Rd/Victory Avenue are currently being determined. The site guidance contained within the current LDP states that a master plan is required. A transport assessment will also be required and this will be added to the site guidance.

The site guidance contained within the current LDP also requires a noise assessment to be undertaken along with any necessary mitigation to address cumulative noise pollution from the A75 and trains using the railway line to the north.

Scottish Water has advised that the existing water network in Gretna requires upgrade work to be carried out to accommodate new development. This includes the provision of a new Service Reservoir and extensive water main upgrades.

Recommended to retain site in Proposed Plan and site guidance will be revised to include requirement for a Transport Assessment.

Gretna Border - GTN.H4 Halcrow Stadium

Sportscotland (0008.003) - Comments noted. No modification proposed.

Gretna Border - GTN.H6 land south of Old Graitney Road

Historic Environment Scotland (0012.004); John Bewick (0199.001); Mr and Mrs Noreen Boyes (0242.001) - Historic Environment Scotland have advised that the site is located within the Battle of Sark (Inventory Battlefield, BTL40) and sensitive development is possible on this site, subject to an assessment of potential impacts on the historic battlefield. This raises issues of effectiveness and development viability as the site is allocated for 20 units.

Recommended to remove site from Proposed Plan and retain settlement boundary as is.

Gretna Border - GTN.H7 land north of Victory Avenue (Phase 2)

Scottish Natural Heritage (0122.002) - Comments noted. Appropriate reference will be made in the site guidance to the burn corridor offering an opportunity to create a green network.

Recommended to retain site in Proposed Plan as long term allocation and amend existing site guidance to include reference to burn corridor offering an opportunity to create a green network.

Alan and Toni Balfour (0148.001); Amos Balfour (0149.001) - The site guidance contained within the current LDP requires a master plan to address a range of matters including road connections linked to adjacent housing sites and the integration of open space. A flood risk assessment is also required to be submitted to and agreed in writing by SEPA and the Council as part of any planning application. Policy T2: Location of Development and Access Requirements sets out the requirements for all development proposals in terms of accessibility and on/or off site mitigation measures. A transport assessment will also be required and this will be added to the site guidance. Impact on the local road network and the need for road improvements would be addressed at the planning application stage.

Scottish Water have advised there is sufficient capacity at the Gretna Waste Water Treatment Works, subject to a Drainage Impact Assessment and early engagement with Scottish Water via the Pre-Development enquiry process. Education Department have advised that developer contributions would be required for Gretna Primary School and Annan Academy.

The site is not identified as a protected area of open space, but it is acknowledged it may be used informally as open space given its location on the edge of Gretna. Policy CF3:Open Space provides for the provision of open space in housing developments.

Recommended to retain site in Proposed Plan as long term allocation and amend site guidance to include requirement for transport assessment.

Gretna & Rigg CC (0273.002) - Gretna Border includes Gretna, Gretna-Green and Springfield. Policies OP1 (b) seek development proposals that protect and enhance the historic character and OP2 seeks high quality design in new development.

Scottish Water has advised there is sufficient capacity at the Gretna Waste Water Treatment Works, subject to a Drainage Impact Assessment and early engagement with Scottish Water via the Pre-Development enquiry process. Scottish Water has advised that the existing water network in Gretna requires upgrade work to be carried out to accommodate new development here. This includes the provision of a new Service Reservoir and extensive water main upgrades.

The site guidance contained within the current LDP requires a master plan to address a range of matters including road connections linked to adjacent housing sites and the integration of open space. The site guidance also requires noise mitigation measures to address cumulative noise pollution from the A75 and trains using railway line due north and the requirement for landscape mitigation along the northern boundary.

Recommended to retain site in Proposed Plan as long term allocation.

Mr C and Mrs J Dodd (0302.002) – In order to provide a range of housing allocations in Gretna Border it is proposed to include both housing allocations GTN.H7 Land north of Victory Avenue (Phase 2) as a long term allocation and GTN.MU1 Former Golf Course in LDP2.

Recommended to retain site in Proposed Plan as long term allocation.

Gretna Border - GTN.MU1 former Golf Course

Sportscotland (0008.003) - Comments noted. No modification proposed.

Beverley Ann Robinson (0193.001) - All sites contained within the LDP have been reviewed and reassessed for inclusion in LDP2. Planning Applications Committee of May 2016 were minded to approved planning permission in principal for mixed use development (15/P/4/0277) subject to the successful completion of a Section 75 Obligation. Details of the planning obligation are subject to ongoing discussion between the relevant parties.

Recommended to retain site in Proposed Plan.

Mr C and Mrs J Dodd (0302.002) - All housing allocations have been assessed against a range of criteria for development and successful place making. It is accepted that development of the site would involve the loss of prime agricultural land but this factor applies in the main to all sites in the Gretna area. Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other. It is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with regards to on site protected wildlife prior to development. The results of such work will be a material consideration in the assessment of proposals.

Planning Applications Committee of May 2016 were minded to approved planning permission in principal for mixed use development (15/P/4/0277) subject to the successful completion of a Section 75 Obligation. Details of the planning obligation are subject to ongoing discussion between the relevant parties.

Recommended to retain site in Proposed Plan.

Mr C and Mrs J Dodd (0302.003); Mrs E Pollock (0320.001) – All housing allocations have been assessed against a range of criteria for development and successful place making. It is accepted that development of the site would involve

the loss of prime agricultural land but this factor applies in the main to all sites in the Gretna area. Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other. It is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with regards to on site protected wildlife prior to development. The results of such work will be a material consideration in the assessment of proposals.

The existing water network serving Gretna requires major upgrade work to accommodate new development in the settlement. This includes the provision of a new Service reservoir and extensive water main upgrades. This is currently the subject of discussions with Scottish Water to identify a solution to this issue. Planning Applications Committee of May 2016 were minded to approved planning permission in principal for mixed use development (15/P/4/0277) subject to the successful completion of a Section 75 Obligation. Details of the planning obligation are subject to ongoing discussion between the relevant parties. Recommended to retain site in Proposed Plan.

Mr C and Mrs J Dodd (0302.003) – The housing allocation relates to the first 10 year period of the current LDP. The site guidance contained in the adopted LDP refers to the need for a pedestrian/cycle access from Dominion Road. Scottish Water has advised that the existing water network in Gretna requires upgrade work to be carried out to accommodate new development. This includes the provision of a new Service Reservoir and extensive water main upgrades. This is currently the subject of discussions with Scottish Water to identify a solution to this issue. Recommended to retain site in Proposed Plan.

Gretna Border - GTN.H201 adjacent to Rhone Villa

Taylor & Hardy obo Gretna Green Group (0019.012) - All sites have been assessed in relation to a range of factors in both planning terms and in relation to SEA requirements in a factual manner. The relevant weight given to different aspects is considered in the overall planning assessment on a case by case basis.

The site is not considered suitable for housing development due to the significant negative impact in terms of landscape as the site is dominated by M74, A75 and railway line which abut the site. Impacts from the M74 which is overlooking the site are particularly significant and there is very little scope to mitigate against impact. Development of the site would involve the loss of greenfield land and prime quality agricultural land which is currently in production. The National Soil Map for Scotland shows the site is classified as 3.2 agricultural land which is considered to be prime land.

A number of other housing sites have been included for development in the settlement that are considered to meet the identified housing strategy and are more appropriate in terms of place-making.

Recommended to not to include site in Proposed Plan.

Gretna Border - GTN.H202 Raydale, Annan Road

Taylor & Hardy obo Donald Jefferson (0019.010) - Comments noted. There is considered limited capacity to accommodate new dwellings on the site due to the need to safeguard the mature trees. This will be addressed in the site guidance.

Recommended to include site in Proposed Plan.

Ian Richmond (0285.006) - The site has been identified as a potential housing site. No information has been submitted for the potential of the site to be developed for leisure facilities. The site represents an infill redevelopment opportunity.

Recommended to include site in Proposed Plan for housing.

Gretna Border - GTN.H205 adjacent to Hazeldene (Extended)

Taylor & Hardy obo Gretna Green Group (0019.017) – The MIR states that the site in part relates to the existing housing allocation GTN.H1 Adjacent to Hazeldene which represents a poor environment given its proximity to the A74(M) and slip roads. The site guidance contained within the adopted LDP states that a noise assessment and any necessary mitigation from the adjoining A74 (M) is required together with appropriate landscaping. Roads have advised that the site can be accessed from the C141a but would require to be formed within the 30mph speed limit with potential access also available onto Gretna Loaning B7076. Along much of the C141a frontage the site lies below the level of the road and will require significant infill to achieve satisfactory access gradients from an adoptable road. In order to address and overcome these constraints it is recommended that the site is included in the proposed plan with a capacity of some 70 units in order to address the issue of development viability and ensure a comprehensive landscaping scheme is developed.

Recommended to include site in Proposed Plan with an indicative capacity of 70 units.

Scottish Natural Heritage (0122.002) – Comments noted.

Policy OP2 allows for successful Place-making and a planning application would require to be assessed in this context.

Recommended to include site in Proposed Plan with an indicative capacity of 70 units.

Ian Richmond (0285.006) - The site guidance will require a noise assessment to be undertaken along with any necessary mitigation to address cumulative noise pollution from the A74(M). Landscaping along the boundary of the site with the A74(M) is also required.

Recommended to include site in Proposed Plan with an indicative capacity of 70 units.

Gretna Border - GTN.H207 Old Graitney –

Robert Potter obo Norman (0064.029) – It is considered that sufficient housing land has been allocated within the Annan HMA to adequately meet the housing land requirement.

All sites submitted for consideration for inclusion in LDP2 have been subject to a full planning assessment as well as an SEA assessment. This involved a comprehensive assessment of the existing housing allocations and sites submitted through the Call for Sites exercises. The landownership and marketability of sites has been considered during the site assessment process. Further discussions have taken place with landowners to ascertain the marketing arrangements for sites.

The Reporters findings on the final draft plan did not recommend inclusion of this

site in the current LDP. The Reporter found that while the site offers some potential and accept that the constraints are unlikely to differ from those on the adjacent allocated site GTN.H5 Land north of Old Graitney Road. It was considered the existing extent of the allocated site serves to round off the settlement along this edge. The site has not been included in the MIR as development would involve the loss of prime agricultural land and greenfield land. Although it may be technically possible to develop this site, it is not required to meet housing land requirements at this time. A number of other sites have been included for development that are considered to meet the identified housing strategy.

Recommended not to include site in Proposed Plan.

Gretna Border - GTN.H208 south of Braemar, Main Street, Springfield

Butler Land Management obo David Wilson (0038.014) - The MIR involved a comprehensive assessment of the sites submitted through the Call for Sites exercises. The site has not been included in the MIR as development would have a negative impact on the landscape. It would also involve the loss of prime agricultural land and greenfield land. There are issues regarding access to the site and it is distant from community facilities. A number of other sites have been included for development that are considered to meet the identified housing strategy.

Recommended not to include site in Proposed Plan.

Gretna Border - GTN.H210 School Lane, Springfield

Darren Lloyd (0187.001) - Comments noted. Recommended not to include site in Proposed Plan.

Springfield and Gretna Green CC (0238.001) ; Springfield and Gretna Green CC (0238.002)

– It is noted that the site is located in close proximity to Springfield Primary School and the adjoining public open space. The MIR involved a comprehensive assessment of the sites submitted through the Call for Sites exercises. The site has not been included in the MIR as development would involve the loss of prime agricultural land and greenfield land. Development would have an adverse impact on the landscape. There is limited scope to mitigate in part with landscaping and planting, the site is open to the east and there is no defensible boundary given the topography. A number of other sites have been included for development that are considered to meet the housing strategy.

Recommended not to include site in Proposed Plan.

Gretna Border – Housing new site: GTN.H212 land south of Lyndhurst, Main Street, Springfield

H&H Land & Property obo Mr Kirkbride (0158.001); Springfield and Gretna Green CC (0238.001); Springfield and Gretna Green CC (0238.002) – The main issue for this site involves securing adequate access. There may be scope to provide links to the Main St however, these appear to be over third party land outwith this identified site and it is unclear if there is any potential for a desirable vehicular link to the Main St. Access to this site may be formed onto the C141a to the south however, whilst this road does have street lighting and is kerbed, it lacks footways, is outwith the settlement, is rural in nature and the National speed limit (60mph) applies. As the site frontage onto the C141a progresses eastwards, the site level rises presenting more of an engineering challenge. The site cannot be

considered unless further information is provided to demonstrate that road access can be satisfactorily achieved to appropriate standards. The landowner would require to demonstrate that adequate road access can be achieved to the site. The site also involves the development of greenfield land and prime agricultural land. The site would also involve potential impact on the cultural heritage as archaeological issues require evaluation and appropriate mitigation to be carried out (Roman road passes through northern part of the site). A number of other sites are included in Gretna Border for development that are considered to meet the identified housing strategy. Recommended not to include site in Proposed Plan.

Gretna Border – GTN.MU201 land adjacent to Toll Bar, west of B7076

Taylor & Hardy obo Gretna Green Group (0019.015) – The MIR advised that the site has not been included due to significant flood risk and SEPA advise that the site should not be allocated for development. The site is within the SEPA floodplain for medium coastal flooding. It is noted that application 16/1660/FUL (15 November 2016) has been approved for the erection of a cycle/hire shop at the Old Toll Bar, Sarkbridge, Gretna on the site to the eastern side of the B7076. When commenting on this planning application for the erection of a cycle hire shop the FRMT had no concerns due to the type of development and also the fact that it was small scale. SEPA confirmed there was no significant impact on the storage capacity of the functional flood plain and the developer had in place mitigation options for flood risk.

This site is being promoted for mixed use – retail, industrial/commercial and tourist recreation /leisure. FRMT have advised that the type of use being proposed and the potential footprint of the site raises concerns. Scottish Planning Policy stipulates “Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.”

As part of the planning objectives for Gretna Border it is proposed to add:- ‘support development that provides and enhances Gretna’s important role as the Gateway to Scotland as a major retail and tourist destination’.

Recommended not to include site in Proposed Plan.

Recommended to include supportive statement to planning objectives for Gretna Border.

Gretna Border – GTN.MU202 land adjacent to Toll Bar, east of B7076

Taylor & Hardy obo Gretna Green Group (0019.014) – Comments and recent planning consents noted. Current planning consents for retail development at land north of the Old Toll Bar, Gretna – 15/P/4/0232 approved 15 February 2017 for the erection of Class 1 foodstore and petrol filling station and 16/1660/FUL approved 15 November 2016 for the erection of a cycle/hire shop at the Old Toll Bar, Sarkbridge, Gretna. The settlement boundary for Gretna Border will be revised to include these development sites.

As part of the planning objectives for Gretna Border it is proposed to add - Support development that provides and enhances Gretna’s important role as the Gateway to Scotland as a major retail and tourist destination.

Recommended to amend settlement boundary to include recent retail consents and add supportive statement to planning objectives for Gretna Border.

LOCAL CENTRES – HOUSING AND MIXED USE SITES

Eaglesfield - EGL.H2 land between Ashyards Crescent and Sunnybrae

Ingrid Carruthers (0309.001) - The scale of the site is considered to be compatible with Eaglesfield. Policy OP2 seeks high quality design in new development. The site guidance contained within the current LDP requires an appropriate package of improvements to local road network to accommodate development and loop road configuration with two accesses. Detailed issues of road access would be assessed through the determination of a planning application

Policy OP1d is relevant to the consideration of a planning application. It is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with regards to on site protected wildlife prior to development. The results of such work will be a material consideration in the determination of a planning application. Recommended to retain site in Proposed Plan.

Eaglesfield - EGL.H202 Belmont Avenue/Bower Bank 2

Scottish Natural Heritage (0122.002) - Comments noted. Recommended not to include site in Proposed Plan.

Eaglesfield - EGL.H203 land East of Former Roads Depot, Burnswark

David Fallas obo Kerr Investments (0071.007) – The site guidance contained in the current LDP states that road access due east of the site for potential long term expansion of Eaglesfield should not be compromised. It is noted that application 16/1672/FULL for the erection of 30 dwellings on the adjoining site EGL.H1 is in the process of being determined. There are other housing allocations in Eaglesfield that would meet the housing strategy. Recommended not to include site in Proposed Plan.

Eastriggs - ERL.H1 Gillwood Road

Alan Mclatchie (0169.001) - Loss of privacy need not arise with careful site design and layout which would be addressed at the application stage. Recommended to retain site in Proposed Plan.

Eastriggs, Dornock & Creca CC (0211.001); Kevin and Isabelle A Clark

(0321.001) - The land opposite is identified in the LDP as a protected area of open space. In addition, there is protected open space adjoining Durban Road and Melbourne Avenue which is also within easy walking distance from Gillwood Road. There does not appear to be any deficiency in supply of open space in the immediate area and no justification to safeguard the site for additional open space. Recommended to retain site in Proposed Plan.

Eastriggs - ERL.MU1 Stanfield Farm

John A MacColl (0048.032); Eastriggs, Dornock & Creca CC (0211.001) - Comments noted. Recommended to retain site in Proposed Plan.

Eastriggs – Mixed Use new site: ERL.MU202 land adjoining Stanfield Farm

David Jones (0176.001) - The inclusion of the field unit in site ERL.MU1 would make a logical development boundary. The site boundary will be amended to include this area of land. Recommended to include site in Proposed Plan as part of site ERL.MU1.

Ecclefechan - General

(i) Jill Callander (0167.001) - The settlement boundary indicates the extent of

built development expected within the plan period for planning purposes. It does not necessarily indicate, what the community may consider the extent of the settlement to be. No modification(s) proposed.

(ii) Jill Callander (0167.001) - Whilst the caravan site is residential in nature it presents a different form and pattern of development. It is considered that the existing settlement boundary at this location represents a logical and long term defensible boundary to the settlement.

Scottish Water have advised that there is sufficient capacity for the allocated housing sites to connect to the public sewer subject to early discussions on build out rates and to establish growth requirements. No modification(s) proposed.

(iii) Jill Callander (0167.001) - The sawmill is located outwith the settlement boundary. The matter has been investigated by the Enforcement Team and although planning permission is required for an extension to the building, it was determined not to take enforcement action. The issue of smoke across the M74 has been passed to Transport Scotland. No modification(s) proposed.

(i) Hoddom & Ecclefechan CC (0314.001) - The settlement boundary indicates the extent of built development expected within the plan period for planning purposes. It does not necessarily indicate, what the community may consider the extent of the settlement to be. The Established Business and Industry site at the north end of the village will be included in the Inset Map for the settlement to reflect recent developments. Recommended to change settlement boundary to include Established Business and Industry site at north end of village

(ii) Hoddom & Ecclefechan CC (0314.001) - Comment noted. No modification(s) proposed.

Ecclefechan - ECC.H1 land adjacent to Tiree

Jill Callander (0167.001) – Comments noted. Recommended to remove site from Proposed Plan and retain settlement boundary as is.

Hoddom & Ecclefechan CC (0314.001) - The site is currently in business use. The LDP does not propose to allocate sites for development that are currently in use as operational businesses. Policy H1b allows for the development of infill/windfall sites within settlement boundaries which would result in the development of a brownfield site. Landowner has not confirmed interest in the availability of the site for housing development and it is considered non effective due to ownership issues. Recommended to remove site from Proposed Plan and retain settlement boundary as is.

Ecclefechan - ECC.H2 land south of Buccleuch Cottage

Jill Callander (0167.001); Hoddom & Ecclefechan CC (0314.001) - The site is currently in operational use as a poultry farm. The LDP does not propose to allocate sites for development that are currently in use as operational businesses. Policy H1b allows for the development of infill/windfall sites within settlement boundaries which would result in the development of a brownfield site. Landowner has not confirmed interest in the availability of the site for housing development and it is considered non effective due to ownership issues. Recommended to remove site from Proposed Plan and retain settlement

boundary as is.

Ecclefechan - ECC:H3 Ibrak Farm

Jill Callander (0167.001) - SEPA have advised that part of the site may lie within the 1:200 year flood plain of the Mein Water. The site guidance contained within the current LDP states a flood risk assessment will need to be submitted to and agreed by SEPA and the Council as part of the planning application to identify the developable area. The existing SuDS from the adjoining Drumbow Homes site on Meadowfoot Road and proposed SuDS drainage should be consolidated. Recommended to retain site in Proposed Plan.

Hoddum & Ecclefechan CC (0314.001) - The purpose of the LDP settlement maps is to show the extent of built development expected within the plan period for planning purposes. It is not the intention to show the level of detail suggested. The site guidance contained within the current LDP states that the existing SuDS from the adjoining Drumbow Homes site on Meadowfoot Road and proposed SuDS drainage should be consolidated. Recommended to retain site in Proposed Plan.

Ecclefechan – Housing New Site: ECC.H201 land due south of Fairview

Hoddum & Ecclefechan CC (0314.001) – Development of this site would require further investigation in relation to potential archaeology and landscape mitigation. The site cannot be considered unless further information is provided to demonstrate that any adverse impact on archaeology and the landscape impact can be overcome with appropriate mitigation. Adverse landscape impact as development would change overall character of the B7076 and the village itself. Landowner unknown and no known development intentions. Recommended not to include site in Proposed Plan.

BUSINESS AND INDUSTRY

Chapelcross - General

GVA obo NDA and Magnox (0079.005) - Comments noted. No modification proposed.

Barry Smitham (0297.001) - The Chapelcross sites are allocated for business and industry uses. Sites CPC.B&I1 Chapelcross North and CPC.B&I3 Chapelcross West should be accessed from the B722, subject to road improvements being made. CPC.B&I2 Chapelcross South may require the junction with the B722 to be upgraded depending on the scale and type of development proposed. Supplementary Guidance Chapelcross Development Framework 2015 provides further details. Traffic movements would be assessed as part of the determination of a planning application or through the SPZ process which is in the process of being investigated.

Comments noted. No modification proposed.

Chapelcross - CPC.B&I1 Chapelcross North

GVA obo NDA and Magnox (0079.005) - Comments noted. No modification proposed.

Chapelcross - CPC.B&I2 Chapelcross South

GVA obo NDA and Magnox (0079.005) - Comments noted. No modification

proposed.

Chapelcross - CPC.B&I3 Chapelcross West

GVA obo NDA and Magnox (0079.005) - Comments noted. No modification proposed.

Annan – New Site: ANN.B&I201 South of the A75(T) and East of the B6357

Dumfries & Galloway Council Development Plan Team (0100.043) – Landowner has been contacted about the proposed allocation of the site for business and industry and is currently considering the position and taking advice.

There is strong demand for employment land in the east of Dumfries and Galloway in the Annan and Dumfries HMAs. This site is located in close proximity to Annan Business Park and would provide an opportunity for a further phase of Annan Business Park to be brought forward. The current phase of Annan Business Park is on the verge of being fully built out and there is unmet demand for plots there. The site should be developed in a series of phases and a Masterplan would be required. Further site requirements are set out in the site guidance.

Recommended to include site in Proposed Plan.

Annan – New Site: ANN.B&I202 land between B6357 and B721 (south)

Dumfries & Galloway Council Development Plan Team (0100.044) – The proximity of dispersed houses at this location would result in potential land use conflict for a business and industry allocation. There is also a negative impact in terms of landscape and potential flood risk from the Howgill Burn which would require a flood risk and drainage impact assessment. A preferred option for a business and industry site has been identified at ANN.B&I201.

Recommended not to include site in Proposed Plan.

Ecclefechan – ECC.B&I1 Land adjoining B7076, Jct 19 A74 (M)

Jill Callander (0167.001); Hoddum & Ecclefechan CC (0314.001) - SEPA have advised that there is a potential flood risk from two minor watercourses adjacent to the site. A Flood Risk Assessment is required which would require to be agreed by SEPA and the Council as part of any planning application.

Recommended to retain site in Proposed Plan. Modification proposed to site guidance to include requirement for Flood Risk Assessment.

Ecclefechan – New Site: ECC.B&I202 Pennersaugh Farm

Laurence T Wilson (Planning) obo Armitstead (0070.010) – Significant impact in terms of cultural heritage and landscape as proximity of scheduled ancient monument, archaeological sites, listed buildings and Non-Inventory Designed Landscape and impact on their setting. Significant landscape impact concerns to east part of site which is prominent and exposed. Roads have advised that given the scale of the site it would be appropriate that there are two points of access, however scope may be limited at the eastern end of the site where there appears not to be direct frontage onto the B7076. The site cannot be considered unless further information is provided to demonstrate that road access can be satisfactorily achieved to appropriate standards, landscape mitigation is sufficient and that there would be no adverse impact on the setting of scheduled monuments and listed buildings in the vicinity. Recommended not to include site in Proposed Plan.



Issue 12	Eskdale HMA
Main Issues Report reference:	Section 3 - Settlement Statements and Inset Maps: 3.3 Eskdale Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.004) Scottish Natural Heritage (0122.002) Martin Robertson (0146.002) Woodland Trust (0152.001)</p>	
Summary of the representation(s):	
<p>Eskdale HMA - General <u>Martin Robertson (0146.002)</u> - Agree with the preferred approach set out to the sites and settlements in Eskdale HMA.</p> <p>Langholm - General <u>Woodland Trust (0152.001)</u> - Langholm appears to have a relatively high density of ancient woodland. It is areas like this which have the greatest potential to put ancient woodland on a sustainable footing if inappropriate development is avoided and a general reduction in the intensity of surrounding land use. It is particularly important for the development planning in these areas to consider the impact on ancient woodland.</p> <p>Langholm - LHM.H1 Holmwood Crescent <u>Woodland Trust (0152.001)</u> - According to the AWIS this site is surrounded on several sides by ancient woodland – both 1a and 2a ancient woodland (Interpreted as semi-natural woodland from maps of 1750 (1a) or 1860 (2a) and continuously wooded to the present day.) This site known as Gallowside Wood, could be adversely impacted by the change in land use of the surrounding agricultural land to a housing development. Therefore do not think that building next to such a rare habitat is ideal. However, ask that if this site is to remain in the LDP a buffer area, as described above, is considered as a protective measure to reduce damage to the nearby ancient woodland.</p> <p>Langholm - LHM.H2 Meikleholm Cottage <u>Woodland Trust (0152.001)</u> - This site is also bordered by ancient woodland 1a which could potentially be damaged by development. Do not oppose this development if it remains within the boundary of the previous development (the derelict cottage), however if the proposed development extends significantly beyond the previous development advise a buffer zone of 50m to protect the significant surrounding ancient woodland.</p> <p>Langholm - LHM.H3 south of Meikleholm <u>Woodland Trust (0152.001)</u> - This site is bordered by ancient woodland 1a , Gallowbank Wood. Creation of new woodland, or a buffer zone of semi-natural vegetation for at least 50m around Gallowbank Wood should be a requirement if</p>	

this development is to go ahead.

Langholm - LHM.H4 Murtholm Farm

Historic Environment Scotland (0012.004) - This site is located adjacent to Skipper's Bridge (Category A listed structure, LB9764). Development within this allocation should take into account the setting of this listed building. The impact of construction vehicles on the fabric of the bridge should also be considered.

Scottish Natural Heritage (0122.002) - The existing allocation LHM.H4 is to be reviewed in terms of viability and the requirement that a pedestrian and cycle bridge is to be provided. Note that the site is surrounded by an extensive local path network. Paths within the site should link to this existing network as well as to the town centre via the proposed bridge.

Woodland Trust (0152.001) - This site is bordered to the north by ancient woodland 1a, Carlingil Wood. The MIR states that this site is being considered as a long term option and may have issues affecting its viability. The development of up to 200 units on formerly agricultural land could have a massive impact on the environment, in particular Carlingil Wood. The intensity of the land use affects the intensity of the edge effects and a housing development of this scale would likely cause very intense edge effects. The site should be removed from consideration.

Langholm - LHM.201 former Primary School

Historic Environment Scotland (0012.004) - Welcome inclusion of this site, provided that it supports the retention and sensitive reuse of the listed school buildings and that new development respects its setting.

Council response and proposed modifications:

Eskdale HMA - General

Martin Robertson (0146.002) - Comments noted. No modification(s) proposed.

Langholm - General

Woodland Trust (0152.001) - Comments noted. Policy NE7 seeks to maintain woodlands (in particular ancient and semi-natural woodlands). No modification(s) proposed.

Langholm - LHM.H1 Holmwood Crescent

Woodland Trust (0152.001) - Include appropriate reference to proximity to ancient woodland in site guidance. Recommended to retain site in Proposed Plan.

Langholm - LHM.H2 Meikleholm Cottage

Woodland Trust (0152.001) – Development proposals would be assessed against Policy OP1(d) which seeks to protect and/or enhance ancient woodland. Include appropriate reference to proximity to ancient woodland in site guidance. Recommended to retain site in Proposed Plan.

Langholm - LHM.H3 south of Meikleholm

Woodland Trust (0152.001) - Development proposals would be assessed against Policy OP1(d) which seeks to protect and/or enhance ancient woodland. Include appropriate reference to proximity to ancient woodland in site guidance.

Recommended to retain site in Proposed Plan.

Langholm - LHM.H4 Murtholm Farm

Historic Environment Scotland (0012.004) - Include reference to listed structure at Skippers Bridge in site guidance.

Scottish Natural Heritage (0122.002) - Include reference in site guidance to links to local path network.

Woodland Trust (0152.001) - Include appropriate reference in site guidance to proximity of ancient woodland and requirement for development to take this into account.

Recommended to retain site in Proposed Plan.

Langholm - LHM.201 former Primary School

Historic Environment Scotland (0012.004) - Site guidance will include appropriate reference to the retention and sensitive reuse of the listed school buildings and that any new development respects its setting. Recommended to include site in Proposed Plan.

Issue 13	Dumfries HMA – General, and District and Local Centres
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.4 Dumfries Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Sportscotland (0008.003) Historic Environment Scotland (0012.004) White Hill Design obo Lochwood Estates (0060.002) (0060.003) Robert Potter obo Kindbuild (0064.031) Robert Potter obo Calmac (0064.032) David Fallas (Planning) obo Kerr Investments (0071.008) Moffat & District CC (0093.007) Dumfries & Galloway Council Development Plan Team (0100.040) (0100.041) (0100.042) (0100.045) (0100.048) Scottish Natural Heritage (0122.002) Deborah Trower (0144.001) Martin Robertson (0146.002) Simon Woodgates (0147.001) Woodland Trust (0152.001) Land Factor Ltd (0160.001) Stephen Sparrow (0162.001) Mr and Mrs Draeger (0168.001) Kenneth and Sheila Campbell (0177.001) Margaret Nicholson (0184.001) Nicola Malcolm (0191.001) (0191.002) Lorna Baxter (0197.001) Robert Allan (0200.001) Alex and Sandra Jappy (0202.001) David T Drife (0203.001) M G Oxley (0234.001) John Handley Associates obo Equorium Property & EWM Group (0251.001) Jill Murray and C Currie (0256.001) Church Place Surgery, Moffat (0257.001) John Richards (0258.001) Natalie Chalmers (0260.001) (0260.002) (0260.003) Turley Associates obo Story Homes (0263.006) Ronald Lewis-Smith (0267.001) Colin Douglas (0271.001) (0271.002) (0271.003) Lochmaben CC (0275.001) Daniel Haddock (0294.001) Marie Stein (0295.001) Ian and Elizabeth Kerr (0307.001) Scottish Wildlife Trust (0318.001) Jack and Sheila Wade (0322.001) Ryden obo NHS Dumfries (0325.001) Paul Medley (0327.001) Holder Planning obo Sandy Robson (0332.001) (0332.002)</p>	

J R Harkness (0334.001)

Summary of the representation(s):

DUMFRIES HMA

General

Martin Robertson (0146.002) - The AHSS recommendations about the Allocated Sites in Thornhill and Holywood in LDP1 remain relevant.

Turley Associates obo Story Homes (0263.006) - Endorse the proposed approach to the allocation of the housing land requirement within the Dumfries HMA, Story Homes Ltd agrees with the allocation of a minimum of 50% (no. 1,764) of the housing units in the Regional Capital, Dumfries. This proposed approach reinforces the Council's Vision of Dumfries consolidating its position as the Regional Capital. By focusing the majority of future housing development in the Dumfries HMA in a settlement with a good range of services and facilities, in addition to employment opportunities, this proposed approach also supports the Council's Spatial Strategy.

DISTRICT CENTRES

Kirkconnel and Kelloholm - KCN.H1 Glenaber Avenue

Simon Woodgates (0147.001) - The representor is not opposed to increased housing in Kelloholm, as the village needs to meet the growing lifestyle choices of many more smaller family units .

Always a flood plain the area has steadily worsened since 'casting' was undertaken over a three month period in 2014. Discard was transported from the Bing located behind the Gateside houses and mixed with type 1 and soil to cover over a massive surface pipe running underneath the Brown Brothers truck park. Dye tests are required. The amount of ground water that has been displaced to the boundary lines to the rear of gardens on Williamson Way and, Glenaylmer Road, have created a huge waterlogged public space. Many of the trees behind these gardens have died. The tarmac footpath bisecting this greenbelt in front of the primary School is often flooded, and reed grass is thriving.

Kirkconnel and Kelloholm – Housing new site: KCN.H201 land south of Main Street

Simon Woodgates (0147.001) - What is wrong with developing the brown filled land on Kirkconnel main street, formerly occupied by a school and opposite the adult resource centre?

Kirkconnel and Kelloholm - KCN.B&I1 Greystone Avenue

Sportscotland (0008.003) - The representor has reviewed the proposed development sites, with a view to identifying those where it is likely that they would be a statutory consultee if they were to be the subject of a planning application, i.e. land used, or last used, as an outdoor sports facility as defined in the Development Management Regulations 2013. Should a planning application be submitted on a site which they are statutory consultee, they would base our response against the provisions of Scottish Planning Policy (SPP) paragraph 226. This site is sited on pitches adjacent to Greystone Avenue

Simon Woodgates (0147.001) - KCN.B&I1 shows a distinct lack of understanding

of the reality concerning current access to BROWN BROTHERS delivery entrance. The business has expanded massively, the application for an extension to the Butchers Unit completed in January/February 2015 and a new hard stand for a fleet of articulated trucks and dispatch finished in July 2014 has meant a steady flow of National and International vehicles arriving along NEEDLE STREET at one end and HYSLOP STREET at the other. The Un-named road servicing the delivery entrance is currently too narrow for the 21st Articulated Lorry. The road was patched up on Ronnie Millers watch, over 3.5 years ago when the sub base for a 50 meter stretch of this road collapsed. The remainder is now the same and in need of urgent attention.

The width of the road has always been contentious. The Highways dept has spent thousands replacing curb stones and part of one footpath. A pointless waste of public money given that the articulated lorries continue to ride over them, as it is impossible to pass one another without doing so.

Kirkconnel and Kelloholm - KCN.B&I201 land south of Kellobank

Sportscotland (0008.003) - The representor has reviewed the proposed development sites, with a view to identifying those where it is likely that they would be a statutory consultee if they were to be the subject of a planning application, i.e. land used, or last used, as an outdoor sports facility as defined in the Development Management Regulations 2013. Should a planning application be submitted on a site which we are statutory consultee, they would base our response against the provisions of Scottish Planning Policy (SPP) paragraph 226. This site is sited on pitches adjacent to Greystone Avenue

Lochmaben - LMB.H2 Laverockhall

Sportscotland (0008.003) - Should a planning application be submitted on a site which the representor are a statutory consultee, they would base the response against the provisions of Scottish Planning Policy (SPP) paragraph 226. This states that outdoor sports facilities should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with sportscotland show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

The site contains a grass pitch measuring some 80 x 60m

Lochmaben CC (0275.001) - Object to development of LMH:H2 and further housing development in Lochmaben on the grounds of increased vehicular traffic on the A709 (approx 8,000 vehicles pass through Lochmaben High Street on weekdays).

Object to development of LMH:H2 and further housing development in

Lochmaben on basis of insufficient capacity in water and sewerage network and also network problems. Concern about water pressure issues, and flooding from surface water and foul water as existing infrastructure unable to cope
Questions whether there is capacity in the nursery and primary school.
Object to development of LMH:H2 and further housing development in Lochmaben on basis of

- Insufficient capacity at medical centre
- lack of local jobs.
- development is changing the nature of Lochmaben, its unique appeal and character
- impact on the B7020 and its junction with Mossvale.

Ian and Elizabeth Kerr (0307.001) - Concerns about the amount of building proposed for Lochmaben with the developments at Lochmaben Hospital, affordable housing at Mill Road together with recently completed housing at George Hunter Drive and Glebe Terrace.

Object to development of LMH.H2 on the basis that its scale is out of keeping with Lochmaben. Previous planning applications have been rejected on the basis of vehicular access and road safety issues.

Concern about over development will impact on the rural character of Lochmaben and its attraction for tourists.

Concern about impact on existing services.

Questions whether there is capacity in the nursery and primary school.

Jack and Sheila Wade (0322.001) - Object to development of LMH:H2 on the grounds of increased vehicular traffic on the A709 (approx 8,000 vehicles pass through Lochmaben High Street on weekdays).

Concern about

- increased traffic congestion on Queen Street and Princes St.
- pedestrian environment for children walking to school and levels of pollution
- surface water run off from site and old railway line is subject to flooding
- questions whether there is capacity at the primary school
- questions the impact on the medical centre which is at capacity
- increased numbers of houses for sale in Lochmaben.

Lockerbie - LRB.H202 opposite Lockerbie Golf Course, Corrie Road

David Fallas (Planning) obo Kerr Investments (0071.008) - The site should be considered for inclusion in the LDP2 for a limited number of bespoke architecturally designed houses reflective of the landscape setting and characteristics of the locality.

It is proposed to develop a strictly limited number of larger plots to provide for high quality housing, which is a segment of the housing market that is not specifically provided for at all in the current LDP. Successive Scottish Government planning policy advice has called for Councils to provide for all sectors of the housing market and provide opportunities for a range of different housing options within them. The Council has failed to make any specific provision for the top end of the market across Annandale and the current proposed land affords it an opportunity to address that oversight on the council's part and take a positive approach to provide for a high quality of housing opportunity that is continually overlooked when these LDP's are produced. The need to make specific provision for this sector is established within the latest government advice

'Scottish Planning Policy' where it charges Council's to identify a generous supply of land and provide clear opportunities for all ranges and types of housing that make up the housing market.

The particular parcel of land forming the subject of this proposal lends itself to the type of housing being proposed and has many of the principle elements looked for by those wishing to take advantage of such development opportunities. The site has good effective communication links being in close proximity to the principle road network and Lockerbie railway station. Lockerbie is an appropriately sized town offering a wide range and variety of services; the town is well served by excellent educational facilities; and it is within close proximity to many leisure and recreational pursuits.

A limited number of appropriately finished and detailed bespoke houses would achieve the quality of residential environment and design of place that is advocated within the Scottish Governments SPP document and which the Council is charged to provide for as an objective in its delivery of new housing opportunities. The carefully considered design of the individual houses to be erected would properly take account of the sites setting, topography and landscape characteristics, and could readily create a development of distinctive character and identity that would make a very positive contribution to the amenities and identity of the area and its longer term economic benefit.

The context of the proposed site is already heavily influenced by the very 'manicured' landscape of the golf course as the existing trees that establish the limits of the site filter much of the view of the site from the town thereby mitigating much of the visual impact from the low density of development being proposed. The setting of the site will also be materially impacted with the development of the parcel of land to the west adjacent to Lambhill Terrace which is intended for inclusion within LDP2 - LRB H203.

It is maintained that the style and density of development proposed is appropriate to and has specific regard for the setting of the site, its current landscape character and that of the wider locality. Low density development will mean that the perceived access/flooding and archaeological concerns that have been raised against the favourable consideration of the site will be easily overcome and 'worked around' as the intended style of development will afford a great deal of latitude in the consideration of such matters and scope to appropriately resolve any issues that may arise from them.

Lockerbie - LRB.H203 land north of Hillhead Street

Scottish Natural Heritage (0122.002) - Paragraph 3.4.31 notes that potential allocation LRB.H203 requires further investigation, partly in relation to landscape mitigation. The site occupies a prominent location on higher ground on the east of the settlement. Support the requirement for landscape mitigation and recommend that this is identified through the appropriate level of landscape and visual impact assessment of the site and its surrounds.

Lorna Baxter (0197.001) - Concerns about access to site, congestion and road safety. Questions whether there is capacity in the school

Lockerbie - LRB.H204 Carlisle Road

Robert Allan (0200.001) - Object to allocation of site LRB.H204 in LDP as it lies outside the settlement area, and forms the demarcation between town and country on this southern boundary of Lockerbie.

Concern about distance from local amenities for older generation and impact on services for the elderly, ill and disabled.

There are adequate greenfield and brownfield housing sites allocated in Lockerbie to meet current and projected housing requirements, and there is no need to include this area of farmland in LDP2 to meet foreseeable development requirements.

The eastern part of the site was used for the cremation and burial of animals during the Foot and Mouth outbreak in 2001, and may still be contaminated.

Concern about drainage and flood risk as stream to the south of the site.

Concern about safe vehicular access to site given current road layout.

Lockerbie – Business and Industry new site: LRB.B&I201 land due south of Kirkburn Industrial Estate

Dumfries & Galloway Council Development Plan Team (0100.040) - Main Issues Report identified need to identify additional business and industry sites at Lockerbie north. A site option being explored.

Lockerbie – Business and Industry new site: LRB.B&I202 land due north of Kirkburn Industrial Estate, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.041) - Main Issues Report identified need to identify additional business and industry sites at Lockerbie north. A site option being explored.

Lockerbie – Business and Industry new site: LRB.B&I203 land at Kirkburn Farm, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.045) - Main Issues Report identified need to identify additional business and industry sites at Lockerbie north. A site option being explored.

Lockerbie – Business and Industry new site: LRB.B&I204 land north of Dryfe Road Industrial Estate, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.042) - Main Issues Report identified need to identify additional business and industry sites at Lockerbie north. A site option being explored.

Lockerbie – Business and Industry new site: LRB.B&I205 land west of Ice Rink

Dumfries & Galloway Council Development Plan Team (0100.048) – Formerly a mixed use site (LRB.MU1) now being explored for business and industry uses.

Moffat – Services

Church Place Surgery, Moffat (0257.001) - Object to additional housing proposed for Moffat as would have an adverse impact on the GP Practice located in Moffat which serves the area. Practice currently at capacity with no scope to accommodate additional patients from new housing developments.

Colin Douglas (0271.002) - Object to over provision of housing sites in Moffat given its remoteness, lack of facilities and jobs, and the plans should be altered.

Moffat – MOF.H1 Dickson's Well

Moffat & District CC (0093.007) - Concerns about development of MOF.H1 Dickson's Well and current state of the site which is brownfield and derelict.

Moffat – MOF.H4 Selkirk Road

Historic Environment Scotland (0012.004) - Allocation includes the Auldton Mote, motte scheduled monument (Index no. 684). The setting of this monument is its location in low lying ground between the Birnock Water and the Crosslaw Burn. Extensive views to the north, south and east facilitate an understanding and appreciation of the reasons why the motte was built at this strategically important location. The flat land to the immediate south of the motte is important in this understanding, which is not significantly diminished by the adjacent dwellings on Well Lane/Alton Road. Many mottes are located to take advantage of natural features, and in Auldton's case, this may have included the boggy or badly drained land to the south.

Any development within this allocation should be carefully designed to avoid impacts on the motte and its setting. In particular, access routes from Well Road and Well Lane/Alton Road should seek to minimise impacts on the setting of the monument. Strongly recommend that building work should be avoided to the north of the existing residential areas on Ballplay Road in order to avoid significant adverse impacts on the setting of the Motte. Development in the remainder of the allocation is unlikely to have significant adverse impacts. Advice on any site development briefs or emerging masterplans to either the Council or those with development interests could be provided.

(i) Moffat & District CC (0093.007) - Concerns about scale of development and number of houses proposed for site MOF.H4 Selkirk Road (200 units). Concern about impact of development on school and questions whether there is capacity in the school. The site could generate 60 additional children in the town. Would requirement for additional school facilities be financed by developer? A major housing application (i.e development in excess of 50 or more dwellings or the area of the site exceeds 2 hectares) would require pre application consultation with the Community Council and Council.

(ii) Moffat & District CC (0093.007) - Concern about number of houses proposed for site MOF.H4 Selkirk Road. More sites should be allocated at Beattock for housing development where there are brownfield sites available.

Alex and Sandra Jappy (0202.001) - Development would have a detrimental impact on the visual setting of Moffat, an important tourist destination
There is a flood risk on this site and within the vicinity
Raises concern about road access to the site.
Raises concern about impact of vehicular traffic on Selkirk Road and Ballplay Rd junction. Concerns about increased vehicular traffic and road safety concerns.
Questions where there is capacity in the water treatment works and water network
Questions the lack of fast reliable broadband connection in the area
Questions the impact on Moffat's services including the school, doctors surgery, dentist, impact on police force and voluntary fire brigade.

Natalie Chalmers (0260.001) - Raises concern about impact on road infrastructure and road safety concerns
Raises concern about impact on A708

Raises concern about impact of development on parking in town centre during the tourist season

Natalie Chalmers (0260.002) - Object to loss of site for recreation and sporting activities.

Object to development of site and loss of open space when arriving via the A708. Questions the impact on Moffat's services including doctors, dentists, police and shops.

Natalie Chalmers (0260.003) - Object to development of site for housing.

Concerns about increased urban run-off increasing the scale and frequency of flooding. Any hard surfacing carried out during the development would reduce the ability of this area to soak in precipitation. This would potentially have a negative impact on existing properties in Frenchland Drive and Crosslaw Burn.

Ronald Lewis-Smith (0267.001) - Welcome the concept of housing development compliant with the Government's statement regarding the national housing shortage, but how would the development be integrated into the current infrastructure of Moffat given that is a tourist town, dark sky town, conservation area and its international status as a twinned town.

Concerns about scale of development and number of houses proposed for site MOF.H4 Selkirk Road (200 units).

No consideration appears to be given to the actual requirement for so many houses which could equate to between 500 and 750 people. Will they be largely local families or is the Plan intended to cater for an increased commuter population.

No new business developments are planned for Moffat, previous business schemes have made no progress and several shops have closed in recent years. These issues should be addressed before considering substantial population increase for Moffat.

Raises concern about road access to the site and impact on A701 and A708

Raises concern about pedestrian access via Alton Road which is a private road. Would the Council adopt it?

Questions the impact on Moffat's services including the school, doctors surgery, hospital, dentist, shops, and impact on police force.

Raises concern about impact on road infrastructure, road safety concerns, road maintenance and impact on parking in town centre.

Questions the lack of fast reliable broadband connection in the area

Questions whether the archaeological significance of the site has been considered and whether an archaeology survey would be undertaken

Colin Douglas (0271.003) - Object to the loss of agricultural land for housing development

Questions the need or demand for housing at this location and effectiveness of the site as no developer interest.

Moffat – MOF.MU1 Former Academy

Moffat & District CC (0093.007) - Concerns about development scheme for former Academy site. The community council has submitted objections to the planning application

Moffat – MOF.MU2 former Woollen Mill

John Handley Associates obo Equorium Property & EWM Group (0251.001) - On behalf of the owners and operators of the Moffat Woollen Mill support the continued recognition of the redevelopment potential of the site. The site is specifically allocated in the current adopted LDP as Proposal MOF.MU2 Former Woollen Mill, and the LDP2 Main Issues Report confirms (at page 75) that this allocation will be carried forward into LDP2.

Welcome the Council's recognition of this site as an important mixed use development opportunity and fully support the Council's approach for the replacement LDP.

Confirm that our clients are keen to redevelop their site and improve the visitor experience and retail offer currently provided. The existing retail and tourism outlet at Moffat Woollen Mill, and the adjacent land, should therefore continue to be allocated as a redevelopment opportunity in the replacement LDP.

Although there has been little progress to date, it is still a key aspiration of our clients to provide a major retail and visitor development at this location which would reflect the existing retail and tourism uses on the site, including the Woollen Mill, restaurants, Co-op food store and former hotel.

Confirm that it remains our client's intention to progress the proposed redevelopment of the site. Whilst this has been delayed due to other priorities within our client's UK-wide business, our client remains committed to progressing this development. The Moffat Woollen Mill is one of over 20 destination centres owned and operated by Edinburgh Woollen Mill throughout the UK. It remains a key priority for refurbishment and redevelopment as part of a planned programme of investment by the company throughout the UK.

Proposal MUF.MO2 Former Woollen Mill is also supported by the local community as evidenced in the recently published Moffat and Beattock Community Action Plan (published December 2016).

The site is located directly off the A701, the main approach into the town centre from the south and the M74. It is an accessible, well-located redevelopment opportunity which lies immediately adjacent to the town centre, with direct pedestrian links to the town centre.

As well as our clients existing retail outlet, there is also the opportunity to redevelop the former motel building which sits along the frontage of the site, and is owned by our clients.

In recognition of the existing retail, tourism and visitor uses on this site, our clients are keen to redevelop the site and improve the visitor experience and retail offer. This would include major external and internal renovations and significant new investment in the existing centre.

Our clients have been working in conjunction with the Co-op to progress a redevelopment scheme for the site, and initial layout proposals have been prepared. These redevelopment proposals could provide the following key benefits:

- Expand and enhance the existing retail and tourism offer in Moffat;
- Significantly improve the external appearance of the existing retail and visitor centre;
- Improve the main access to the centre and enhance pedestrian linkages to the High Street;
- Increase visitor parking and coach parking facilities;
- Provide new facilities for coach drivers;
- Enhance the visitor offer through new facilities, including a children's soft play

- area and new café with outdoor seating area;
- Rationalise and extend the existing retail areas and make more efficient use of the existing floorspace; and
 - Enhance the sustainability/energy efficiency of the Centre.

In addition to these significant improvements, the redevelopment proposals will represent a significant investment in the Moffat area. This in turn, will safeguard existing local jobs and provide opportunities for further job creation, with around 50 new positions anticipated.

Most crucially, these proposals will ensure that the Moffat Centre retains its existing visitor accreditation from Visit Scotland, which in turn will safeguard the long term future of the Moffat Woollen Mill, and will enhance the centre's already significant contribution to the local economy.

For the reasons set out above, fully support the continued allocation of this site as set out in the Main Issues Report and would respectfully request that this allocation is maintained in the replacement Local Development Plan.

On behalf of one of the main landowners, confirm that the site is available and there are no constraints to its development for the proposed use. It is an effective site and proposals for its redevelopment are continuing to be progressed, and will be the subject of a formal planning application in due course.

Wish to stress that our clients are keen to progress matters with the Council and would welcome the opportunity to work up these redevelopment proposals with the Council's Officers at an appropriate time, with a view to preparing a formal planning application for the proposed development.

Sanquhar - SNQ.H2 Queen's Road

(0064.031 and 0064.032) - It should be noted that here in Sanquhar allocated site SNQ H1 has not yet been built out. The Housing Land Audit (HLA) shows that the first batch of 5 houses is not anticipated until year 2017/18. The other allocated site SNQ H2 is still the subject of an undetermined application for approval of matters reserved by condition. This was lodged on 19 August 2013 and will soon be 4 years old. It remains unclear when this will be determined or even if when determined the site will start to be developed. The lack of progress suggests a lack of urgency and/or belief that the development will be of interest to the market. In respect of SNQ.H2 Queen's Road The 2014 HLA predicted that 80 houses would be constructed pre 2019 on this legacy site. The 2015 HLA adjusted this to 90 pre 2020. In the 2014 HLA 20 units it was estimated would be constructed in 2015/2016. The 2016 HLA now delays any estimated completions until 2018/2019.

The argument was put to the LDP1 Examination that the main development site in Sanquhar, SNQ.H2 has significant constraints inhibiting its effectiveness and marketability. While the LDP1 identified that site for residential development, it is significant that the current application remains undetermined. It is moribund. Indeed, it is significant that the site is a legacy site carried over from the Nithsdale Local Plan dated 2006 and no development has yet taken place. In comparison, this much smaller scale development site could be brought to market quickly with no significant front-loaded investment.

The SNQ.H2 site was pre-dated by allocation UN12 in the Nithsdale Local Plan 2006. Over this period nothing has happened on this site. Homes for Scotland guidance is that old sites, of which this is one, which have appeared in audits for 12 or more years without significant recent progress should be regarded as non-effective. Further, page 5 of the HLA 2016 states that the effective land supply is

land immediately available for development (our italics). This site fails this test. As regards effectiveness the matrix comprising Appendix 2 clearly demonstrates that the PAN 2/2010 tests favour the Blackaddie Road site.

Our criticism of the effectiveness of SNQ H2 therefore remains relevant. This proposal would therefore assist the effective land supply in Sanquhar. The Reporter's comments in his paras 42-46 refer. The mere existence of an application is not a valid indicator of viability or marketability. His comments about phasing of the development allowing incremental provision of infrastructure making the site more marketable is nothing more than conjecture

The DPEA fails to properly address a number of the constraints that apply to this site. All these impact particularly on the marketability of the site. Marketability was not properly addressed by the Council and in turn the DPEA. These constraints include:

- The possible presence of old mine working. The DPEA simply attempts to partly dispose of this matter on the grounds that there are existing houses constructed on the same coal seam yet crucially fails to address how this affects the marketability of the site.
- According to DBA, who have examined the mini roundabout forming part of the access to the site, yet to be determined planning application ref. 13/P/3/0379 submitted on 19/8/13 (an application that has been stuck it appears since March 2014 according to e-planning) this will fail the road safety audits required by condition of the outline permission 06/P/3051. The DPEA and the Council fail to expressly address, in any manner, this apparently absolute constraint.
- The above OPP is also conditional on limiting the number of units that can be constructed on this site to 50 if there is only 1 access. The present application shows 2 accesses. However the second access from Waugh Drive is not within the site boundaries of the present planning application. Proper investigation by the DPEA would have revealed that the ground necessary to obtain an access from Waugh Drive is owned by the Council. While the Council may argue that they will not attempt to impede development of this site for more than 50 units by not facilitating access from Waugh Drive there are no apparent reasons for the Council (as there is no requirement for this site to have any affordable housing in terms of the conditions of the OPP, or by virtue of a S75 agreement) to obtain other than best value from the sale of the land necessary to achieve this access. In the ordinary course best value in these circumstances, if the public interest is to be properly served, will mean in effect a ransom value. A second access is key to developing this site for more than 50 units. This position therefore is likely to also significantly undermine the marketability of this site.
- According to the present application the site requires significant upfill and by inference underbuilding. Again this undermines the viability and consequently the marketability of the site. Both these constraints have failed to be expressly addressed by the Council or the DPEA.
- The issue of flooding remains unresolved according to the file associated with the present planning application. Part of the site however is shown in the 3rd Generation SEPA flood map (which the DPEA acknowledge they referred to) as being at high risk of surface water flooding. Again this impacts on the marketability of the site apart from the technical constraints this poses.

The DPEA drew conclusions in the marketability of this site by their own

admission in the absence of evidence they stated they lacked. The DPEA failed to seek this evidence which was readily available and which clearly shows that the site significantly fails to meet the marketability test of PAN. On any reasonably competent assessment it is inconceivable that a development of 120 houses on this site will be commercially viable given the remoteness from Sanquhar from any substantial centre of employment

The DPEA acknowledges that the development of this site is "not a straightforward matter" (para 47, page 468). On any reasonably competent assessment this is an understatement.

This site therefore on any reasonably competent assessment is most unlikely to contribute 120 units and is in fact so constrained and its marketability so prejudiced that it will probably contribute none either pre or post 2024. The DHMA therefore should accept that this site is at considerable risk of not contributing. In our opinion, this remains a fundamentally ineffective site with which there has been no real material progress that we have been able to identify since the adoption of the LDP. This is demonstrated by the current planning application ref. 13/P/3/0379 submitted on 19/08/13 now at the stage that despite recent attempts by the applicant to address a number of apparently significant technical issues these remain unresolved combined with the further adjustment that has been required to the estimated pace of completions in the draft 2016 HLA to accommodate this. This is all in line with what we predicted with this site.

While the Nov 2015 Action Programme refers to the developer expecting to commence in 2 – 3 years time this appears unlikely given that the marketability of the site is so impaired for private housing in view of its relatively remote position from major centres of employment compounded by the large number of private houses upon which the development of the site is apparently predicated (the outline permission is not conditional on the provision of any affordable housing).

As it seems there is now little prospect of this site being developed as envisaged in the adopted LDP this needs to be reflected in the 2016 HLA by deleting this site in whole or part to prevent this undermining the realistic effective housing land supply for the Dumfries HMA by such a significant number of units.

An effectiveness test for this site has also been produced by the representor which suggests that it scores poorly on the aspects of ownership, ground stability, vehicular access and marketability. This is on the basis of multiple ownership and ransom strips, low lying land and presence of former mine workings, deficient access arrangements and lack of requirement for affordable housing.

Sanquhar - SNQ.H201 Blackaddie Road

Robert Potter obo Kindbuild (0064.031) - In 2005 the client discussed the possibility of developing this site and land adjacent to it with officers, for housing purposes. At that time the Nithsdale Local Plan was under preparation. Having discussed this option with officers in the knowledge of that emerging plan and with no objection being raised by them the site was purchased for this purpose. In 2006 the Nithsdale Local Plan was adopted. In a contrary act, rather than being allocated for housing, the site to the east of Blackaddie Road was shown within the boundary of the General Policy 25 Business and Industry area.

It was considered by Kindbuild that the terms of that policy did not automatically inhibit a small-scale housing development. Accordingly, they continued to pursue

the option of developing the site for housing.

As part of the preparatory procedures for Local Development Plan 1, Kindbuild lodged representations in favour of the small-scale site (which is the subject of this submission) being allocated for 15 units of housing. The Council declined to accept this and the site therefore remained within the ED1 Business and Industry allocation at proposed local development plan stage.

The Reporter at the subsequent Examination in Public in December 2013 did not support the inclusion of this site. It is considered that his assessment contained unjustified assumptions, failed to adequately consider the marketability of site SNQ.H2 and overall was superficial, thereby resulting in inappropriate conclusions being reached. These are addressed below.

Kindbuild now wishes the Council to reconsider this allocation as part of the LDP2 procedure, notwithstanding this background. In addition, Kindbuild objects to the Council's decision to exclude the site from the MIR list of sites proposed to be included in LDP2.

Access: The site is served by a spur road off Blackaddie Road and there are no material transportation issues raised by this arrangement. The application site lies at the end of this road serving both the site itself and Sanquhar Tile Services (STS). It is considered that the existing road in this location is generally very quiet and that the traffic generated by a small development of this size will be minimal. In any event, it is commonplace for service roads to carry mixed traffic and the amenity of the proposed dwelling houses would not be prejudiced by this.

It is clearly evident from the submitted plans that there is ample room to develop the site in the manner proposed (Reporter's comments in his paras 31, 34, 36 & 39 of the decision letter of June 2014 refer. It is considered that he has misinterpreted the physical nature of the site and how houses could be developed within it, so his comments referred to are ill-founded and must be disregarded). In addition, the Dougall Baillie Associates report assessing the site and the SNQ.H2 site dated March 2013 remains very relevant in respect of Blackaddie Road. It also retains relevance in report of the SNQ.H2 site as that application remains undetermined, partly because of as yet unresolved Roads issues.

Flood Risk: The site is free of flood risk, unlike the original larger site of 2005. The south west edge of the site is adjacent to the medium risk zone on SEPA's strategic flood maps. It should be noted that a flood risk assessment undertaken for Afton Homes in 2008 confirms that this site is free of risk. The site therefore complies with SPP, the Government's Online Planning Advice on Flood Risk and the Council's Supplementary Guidance on Flooding and Development.

Ground Conditions: The Coal Authority report comprising Appendix 4 raises no issues regarding the developability of this site. However, Appendix 5 indicates developability issues for SNQ.H2 that may influence its marketability and effectiveness.

The site being proposed is small-scale, available, is free of these constraints and could contribute to the local housing market in the short term. In addition to this, inclusion of this site would meet the objectives of the Council set out in para 3.4.18 of the MIR by providing greater diversity in the size and location of sites. The proposed site is compatible with the character and amenity of the area and does not conflict with nearby land uses. It forms a natural extension to the development pattern of Queen's Road. Issues of privacy, sunlight and daylight of nearby properties would be fully addressed in any relevant application(s), but the physical relationship between these properties and the site indicates that such

issues are unlikely to arise.

As regards disturbance arising from proximity to the rear loading bay of STS, the fact of the matter is that there is no material difference in distance from the proposed sites as compared to the house Fairways or the houses in Queen's Road. It is significant that Environmental Health has confirmed that there is no history of noise complaint arising at these houses, so this site is unlikely to have any different experience. Future changes in industrial activities that might create more noise would therefore be limited by the existing housing relationships in any event, so the development of the application site should be assessed in that same context (Reporter's comments in his para 34 refer. He has again made assumptions that have no evidential basis and must therefore be given little weight).

Site Assessment: Greenfield Land: The "loss" referred to is trivial and the Council can only be putting this forward as a make-weight. Clearly, the Council was unconcerned about this before, as it did not inhibit the previous allocation for industrial and commercial development. Why the change of heart?

Visual prominence: Again, this is a trivial point taking in to account the town as a whole in its long established landscape setting. Again, the Council was content to see it allocated for development in the current LDP. Why the change of heart.

Visual separation: The site is contiguous with the residential and other development at the south-western and southern extent of Queen's Road. It is stretching credibility for the Council to assert that this "separation" is of any material consequence.

Incompatibility: This has been addressed above. The relationship of this site to the adjacent industrial and commercial allocation is not materially different to that of the existing houses so it is unreasonable for the Council to found on this factor. In addition to these factors, it is noteworthy that the Strategic Environmental Assessment concludes that the negative SEA issues are minor and that these are countered by positive effects

The inclusion of this site in LDP 2 will contribute in a modest way to addressing the forthcoming anticipated shortfall in the housing supply for the Dumfries Housing Market Area, in particular in respect of northern Nithsdale. The representor include comments within the submission in respect to the housing audits which are considered in relation to Dumfries HMA..

Sanquhar - SNQ.B&I1 Glasgow Road

Scottish Wildlife Trust (0318.001) - Development should be permitted only on part of the site because of its impact on the environment. Development should be restricted to the SE two-thirds of the site away from the river. The remainder of the site is on the flood plain of Crawick Water and the Nith and threatens the ecology of the river system. This area must be left clear to maintain a green corridor to permit wildlife to move up and down the river system unhindered

Thornhill - THN.H2 Hospital Brae

Historic Environment Scotland (0012.004) - This allocation is likely to have a direct impact on the scheduled monument Templand Mains, Roman Signal Station (index no. 2328), which is located within this area. Direct impact on the scheduled area should be avoided. Development that directly impacts on the monument would require Scheduled Monument Consent which is unlikely to be granted. Consider that development outwith the scheduled area, but within the remainder of the land, with sufficient buffer zone should be acceptable in

principle.

Scottish Natural Heritage (0122.002) - Understand that of the allocated sites in the LDP, THN.H2 to THN.H5 will be carried forward into the Proposed Plan. Of these, THN.H2 and THN.H3 are shown in the MIR as 'call for sites' and therefore it is assumed some review of these allocations will take place. The current LDP notes the need for masterplanning and consultation on access to the A76 trunk road. At present, there is no reference to the Core Path that runs through Boatbrae Wood and which would form an important means of connecting allocations in the wider area to each other, the existing settlement and beyond for walkers and cyclists.

Woodland Trust (0152.001) - This site is bordered to the north and the west by ancient woodland classification 2a. If this site is to be included in the plan we request a buffer zone of new planting or vegetation to protect the ancient woodland.

Scottish Wildlife Trust (0318.001) - Development should be permitted only on part of the site because of its impact on the environment. The site is adjacent to a belt of broadleaved tree designated as "of semi-natural origin. A green belt must be maintained between the building line and the woods to maintain the biodiversity of the woodland and the wildlife corridor that it represents.

(i) Paul Medley (0327.001) - Area H2 contains a scheduled ancient monument which should be preserved with sufficient undeveloped land to safeguard it in context with its surroundings.

(ii) Paul Medley (0327.001) - The scale and pace of development should be in balance with the level of employment in the local area otherwise will add to commuting traffic contrary to sustainability policy.

(iii) Paul Medley (0327.001) - Space must be left to preserve septic tank soakaways from properties along Hospital Brae

Thornhill - THN.H3 Boatbrae

Historic Environment Scotland (0012.004) - This allocation is likely to have a direct impact on the scheduled monument Templand Mains, Roman Signal Station (index no. 2328), which is located within this area. Direct impact on the scheduled area should be avoided. Development that directly impacts on the monument would require Scheduled Monument Consent which is unlikely to be granted. We consider that development outwith the scheduled area, but within the remainder of the land, with sufficient buffer zone should be acceptable in principle.

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Thornhill - THN.H4 Queensberry Beeches

Woodland Trust (0152.001) - These adjacent sites (THN.H4 and THN.H5) are both bordered by ancient woodland. There is ancient woodland classification 2a to the north of THN.H4. There is also a significant patch of ancient woodland classification 2b LEPO to the east of THN.H4. These two sites combined represent a significant area of potential development which could have serious detrimental effects on the substantial amount of ancient woodland which surrounds these sites. If development proceeds in these sites a protective buffer zone of a minimum of 50m (preferably more) must be included in order to avoid damaging the woodland.

Thornhill - THN.H5 Queensberry Park

Woodland Trust (0152.001) - These adjacent sites are both bordered by ancient woodland. There is ancient woodland classification 2a to the south of THN.H5. These two sites combined represent a significant area of potential development which could have serious detrimental effects on the substantial amount of ancient woodland which surrounds these sites. If development proceeds in these sites a protective buffer zone of a minimum of 50m (preferably more) must be included in order to avoid damaging the woodland.

LOCAL CENTRES

Beattock - Services

(i) Moffat & District CC (0093.007) - Support the potential opening of a new station at Beattock which would have a significant impact on the area.

Support the identification of Beattock as a local centre with the identification of sites for housing development. Kirkpatrick Juxta Community Council identified 5 potential sites for housing development in Beattock as part of the Call for Sites exercise.

(ii) Moffat & District CC (0093.007) - Support the identification of brownfield sites for housing in Beattock.

Land Factor Ltd (0160.001) - The identification of Beattock as a new Local Centre with associated village envelope is supported.

Nicola Malcolm (0191.002) - Classifying Beattock as a Local Centre based on the presence of a shop is incorrect. There is no local shop to serve as an amenity for any new houses built. A further concern is that there are no amenities/services for children in Beattock - although there may be space in the school, more would need to be done to provide leisure opportunities for any new children in the area.

Church Place Surgery, Moffat (0257.001) - Object to additional housing proposed for Beattock as would have an adverse impact on the GP Practice located in Moffat which serves the area. Practice currently at capacity with no scope to accommodate additional patients from new housing developments.

Beattock - BTK.H202 Main Street

Scottish Natural Heritage (0122.002) - BTK.H202 (Main Street) and BTK.H203 (Smith Way) are contiguous and it is recommended that these sites are subject to a joint masterplan. In addition to the issues described in paragraph 3.4.52 it is noted that each of the proposed allocations lie adjacent to the Core Path network. Transport assessment and site design should include these and incorporate links between the sites and beyond via this existing network.

Land Factor Ltd (0160.001) - Land owner confirms interest in including site in LDP for development

Kenneth and Sheila Campbell (0177.001) - Loss of privacy and view

Impact on quality of life and wildlife

Trees should be retained

Object to greenfield site being developed for housing when there are other site options available

Concerns about increased traffic through Smith Way

Questions whether there is capacity in the school.

The report states there is one shop in Beattock. There is a small retail outlet in the caravan site which is not used by the local residents.

Additional shops, facilities and infrastructure would be needed to support increased number of residents

No consultation on these matters was undertaken with the owners/residents of Smith Way. Many of the owners would like to voice their concerns on this matter.

Jill Murray and C Currie (0256.001) - Concerns about loss of privacy and view, increased traffic through Beattock and increased crime and drugs, and questions whether there is capacity in the sewage works and local drainage network.

Beattock - BTK.H203 Smith Way

Scottish Natural Heritage (0122.002) - BTK.H202 (Main Street) and BTK.H203 (Smith Way) are contiguous and it is recommended that these sites are subject to a joint masterplan. In addition to the issues described in paragraph 3.4.52 it is noted that each of the proposed allocations lie adjacent to the Core Path network. Transport assessment and site design should include these and incorporate links between the sites and beyond via this existing network.

Land Factor Ltd (0160.001) - Land owner confirms interest in including site in LDP for development

Mr and Mrs Draeger (0168.001) - Object to development of site for housing

Concern about lack of play park to serve existing houses in Smith Way

Loss of privacy and allocation of site for housing would devalue property

Concerns about lack of shops and facilities

Questions whether there is capacity at Moffat Academy

Questions lack of sports facilities for younger children

Questions the role of the local shop at the caravan park for Beattock residents.

Questions whether there is capacity in the sewage works and local drainage network.

Concerned about what kind of homes are going to be built, tenure, design and appearance, loss of privacy, and facilities for children.

Concerned about impact on local services particularly local GP practice and dentists.

Existing houses at Smith Way have restrictions on their title deeds restricting existing properties to bungalows and front gardens are required to remain open with no fences. Concerned about loss of privacy. Would access to the site be formed between nos 6 and 7 Smith Way.

Margaret Nicholson (0184.001) - There are nature conservation interests on BTK.H203 which should be protected (bats, birds and hedgehogs). Development would have an adverse impact on wildlife.

Loss of privacy

Questions the role of the local shop at the caravan park for Beattock residents.

There is no convenience shop in Beattock.

The site is subject to flooding

Raises concerns about impact on local air quality in terms of increased number of cars and vans

Concerns about impact on view to rear of property and views of Moffat Hills

Nicola Malcolm (0191.001) - Object to loss of greenfield site for development

Concerns about impact on view and views of Moffat Hills

Substantial noise impact from traffic on M74/A701

Existing houses at Smith Way would be overlooked

The site is subject to flooding and during heavy rain the existing gardens are water logged.

There are nature conservation interests on BTK.H203 (bats) which should be protected.

Beattock - BTK.B&I201 North West, Main Street

Scottish Natural Heritage (0122.002) - BTK.B&I201 (North West, Main Street) appears to be redevelopment of brownfield land. The proposed allocation lies adjacent to the Core Path network. Transport assessment and site design should include this and incorporate links between the site and beyond via this existing network.

(i) Land Factor Ltd (0160.001) - Land owner confirms interest in including site in LDP for development

(ii) Land Factor Ltd (0160.001) - Change to site boundary on western edge

Mr and Mrs Draeger (0168.001) - Site should be developed for housing rather than site BTK.H203 Smith Way as wasteground, no housing adjacent and residents in Smith Way would not be affected. Concerns about impact on local facilities and services.

Dunscore - DSC.H201 Dalgonar Road

Scottish Natural Heritage (0122.002) - The representors understanding of this site is that at its southern part, within the settlement boundary, the topography becomes more complex, contributing to the character and containment of the existing settlement. They recommend that if allocated, this part of the site is not developed.

Johnstonebridge - Services

Church Place Surgery, Moffat (0257.001) - Object to additional housing proposed for Johnstonebridge as would have an adverse impact on the GP Practice located in Moffat which serves the area. Practice currently at capacity with no scope to accommodate additional patients from new housing developments.

Johnstonebridge - JSB.H2 land West of School

White Hill Design obo Lochwood Estates (0060.003) - Welcome the continued inclusion of site JSB.H2 – land west of the school at Johnstonebridge - in Local Development Plan 2.

Site owner has instructed work to start on the masterplanning process for the site, following the process and guidance set out in Masterplans: A Guide for Developers, alongside preparation for the pre-application consultation. It is the site owner's intention that the site will be developed for housing on a phased construction programme within the delivery timescales set out in the Local Development Plan.

Johnstonebridge – Business and Industry new site: JSB.B&I201 land between A74 (M) and former petrol garage/B7076

White Hill Design obo Lochwood Estates (0060.002) - The site identified in the attached plan is proposed for light industrial business development and we ask for it to be included in LDP2.

Site proposed to support and enhance the development of the two housing sites JSB.H1 and JSB.H2 which are identified in LDP2. The addition of a site for small-scale business development adjacent to the Local Centre of Johnstonebridge will offer:

- additional local work opportunities for residents as the new housing sites are developed – encouraging employment opportunities was identified as an important opportunity across the region in the PAS report Community Placemaking in Dumfries and Galloway [2016]. This consultation identified that Lockerbie and Annandale North both have low levels of employment opportunities, and that there was a need to create more work opportunities particularly for young people;
- the opportunity for new and small business development and for diversifying the economy in the area;
- reduction in the need to travel to work by car and increasing the opportunity to walk or cycle to work for local residents;
- easy access to public transport routes to help minimise private car use;
- enhanced development of the M74 corridor and the Gretna Lockerbie Annan (GLA) corridor;
- a site for business development that is close to local services and is adjacent to existing business premises.

Inclusion of this site would support the aims of the Regional Economic Strategy 2016, namely:

- helping build the local economy, which is the top priority of Dumfries and Galloway Council;
- empowering the region's communities to address their distinct economic challenges and opportunities;
- enhancing regional connectivity... and improving access to economic opportunities for individuals and businesses;
- supporting the strategic economic development potential of the M74 corridor;

- helping to meet the continuing demand for good quality business workshop space for small and microbusinesses.
- Inclusion of the site would comply with policies in the LDP that allow for suitable sites not allocated in the plan to be developed.

Moniaive - MOV.H1 Chapel Street

Deborah Trower (0144.001); Stephen Sparrow (0162.001) - This area has suffered extensive flooding over the last few years and would be unsuitable for housing. The southern two thirds of this area totally flooded in December 2013 and December 2015.

Daniel Haddock (0294.001) - After the repeated occurrence of 1:50 year floods in Moniaive, the representor attended a flooding meeting chaired by representatives of the local authority and the firm commissioned to mitigate flood risks. When the question was raised “would the proposed houses being built increase the risk of flooding in the area” it was agreed that this would be ill advised due to the effect on the water table. The representor is surprised these plans have been taken as far as this. Taking an area that can be under water at certain times of the year, with sub-terrainian water courses, and removing a green space in favour of concrete would be impetuous.

Scottish Wildlife Trust (0318.001) - Development should be permitted only on part of the site because of its impact on the environment Development is acceptable on the northern half of the site, but development must not be permitted beyond the current building line on the southern half of the site. This would threaten the ecology of the Craigdarroch Water river system. This area must be left clear as a green corridor to permit wildlife to move up and down the river svstem unhindered.

Stephen Sparrow (0162.001) - Would welcome further housing development in Moniaive including affordable housing. Moniaive has facilities including a primary school, gp surgery, shops, cafes, garage, hotels etc and is therefore further housing would make the village more sustainable in terms of services.

Moniaive - MOV.H202 Broomfield Meadow

M G Oxley (0234.001) - Although called Bloomfield Meadow, this site as described in the report is woodland. Although described as “not a wildlife site” and of “many trees of debateable value”, the site is the habitat of a number of red squirrels (at least three have been regularly observed). It seem perverse that, when the Scottish Wildlife Trust and others are seeking to protect and enhance red squirrel habitats, the Council intend to schedule its destruction. North Street and Broomfield Road are both single track at the boundaries of the site and direct access to the site from these roads would require removal of trees and stone walls contrary to recommendations in the report.

Penpont - PNT.H1 Bogg Road

J R Harkness (0334.001) - The representor owns Sunnybank on Bogg Road. The shading of PNT.H1 indicates that buildings will be placed in front of the residences there. Many years ago plans were drawn up for that small field and the representor was concerned to see that bungalow type buildings were to be placed there with the exception of one two storey building which was inappropriately sited right in front of Sunnybank. Suggest that it would be much better if the high

house(s) were at the lower end of the site where they will not obstruct front window views, or be considered bad architectural planning.

Penpont - PNT.H2 Main Street

John Richards (0258.001) - The representor confirms that a part of the land outlined for possible future development in PNT H2 is owned by their family (See Land Register for Scotland - Title Number DMF 3290) and that they did not agree to its inclusion in the development plan for Penpont. Specifically, the "Tree lined drive and its adjacent margins bisects the land area shown on PNT H2 and forms part of the grounds of Lennox House (now known as Grandholm House). Understand that the planning proposal has now been amended to take account of this and that the proposed area for possible future development has been reduced to the single field lying between the drive to Grandholm House and Penpont primary school, as outlined in the latest iteration of the PNT H2 plan. In the planning document it specifically states that the LDP Planning Objectives for the village of Penpont should - " Recognise the historical and landscape characteristics of the settlement and ensure that development respects these ". Allowing urban development on this remaining greenfield (Macaulay Grade 3.2) prime land adjacent to the village contradicts this stated objective as it will completely block the only clear view of the historic unspoilt Scaur River valley and open hills beyond, seen as one enters Penpont. Further, any building on this remaining greenfield site will also obscure the iconic view of Penpont parish church which features in many guidebooks and tourist brochures of the area and which has been an historic feature of the built landscape for more than 140 years. This cruciform plan Gothic church,(built 1867) which was designed by Charles Howitt (architect to Drumlanrig Estate) with its distinctive square tower and broached spire is Category B listed by Historic Environment Scotland. The view of the church spire from the A702 over the greenfield to the south west of the road is an attractive feature which has always characterised Penpont. Losing this to a collection of modern houses (however nicely designed and built) would entirely destroy the rural character of the village entrance coming from the NE which is, and always has been, such an attractive feature of the area. The representor shares the stated view of the Roads Department regarding the PNT H2 proposal in that we consider that urbanisation of this remaining greenfield site will require extensive modification to the A702, with construction of additional pavements, extension of street lighting and multiple additional drive entrances which will increase road congestion and further detract from the delightful rural character of the village entrance.

Penpont - PNT.H201 land to the north of Main Street

Scottish Natural Heritage (0122.002) - The potential allocation at PNT.H201 is a prominent site which, subject to the form of development, could significantly alter the character of the approach to Penpont. Recommend that the extent and type of development potential at the site is determined through landscape and visual impact assessment, to inform a masterplan for the site and the related PNT.H2 allocation to the south.

(i) Marie Stein (0295.001) - The representor wishes to express their unhappiness about such a large development right behind the garden of Elmbank and other properties on the right and the left of their property. Penpont is already suffering from a narrow street where residents have to park their cars along the pavement . Over the years some residents had even replaced their front garden by parking spaces for their vehicles, this has already damaged the picture of a "pretty Scottish village". Now the LDP is once more looking at this field at the back (it is

not the 1st time there has been an attempt at ruining the beauty of green fields) Penpont could do with a well planned small lane at the back of the houses for residents' vehicles and a large green area well developed for old and young people to enjoy real Nature not Another lot of houses and years of chaos for the construction of it.

(ii) Marie Stein (0295.001) - All the properties along this proposed development will lose value due to such a development . The representors tenant is unhappy about it, as is the representor as they would hope to retire there one day and if they wished to sell it should the tenant approach them the value is certainly altered to a lower level due to this new attempt at building so many houses on the green area behind North of Main Street.

If the development was for a quarter of the number of houses suggested that would not be so bad and there would be scope for designing some attractive landscape with low trees and some low walled flower beds.

They are not against giving a chance to people of settling down in a small village but the number of houses you are suggesting is ONLY a way for the property developer and the owner selling the ground to make more money than actually caring for very long term impact on a very nice village.

The village has already lost the only and very popular pub when a new owner managed to twist the law around and deprive the village and many visitors (via the camping site) from a nice place to have a drink and/or a meal at lunch of dinnertime. Cannot see the future as a happy one with the development suggested North of Main Street

J R Harkness (0334.001) - Site PNT.H201 is adjacent to the representors son's business property. Part of the shading behind Pringleton encompasses their right of way and they thought it best to make the council aware of this. Lorries may be using this way into my son's property.

(i) David T Drife (0203.001) - The representor raises a number of concerns regarding a number of existing issues within the village including damage to properties, speeding, lack of basic road maintenance, lack of parking, no traffic calming near the school, no school signs to mention a few, all of which prevail at present here.

(ii) David T Drife (0203.001) - The representor is dismayed about a possible building development. This street, Pringleton Street, is very tight and cannot cope with all the modern wide forestry and agricultural traffic. Residents have all been awakened at night and early hours with large vehicle bouncing off un maintained holes and sinkage holes, but this problem has been temporarily fixed. Drivers of very large vehicles frequently knock fences and don't stop. The representor is now investing in CCTV to be installed by professionals which will put their mind at rest while they are out of town and it will also help the Police in their line of duty.

The representor is now totally fed up with present conditions never mind all the unbelievable extra chaos on top if the proposed sites are developed.

(iii) David T Drife (0203.001) - The representor draws attention to Article 8 of The Human Rights Act 1988 which states an individual has the right to respect his/her private and family life and their home. The definition of Home is that

public authorities mustn't prevent you from entering or living in your home. You also have the right to enjoy your home without intrusion by a public authority.

(iv) David T Drife (0203.001) - Under this street lies the main sewerage pipe plus water tobies, drains and several BT cables. Unless the heavy traffic problem is dealt with these services will crumble. Occasionally when the A76 is closed after a fatality words cannot describe the situation i.e. at least half a mile of standing H.G.V's and the village almost at a standstill. Attached to the representation is a list of all problems which presently exist and are increasing and the extra problems which would occur should any building works/site commence.

Council response and proposed modifications:

DUMFRIES HMA

General

Martin Robertson (0146.002) – The previous comments were considered at the examination in to the adopted LDP and there have been no changes. No modification(s) proposed.

Turley Associates obo Story Homes (0263.006) - The comments are noted. No modification(s) proposed.

DISTRICT CENTRES

Kirkconnel and Kelloholm - KCN.H1 Glenaber Avenue

Simon Woodgates (0147.001) -The comment is noted. A Flood Risk Assessment and culvert investigation are required. A Drainage Impact Assessment may also be required to assess any impacts on the existing waste water network. This will be reflected in site guidance.

Recommended to retain site in Proposed Plan

Kirkconnel and Kelloholm – Housing new site: KCN.H201 land south of Main Street

Simon Woodgates (0147.001) – This site is considered to have regenerated itself and is no longer classed as brown field land. The site is currently an attractive area of parkland on the entry to the settlement.

Recommended not to include site in Proposed Plan

Kirkconnel and Kelloholm - KCN.B&I1 Greystone Avenue

Sportscotland (0008.003) – The site in question forms part of a larger open space but this particular area does not contain formal pitches.

Recommended to retain site in Proposed Plan

Simon Woodgates (0147.001) – It is acknowledged that there are current local road network issues in respect of the differing land uses in the area and the road geometry. It is expected that some of these issues will be addressed in the sale of the land and through implementing and amending details contained in the site guidance. The site is currently owned by the Council.

Recommended to retain site in Proposed Plan with an amended site guidance

Kirkconnel and Kelloholm - KCN.B&I201 land south of Kellobank

Sportscotland (0008.003) – The site in question forms part of a larger open space

but this particular area does not contain formal pitches.
Recommended to include site in Proposed Plan

Lochmaben - LMB.H2 Laverockhall

Sportscotland (0008.003) - Comments noted. The existing site guidance in the current LDP states that a kickabout area will need to form part of the open space provision on site. No modification(s) proposed.

Lochmaben CC (0275.001); Ian and Elizabeth Kerr (0307.001); Jack and Sheila Wade (0322.001) - The Reporters findings on the final draft plan found that on the basis of the housing allocations at LMB. H1 Former Railway Station (15 units) and LMB.H2 Laverockhall (40 units) that the plan did not allocate too much housing land in Lochmaben. The housing allocations are not excessive in relation to the size and characteristics of the town. Development should respect the existing character of Lochmaben - this would be achieved by applying the policies OP1 (b) and (c) which seek development proposals that protect & enhance the historic character and landscape character.

Policy OP2: Design Quality of New Development seeks high quality design in new development.

Policy HE2: Conservation Areas requires proposals to protect or enhance conservation areas.

Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. Lochmaben is identified as a District Centre within Dumfries HMA.

It is acknowledged there may be a lack of local jobs in Lochmaben, but it lies in close proximity to Dumfries and Lockerbie, major employment centres.

Development of the site for housing is unlikely to have a major impact on the A709, road capacity and local road congestion. The majority of traffic using the A709 is through traffic from Dumfries to Lockerbie. There would appear to be potential to provide vehicular access to this site from Mossvale (C21a) and Rankine Heights. Two points of access would be desirable and assist permeability. A pedestrian / cycle link may be an option from Marjoriebanks. Between the site and the Mossvale/B7020 public road junction is restricted in terms of basic width (in parts), restricted footways and on-street parking issues. Local improvement within the existing public road network may be required depending on where access is to be taken.

The Education Department has confirmed there is sufficient capacity at Lochmaben Primary School. A developer contribution will be required for Lochmaben Nursery.

The site guidance will be amended to include the need for a Drainage Impact Assessment and depending on its findings a Flood Risk Assessment may be required to be submitted to and agreed by SEPA and the Council as part of any planning application. Scottish Water have advised there is sufficient capacity in the water and sewerage network.

Increased number of houses for sale in Lochmaben is not a matter that is directly related to the LDP.

Recommended to retain site in Proposed Plan and amend site guidance to include need for Drainage Impact Assessment and Flood Risk Assessment.

Lockerbie - LRB.H202 opposite Lockerbie Golf Course, Corrie Road

David Fallas (Planning) obo Kerr Investments (0071.008) - The site is not

included in the MIR as the site lies beyond the settlement boundary. It relates poorly to the settlement as a result of topography, its adverse impact on the landscape and outlook as a result of the potential for visual prominence of any development. These issues would apply regardless of the sector and, type of housing development proposed. There are also road access constraints as access could not be supported from Corrie Road (C83a).

Recommended not to include site in Proposed Plan.

Lockerbie - LRB.H203 Land north of Hillhead Street

Scottish Natural Heritage (0122.002); Lorna Baxter (0197.001) - It is not proposed to include this housing site in LDP2. Limited potential due to road network constraints.

Recommended not to include site in Proposed Plan.

Lockerbie - LRB.H204 Carlisle Road

Robert Allan (0200.001) – The MIR advised that this site was an option for consideration subject to further investigation as a potential flood risk has been identified and a flood risk and drainage impact assessment would be required. The SEA assessment further stated that there is a negative landscape impact as the site is important to the rural setting and approach to Lockerbie from the south. The site cannot be considered unless further information is provided to demonstrate that the flood risk can be satisfactorily overcome and that landscape mitigation is sufficient.

Recommended not to include site in Proposed Plan.

Lockerbie – Business and Industry new site: LRB.B&I201 land due south of Kirkburn Industrial Estate

Dumfries & Galloway Council Development Plan Team (0100.040) -

Demand for B&I sites in Lockerbie is strong with existing sites at Stevens Croft and Hangingshaws now built out and new sites required. There are issues concerning development viability as narrow site and undulating land form which may necessitate major engineering works. Adverse landscape and cultural heritage issues as presence of significant archaeology remains. Landowners unknown and also development intentions. Other potential business and industry sites identified in Lockerbie area.

Recommended not to include site in proposed Plan.

Lockerbie – Business and Industry new site: LRB.B&I202 land due north of Kirkburn Industrial Estate, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.041) –

Demand for B&I sites in Lockerbie is strong with existing sites at Stevens Croft and Hangingshaws now built out and new sites required. Significant adverse landscape impact and all areas should remain undeveloped and cultural heritage issues as presence of significant archaeology remains. Landowners unknown and also development intentions. Other potential business and industry sites identified in Lockerbie area.

Recommended not to include site in proposed Plan.

Lockerbie – Business and Industry new site: LRB.B&I203 land at Kirkburn Farm, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.045) –

Demand for B&I sites in Lockerbie is strong with existing sites at Stevens Croft and Hangingshaws now built out and new sites required. Adverse landscape impact as development would have a strong detrimental impact on the rural character of the area. SEPA advise that part of this site lies within the 1 in 200 year floodplain. No development should take place within this area. Landowners unknown and also development intentions. Other potential business and industry sites identified in Lockerbie area.

Recommended not to include site in Proposed Plan.

Lockerbie – Business and Industry new site: LRB.B&I204 land north of Dryfe Road Industrial Estate, Lockerbie

Dumfries & Galloway Council Development Plan Team (0100.042) – Demand for Business and Industry sites in Lockerbie is strong with existing sites at Stevens Croft and Hangingshaws now built out and new sites are required. It is proposed to allocate the site for business and industry uses and the landowner has confirmed they would be willing to release the land for development. This site provides a viable business and industry site option subject to a master plan and transport assessment being prepared and submitted as part of any planning application and agreed with the Council.

Detailed site requirements are included in the site guidance. The masterplan will need to include an overall layout for the site, details on how the site is to be phased and a comprehensive landscaping scheme. Development proposals will need to demonstrate that they will not have any adverse impact on neighbouring residential properties. The hedge boundary should be retained subject to pedestrian/cycle/vehicular access points with additional landscaping provided along the eastern and northern boundaries. Buildings should be set back from eastern boundary to minimise landscape impact on the non-inventory designed landscape at Lockerbie House to the east. Improvements will need to be made to Dryfe Road (B723) to accommodate development on the site. A flood risk assessment will need to be submitted and agreed with SEPA and the Council as part of any planning application in order to identify the developable area.

Investment may be required at the Lockerbie Waste Water Treatment Works and build out rates would require to be discussed with Scottish Water.

Recommended to include site in Proposed Plan.

Lockerbie – Business and Industry new site: LRB.B&I205 land west of Ice Rink

Dumfries & Galloway Council Development Plan Team (0100.048) - There are 2 existing residential properties adjacent to the roads depot. Development proposals will need to demonstrate that they will not have an adverse impact on neighbouring residential properties and community uses. Access to the B7076 All Purpose Road (APR) would be acceptable to serve a commercial or business/industry proposal. It would be appropriate that a Transport Assessment be provided and that a masterplan approach be adopted. Strategic location in close proximity to Junction 17 A74 (M). The masterplan will need to include an overall layout for the site, details on how the site is to be phased and a comprehensive landscaping scheme. There are flooding, access and water supply issues which might be overcome with engineering and landscape layout solutions. Site is well placed for strategic transport network and for community facilities, town centre and railway station. Potential to encourage active travel and use of sustainable transport.

Recommended to include site in Proposed Plan and allocate for Business and Industry.

Moffat – Services

Church Place Surgery, Moffat (0257.001); Colin Douglas (0271.002); -

Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. The Reporter further concluded that the provision of health services is not an impediment to development of the site.

The allocation of the range of housing sites and additional resident population could provide some extra trade for, and so help sustain services, facilities and employment opportunities

Comments noted. No modification(s) proposed.

Moffat - MOF.H1 Dickson's Well

Moffat & District CC (0093.007) - Comments noted. Policy H1b supports the development of brownfield sites for housing within the settlement boundary. Recommended to retain site in Proposed Plan.

Moffat - MOF.H4 Selkirk Road

Historic Environment Scotland (0012.004) - Comments noted. No modification(s) proposed.

Moffat & District CC (0093.007); Moffat & District CC (0093.007); Alex and Sandra Jappy (0202.001); Natalie Chalmers (0260.001); Natalie Chalmers (0260.002); Natalie Chalmers (0260.003); Ronald Lewis-Smith (0267.001); Colin Douglas (0271.003) - Moffat is in Dumfries HMA as a district centre, Moffat has an important role in helping to meet the need for new houses. The Reporters findings on the final draft plan found that the total amount of housing land proposed at Moffat is not excessive. LDP2 does not propose to make any changes to the existing housing land allocations in Moffat. Planning objectives for Moffat seek to protect and enhance the conservation area and the landscape setting to sustain and encourage tourism for the benefit of residents.

MOF.H4 Selkirk Road can be expected to be developed in such a way that it makes a positive contribution to the town in terms of place making. It should therefore help to retain the basic character of the town and contribute to, rather than diminish the tourist economy. The Reporters findings on the final draft plan found that additional resident population could provide some extra trade for, and so help sustain shops, restaurants and other facilities patronised by tourists. It was further concluded that development on most of the proposed housing land would have little or no effect on the appearance of the conservation area and its immediate setting.

The strategy supports the Gretna–Lockerbie–Annan regeneration corridor. Major sites for business and industry are allocated in this corridor and the site A74 (M).B&I Hangingsahws, Johnstonebridge some ten miles south of Moffat is currently under construction for a major development and employer. No sites are allocated for business and industry in Moffat. There could be new jobs associated with tourism and with developments on the mixed use sites, but the scope for the creation of new employment opportunities is limited.

Moffat's role as a dark sky town is recognised and this will be included in the settlement statement.

Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. The Reporter further concluded that the provision of health and emergency services is not an impediment to development of the site. The Council is committed to work with Community Broadband Scotland to enable access to broadband that is faster and more reliable. Broadband issues are not an impediment to development of the site.

Beattock is defined as a Local Centre in terms of the settlement hierarchy and 2 housing sites are allocated for housing development at BTK.H202 Main Street and BTK.H203 Smith Way with a total capacity of some 70 units.

Site Issues and Guidance

The Reporters findings on the final draft plan supported the allocation of the site for housing development for 200 units. The housing allocation is considered to be effective and the site is included in the Strategic Housing Investment Programme (Phase 1 Loreburn HA 19 units programmed for 2017/18).

It is accepted the site is currently in agricultural use and town expansion will take up agricultural land. The site is not identified as a protected area of open space or an area of greenbelt, but it is acknowledged it may be used informally as open space given its location on the edge of Moffat. Policy CF3: Open Space provides for the provision of open space in housing developments.

Education Department have confirmed there is sufficient capacity at Moffat Primary School and Academy to accommodate the development. Scottish Water have advised that there is sufficient water capacity for the development.

The site guidance contained within the current LDP requires the need for a final phase of a flood risk assessment to be carried out and appropriate mitigation implemented. This will inform the masterplan. The Council is to commission a Flood Risk Management Study for Moffat which will examine a range of options for the town. The site guidance recognises the importance of Auldton Motte Scheduled Ancient Monument and the need for a masterplan to include safeguards.

The site guidance contained within the current LDP states that Access points should be maximised with: main access from A708 Selkirk Road, minor access from Well Road, emergency vehicle access from Ballplay Road, and pedestrian/cycle access onto Well Lane (also known as Alton Road). The Council would only adopt a road if it was brought up to adoptable standard by a developer. A Traffic Assessment is required for the site which will determine the impact on the local road network and this requirement is included in the site guidance.

Recommended to retain site in Proposed Plan.

Moffat - MOF.MU1 Former Academy

Moffat & District CC (0093.007) - Listed building consent (16/1513/LBC) granted for alterations and change of use of former school to form flatted dwellings and erection of new buildings on 24/8/17 and Planning Applications Committee of July 2017 minded to approve planning application (16/1514/FULL) subject to successful completion of Section 75 Obligation.

Recommended to retain site in Proposed Plan.

Moffat - MOF.MU2 Former Woollen Mill

John Handley Associates obo Equorium Property & EWM Group (0251.001) - Comments noted. Recommended to retain site in Proposed Plan.

Sanquhar - SNQ.H2 Queen's Road

(0064.031 and 0064.032) - This site is the subject of an extant outline consent and a reserved matters application submitted in 2013 is still under consideration. Since the adoption of the LDP the north western part of this site has been purchased by a housing association. The site is identified in the Strategic Housing Investment Programme and commencement on site is likely to be 2017/18 and as a result a planning application is likely to be submitted shortly.

The majority of the comments relate to the current planning application submitted by a different landowner/developer in 2013 and do not take into account recent developments at the site.

Much of the land in and around Sanquhar is subject to former coal workings and as a result a coal mining risk assessment is likely to be required but the Coal Authority are not of the general view that this would prevent development on this site any more than any other in the area.

Roads officers have not objected to the principle of development of this site and this will be subject to the consideration of any details submitted as part of a planning application.

This is a relatively level site and it will be for the landowners to determine what engineering works are required although it is undulating and the topography of the site will need to be taken into account in the layout and overall design of any scheme. It is not considered that this is an issue that would make the site unviable.

As part of the planning application the flood risk assessment and drainage impact assessment are under review.

Recommended to retain site in Proposed Plan

Sanquhar - SNQ.H201 Blackaddie Road

Robert Potter obo Kindbuild (0064.031) - The comments are noted however pre-application enquiries are not binding on the council.

This is a matter of interpretation of the policy in respect of Established Business and Industrial Areas whereby there was a presumption against development which " would not be compatible with established business and industrial use (Policy GP25 Nithsdale Local Plan)

The comments are noted however it is a matter of opinion that the Reporter came to inappropriate conclusions.

Access: The houses would utilise a spur road with traffic from the industrial premises to the north east which is considered to be an unacceptable arrangement in terms of amenity. Although the current occupiers of this unit may not generate significant traffic this could alter with no recourse to the planning system. Operations could alter in terms of both the nearby units resulting in more noise and traffic at any time and this should not be hindered by the close proximity of proposed residential properties.

The site now has a larger area that originally proposed when considered as part of the examination for the current LDP. This was not the predominating factor in the Reporter coming to their view of the acceptability of the site.

Whilst the planning application to the SNQ.H2 site has yet to be determined it is understood that the proposed access arrangements are acceptable in principle.

Flood Risk: The Council's flood risk management team have indicated that a flood risk assessment would be required for this site.

Ground Conditions: The Coal Authority have been consulted in respect of this

site in Sanquhar. The site lies within the defined Development High Risk Area, as all sites within Sanquhar do, and therefore a 'Coal Mining Risk Assessment' is required.

It is noted that the proposed site may be free from technical constraints however the preferred approach relates to the whole market area and each of the sites are still assessed in terms of their acceptability in planning terms.

It is considered that the site is not compatible with neighbouring uses being sited adjacent to industrial premises with which it shares an access. The site is not considered to visually relate well with other residential development in the area and reside whilst the representation itself suggests that there would be no physical relationship with houses at Queens Road either.

The site plan would suggest that proposed houses would be located closer to the industrial units than the property at Fairways. As discussed earlier it would not be appropriate to build houses that might at some stage in the future be unacceptably impacted on from a change of operational activities at the established industrial estate for which there would be no redress through the planning system. The proposed site is also likely to experience traffic noise due to the shared access arrangement.

Site Assessment: All sites have been assessed in relation to a number of matters in both planning terms and in relation to SEA requirements in a factual manner. The relevant weight given to different aspects is considered in the overall planning assessment on a case by case basis.

This site is a greenfield site and therefore this has been noted in the planning and SEA Assessment form.

The site when viewed from Blackaddie Bridge will be visually prominent as the wider town does not form the backdrop of the view in this particular location.

As discussed above it is considered that the site is not well related, either physically or visually, with existing residential development in the area.

The SEA assessment for many sites might only indicate minor negative aspects however in planning terms that may not mean the site is considered appropriate for development

Recommended not to include site in Proposed Plan and amend settlement boundary to exclude this area.

Sanquhar - SNQ.B&I1 Glasgow Road

Scottish Wildlife Trust (0318.001) – The site guidance contained within the current LDP makes it clear that development would only be supported in the south eastern portion of the site due to potential flood risk. It is proposed to replicate this guidance in LDP2.

Recommended to retain site in Proposed Plan

Thornhill - THN.H2 Hospital Brae

Historic Environment Scotland (0012.004); (i) Paul Medley (0327.001) – The site guidance contained within the current LDP makes it clear that development in the southern zone of the site may need to be informed by the results of an archaeological evaluation taking into account the views of Historic Environment Scotland and the Council. It is proposed to replicate this guidance in LDP2.

Scottish Natural Heritage (0122.002) – All sites contained within the LDP have been reviewed and reassessed for inclusion in LDP2. The comments are noted and the site guidance will be amended.

Woodland Trust (0152.001); Scottish Wildlife Trust (0318.001) – Additional requirements in respect of a buffer zone to the existing woodland have been added to the Proposed Plan in respect of the contents of the masterplan which must be produced and agreed by the council.

(ii) Paul Medley (0327.001) – The comments are noted. No modification(s) proposed.

(iii) Paul Medley (0327.001) – Access to septic tanks and soakaways would be a private matter between the relevant landowners
Recommended to retain site in Proposed Plan

Thornhill - THN.H3 Boatbrae

Historic Environment Scotland (0012.004) - The site guidance contained within the current LDP makes it clear that identified archaeological remains would need to be safeguarded to the satisfaction of Historic Environment Scotland . To achieve this a development framework will be required which may need to be informed by an archaeological evaluation of areas beyond the Scheduled area. It is proposed to replicate this guidance in LDP2.

Scottish Natural Heritage (0122.002) - All sites contained within the LDP have been reviewed and reassessed for inclusion in LDP2.

Scottish Wildlife Trust (0318.001) - Additional requirements in respect of a buffer zone to the existing woodland have been to the Proposed Plan in respect of the contents of the masterplan which must be produced and agreed by the council.
Recommended to retain site in Proposed Plan

Thornhill - THN.H4 Queensberry Beeches

Woodland Trust (0152.001) - Additional requirements in respect of a buffer zone to the existing woodland have been to the Proposed Plan in respect of the contents of the masterplan which must be produced and agreed by the council.
Recommended to retain site in Proposed Plan

Thornhill - THN.H5 Queensberry Park

Woodland Trust (0152.001) - Additional requirements in respect of a buffer zone to the existing woodland have been to the Proposed Plan in respect of the contents of the masterplan which must be produced and agreed by the council.
Recommended to retain site in Proposed Plan

LOCAL CENTRES

Beattock - Services

Moffat & District CC (0093.007); Land Factor Ltd (0160.001)- Comments noted. The settlement overview will include reference to the potential of a new railway station being investigated.

Moffat & District CC (0093.007) – Comments noted. Site BTK.B&I201 (North West, Main Street) identified for business and industry is a brownfield site and recommended to include site in Proposed Plan.

Nicola Malcolm (0191.002) - Beattock is defined as a Local Centre in terms of the settlement hierarchy as it has more than 3 community facilities. These include the primary school, shop, village hall and inn and restaurant. The shop located at the caravan park is considered to fulfil the role of a local shop. Policy CF3 provides for the provision of open space in all housing developments. No modification(s) proposed.

Church Place Surgery, Moffat (0257.001) – Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. No modification(s) proposed.

Beattock - BTK.H202 Main Street

Scottish Natural Heritage (0122.002); Land Factor Ltd (0160.001) - Comments noted and site guidance will refer to links to adjacent core path network that should be taken into account. Recommended to include site in Proposed Plan.

Kenneth and Sheila Campbell (0177.001); Jill Murray and C Currie (0256.001) - Beattock is defined as a Local Centre in terms of the settlement hierarchy as it has more than 3 community facilities. These include the primary school, shop, village hall and inn and restaurant. The shop located at the caravan park is considered to fulfil the role of a local shop. Policy CF3 provides for the provision of open space in all housing developments.

As part of the Call for Sites exercise Kirkpatrick Juxta Community Council submitted 5 potential sites for housing development. The Moffat and Beattock Community Action Plan (December 2016) which was subject to public consultation supported the allocation of sites in Beattock for residential development and business and industry uses.

Education Department has advised that a developer contribution would be required for Beattock Primary School. There is sufficient capacity at Moffat Academy.

It is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with regards to on site protected wildlife prior to development. The results of such work will be a material consideration in the assessment of proposals.

Scottish Water have advised there is sufficient capacity at Moffat Water Treatment Works and at Beattock Waste Water Treatment Works. The developer would require to discuss build out rates with Scottish Water.

Site guidance will state that the mature trees should be retained subject to access points.

Loss of privacy need not arise with careful site design and layout which would be addressed at the application stage. That development would result in the loss of a view is not a material planning consideration.

Increased crime and drugs are not issues directly related to the LDP.

Recommended to include site in Proposed Plan.

Beattock - BTK.H203 Smith Way

Scottish Natural Heritage (0122.002); Land Factor Ltd (0160.001) - Comments noted and site guidance will refer to links to adjacent core path network that should be taken into account. Recommended to include site in Proposed Plan.

Mr and Mrs Draeger (0168.001); Margaret Nicholson (0184.001); Nicola Malcolm

(0191.001) - Beattock is defined as a Local Centre in terms of the settlement hierarchy as it has more than 3 community facilities. These include the primary school, shop, village hall and inn and restaurant. The shop located at the caravan park is considered to fulfil the role of a local shop. Policy CF3 provides for the provision of open space in all housing developments.

Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. The provision of health services is not necessarily an impediment to development of the site.

As part of the Call for Sites exercise the Community Council submitted 5 potential sites for housing development. The Moffat and Beattock Action (December 2016) which was subject to extensive public consultation supported the allocation of the site for residential development. It is acknowledged that the development of the site would result in the loss of greenfield land, but the site is well related to existing community facilities and Beattock Primary School. Education Department has advised there is sufficient capacity at Moffat Academy.

European Protected Species (bats) may occur on or close to this site. Developers will be required to provide sufficient information to enable the Council to conclude that there will be no likely significant effect on these species as a result of the development. Policies NE4 and OP1d are relevant in the determination of a planning application.

Roads have advised that access to the site can be taken from Smith Way. A site capacity of 70 units is not excessive in terms of the potential impact on the local road network. Policy CF3: Open Space provides for the provision of open space in housing developments.

Scottish Water have advised there is sufficient capacity at Moffat Water Treatment Works and at Beattock Waste Water Treatment Works. The developer would require to discuss build out rates with Scottish Water. SEPA have advised that a small part of the site at the north eastern corner may lie within the 1:200 year flood plain of the Garpol Linn. A topographical survey and Flood Risk Assessment would be required to be agreed by SEPA and the Council as part of any planning application. This would determine the extent of the developable area and site capacity.

Loss of privacy need not arise with careful site design and layout which would be addressed at the application stage. That development would result in the loss of a view, impact on property valuations and issues concerning title restrictions of adjoining property are not material planning considerations.

Recommended to include site in Proposed Plan.

Beattock - BTK.B&I201 North West, Main Street

Scottish Natural Heritage (0122.002); (i) Land Factor Ltd (0160.001) - Comments noted and site guidance will refer to links to adjacent core path network that should be taken into account. Recommended to include site in Proposed Plan.

(ii) Land Factor Ltd (0160.001) – Comments noted. Recommended to include site in Proposed Plan.

Mr and Mrs Draeger (0168.001) - Site adjoins existing business and industry uses and the allocation of the site for housing is considered incompatible with these uses. Recommended to include site in Proposed Plan for business and industry.

Dunscore - DSC.H201 Dalgonar Road

Scottish Natural Heritage (0122.002) – It is proposed to develop only the lower lying part of this site which is considered to help in containing the settlement and act as rounding off in this location. It is accepted that to the south of the proposed site the landscape does become more complex.
Recommended to include site in Proposed Plan

Johnstonebridge - Services

Church Place Surgery, Moffat (0257.001) – Policy OP3: Developer Contributions provides opportunity for the Council to seek a contribution towards the cost of community facilities, including health facilities. Recommended to retain housing allocations in Proposed Plan.

Johnstonebridge - JSB.H2 Land West of School

White Hill Design obo Lochwood Estates (0060.003) - Comments noted.
Recommended to retain site in Proposed Plan.

Johnstonebridge – Business and Industry new site: JSB.B&I201 land between A74 (M) and former petrol garage/B7076

White Hill Design obo Lochwood Estates (0060.002) -
Economic Development have advised that site would be challenging to develop and it would potentially be uneconomic to do so in current climate. The site is very steep in parts and will require significant engineering works to develop the land. Significant adverse landscape impact and no development should take place in the area close to the burn and woodland screening. There are issues concerning the sites effectiveness and further information is required on the site's development viability and effectiveness. Recommended not to include site in Proposed Plan.

Moniaive - MOV.H1 Chapel Street

Deborah Trower (0144.001); Stephen Sparrow (0162.001); Daniel Haddock (0294.001); Scottish Wildlife Trust (0318.001) - Since the adoption of the current LDP SEPA have updated the flood risk maps and this further information indicating that the possibility of flood risk at this site makes it unsuitable as an allocation in LDP2.

Stephen Sparrow (0162.001) - Comments are noted

Recommended to remove site from Proposed Plan and amend the settlement boundary.

Moniaive - MOV.H202 Broomfield Meadow

M G Oxley (0234.001) – The site contains young plantation trees which are not considered to be of sufficient value to retain however there are mature trees to the north western corner and the western boundary that should be retained. Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other, however it is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with regards to on site protected wildlife prior to development. The likely results of such work will be a material consideration in the assessment of proposals.

Recommended to include site in Proposed Plan

Penpont - PNT.H1 Bogg Road

J R Harkness (0334.001) - The site guidance contained within the current LDP makes it clear that development should satisfactorily relate to the adjacent development at Tynron View which are modern bungalows. It is proposed to strengthen this guidance in LDP2 by requiring the construction of only 1 and 1½ storey buildings.

Recommended to retain site in Proposed Plan

Penpont - PNT.H2 Main Street

John Richards (0258.001) - It is proposed in the MIR to reduce the size of this site so that the eastern boundary runs along the side of the access road which is in third party ownership.

It is considered that this site provides a natural extension to the village. It is a relatively flat site and provided that the development is carefully considered as required in the site guidance contained in the LDP should ensure that any development is appropriate to the form and character of the settlement.

It is considered that suitably designed development in this location is unlikely to be significantly detrimental to the views of the church spire on entering the village. Roads officers do not express concerns they are merely stating what would be required for a development of this nature. These are standard requirements and are already contained within the site guidance within the current LDP. Whether the development would result in a number of extra access points would be determined by the final layout but this is not always the case.

Recommended to retain site in Proposed Plan but to amend the site and settlement boundary.

Penpont - PNT.H201 land to the north of Main Street

Scottish Natural Heritage (0122.002) - It is proposed that only a small part of the site that was submitted for consideration, that being the area that fronts onto Main Street adjacent to Kirkview, would be included within LDP2. It is not proposed to allocate this small area but to include it within the settlement boundary. A site of this size and nature is not considered to warrant a masterplan approach. Carefully designed it should have only a marginal impact on the approach to the village.

(i) Marie Stein (0295.001) - It is proposed that only a small part of the site that was submitted for consideration, that being the area that fronts onto Main Street adjacent to Kirkview, would be included within LDP2. It is not proposed to allocate this small area but to include it within the settlement boundary.

An access track does exist between Netherfield and 1 Kirkview which could be perhaps extended however this would be a private matter between the landowners and residents.

(ii) Marie Stein (0295.001) - It is proposed that only a small part of the site that was submitted for consideration, that being the area that fronts onto Main Street adjacent to Kirkview, would be included within LDP2. It is not proposed to allocate this small area but to include it within the settlement boundary.

That development would result in the devaluation of property is not a material planning matter.

J R Harkness (0334.001) - The comments are noted however due to the

proposed site being road frontage to Main Street only this may no longer be a relevant issue.

(i) David T Drife (0203.001) - These are not matters directly related to the LDP and the letter has been forward on to the Roads Officers for their consideration.

(ii) David T Drife (0203.001) - The comments are noted however residential developments within the village are relatively small scale and although some disruption would occur during construction phases this would not directly impact on the matters raised.

(iii) David T Drife (0203.001) - The comments are noted but it is unclear how these directly relate to the LDP process.

(iv) David T Drife (0203.001) – The letter has been forward on to the Roads Officers for their consideration.

Issue 14	Dumfries Town (General, Settlement Boundary, Business & Industry, and Housing)
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.4 Dumfries Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Rosefield Salvage (0005.002) Patricia Bell (0007.002) Sportscotland (0008.003) Historic Environment Scotland (0012.004) John and Sue Bowman (0045.002) John A MacColl obo Patricia Bell (0048.021) John A MacColl obo Mr McNay (0048.022) John A MacColl (0048.025) (0048.030) (0048.033) (0048.034) (0048.035) (0048.037) (0048.038) Savills obo Charlotte Developments (0063.010) Robert Potter & Partners (0064.027) Robert Potter & Partners obo Kindbuild (0064.031) Robert Potter & Partners obo Calmac (0064.032) Laurence T Wilson (Planning) obo McPetrie (0070.009) David Fallas (Planning) obo Dundas Chemical (0071.013) Asher Associates obo Ms Dobie/Mrs Hyslop (0073.002) Dumfries & Galloway Council Property Services (0100.027) Taylor Planning (0108.003) Ewan Maxwell (0119.002) Scottish Natural Heritage (0122.002) RSPB Scotland (0133.017) Michael and Natalie Rosie (0141.001) C S Stevens (0151.001) Woodland Trust (0152.001) Andrew Kennedy (0170.001) William Moir (0181.001) Mr and Mrs George K Thomson (0183.001) Sheila Anderson (0188.001) Allan Chapman (0209.001) Loreburn CC (0222.001) Linda McKeachie (0226.001) Edith M Beeton (0228.001) Cllr Ian Blake (0246.001) Paula Voce (0259.001) Turley Associates obo Story Homes (0263.001) (0263.002) John Douglas Lipton (0268.001) Ronald M Copland (0270.001) (0270.002) Colin Douglas (0271.001) Yen Hongmei Jin (0274.001) Martin Rae (0277.001) (0277.002) (0277.003) Paul and Emma Craig (0280.001) Saleem Hassan (0288.001)</p>	

Gail Stokes (0308.001)
Transport Scotland (0310.001)
Dawn Robson (0316.001)
Jacqueline Callander (0319.001)
Holder Planning obo Sandy Robson (0332.001)
Loreburn Housing Association (0333.001)
Jones Lang LaSalle (Glasgow) obo DSW Properties (0335.001)

Summary of the representation(s):

Dumfries General

Scottish Natural Heritage (0122.002) - In carrying sites forward to the Proposed Plan, the representor recommends that the site requirements for the Business & Industry sites are reviewed in respect of walking and cycling links. The commitment to sustainable transport and active travel should apply to the work place as well as to housing.

(i) C S Stevens (0151.001) – The representor suggests that the Council becomes realistic and starts converting the empty shops in Dumfries into houses and flats, using compulsory purchase where landlords will not agree. Dumfries needs no more betting shops and no more charity shops, it is time to be realistic and develop the empty properties in Dumfries by change of use. Then there will be accommodation in the town where facilities are available. More banks and other shops will shut, as we are in the digital age. But by placing people in the town you will generate more consumer demand and hence more jobs.

(ii) C S Stevens (0151.001) – The Council have allowed too many supermarkets to dominate Dumfries and they tear the guts out of any town or city. The best thing that can be done is to limit the big supermarkets to one major premise in the town. Other outlets must be closed down so the small shops can come back in some places. The alternate is that you continue on your downward spiral of self destruction

(i) Loreburn CC (0222.001) - To encourage town centre repopulation and regeneration, support the designation of the area around the Midsteeple as a Housing Renewal Area.

(ii) Loreburn CC (0222.001) - Within Dumfries Town Centre are several gap sites in street lines. These have mostly been converted to small car parks. For instance, there are a number along Queensberry Street and on George street. These should be recognised as potential housing sites. Cars are by definition mobile and so compensatory car parking could be provided with relative ease. These and other town centre gap sites should be added to the list of Housing Sites set out Section 3.4.15 et seq (pages 67-69).

(iii) Loreburn CC (0222.001) - The former Art School at George Street along with the Loreburn Primary School site (subject to confirmation of its planned relocation) should be considered for its development potential as should the former Benedictine Convent.

Colin Douglas (0271.001) - Dumfries must be protected and enhanced if it is to be

a successful Regional centre. It cannot hope to compete with Carlisle and Ayr in terms of jobs, retail opportunities, leisure facilities and having a vibrant town centre unless it has a greater population. It will fail in these respects unless something is done about it now. All of the new housing in the east of the region must be concentrated in Dumfries in support of the above, to help the population of Dumfries grow to an optimum level. Dumfries is the only town in the region with comprehensive transport links (road and rail) with the rest of Scotland and the north of England, so it is incomprehensible to consider large scale new housing elsewhere. Dumfries has a concentration of learning and health facilities. The needs of our young people and the growing elderly population can only be met in Dumfries, particularly as more local hospitals are closed because of funding difficulties. The proposals in respect of Dumfries should be redrafted accordingly.

Transport Scotland (0310.001) - Transport Scotland engaged with the Council throughout the previous Local Development Plan process and in the preparation of the MIR for LDP2. Note the information on the overall strategy and the specific allocations provided to date and look forward to continued engagement through the Proposed Plan stage.

The main focus of discussion related to the adopted LDP was around the potential medium to longer term trunk road implications of development to the north of Dumfries. Discussions on the adopted LDP concluded that updated assessment would be required when further information on development content, layout, delivery timescales was available and that this would require new traffic data collection and modelling. The Main Issues Report indicates that LDP2 will consider a reduction in overall allocations over the longer term but allocation of around 300 more residential than the adopted LDP, up to 2029. The potential sites identified for Dumfries in the MIR are much smaller than the major allocations in the adopted LDP, connected to existing infrastructure and are not concentrated around specific trunk road junctions.

Given the conclusions of the previous considerations and the amended approach to more dispersed and sustainable sites set out in the MIR there is unlikely to be a significant additional cumulative impact based on the information provided to date. The representor will need to consider the approach to the impact of development on the trunk road in the medium to longer term in the context of previous discussions and how this can be captured in LDP2 and I look forward to further discussions.

Dumfries General Housing

Robert Potter obo Calmac (0064.032) – Sufficient effective housing land has not been identified in the MIR for the Dumfries HMA. The effective housing land supply given in the MIR is based on an overestimate as demonstrated by our objections to the Housing Land Audits (HLAs) for 2014, 2015 and 2016. A representation was made by Robert Potter and Partners to its draft on 8 July 2016 that DFS.H3 - Noblehill, Dumfries, part of DFS.H4 - Former College, Heathhall, Dumfries and DFS.H6 Lincluden Depot, Dumfries will fail to contribute the programmed number of units to the housing supply. Despite this representation the draft was not changed nor any explanation advanced why these comments were considered to be wrong. It is still considered that there are material weaknesses in the way the Council has assessed effectiveness of these and

other sites, to the extent that on a practical level, the expected numbers will not be delivered by the market. Further, the Council has never explained why the date on the document precedes the expiry of the consultation period.

It is wrong therefore to say that DFS.H204 is not needed to contribute to the effective housing supply (albeit modestly). Since our comments on the 2016 HLA DFS.H4 Heathhall College was refused permission for 75 units on 19th April 2017 (15/P/3/0513) On that basis prudence alone dictates that this site be removed thus resulting in a shortfall of 176/ 194 units in the housing supply as envisaged in this MIR. It should also be noted that this analysis did not include DFS.H2 Marchfield where the present pace of development calls into serious question the realism of maintaining such a large figure as 745 units.

The housing supply figures given in the MIR are also predicated on the assumption that sites that have been in a development plan for more than 12 years (such as DFS. H3 Noblehill) should continue to be allocated despite Homes for Scotland habitually excluding such sites where there has been no significant progress. The assumption that in terms of the distribution of the housing supply this should be restricted to only 50% for Dumfries Regional Centre of the total for the Dumfries HMA is also challenged. A much larger percentage would surely be more appropriate in terms of sustainability etc. It is significant that para 3.4.18 of the MIR states “Preferred Approach – provide a greater diversity in the size and location of sites around the town to provide for a larger range of opportunities” The rejection of DFS. H204 is directly counter to this objective.

None of the proposed or rejected sites in the MIR have been assessed in terms of their effectiveness in accordance with Planning Advice Note (PAN) 2/ 2010. They have only been subject to SEA assessments. This is wholly inadequate to assess sites for the purposes of determining their ability to contribute to the effective housing supply and arguably is contrary to Scottish Government guidance. Crucially the fundamental test of marketability has not been applied according to the available evidence and certainly any included in the MIR. Call upon the Council to provide this evidence if such exists. This means that until such evidence and proper assessments of site effectiveness is provided none of the proposed sites referred to in the MIR can be considered valid for allocation in LDP 2. DFS.H204 as demonstrated in the Further Call for Sites submission is an effective site according to any competent application of the PAN 2/ 2010 tests and can therefore contribute immediately to the housing supply.

Yen Hongmei Jin (0274.001) - Comment on housing developments generally:

- school capacity
- GP surgeries
- Traffic
- Parking spaces
- Public transport
- Community centres/places for community cohesiveness
- Council customer service centres
- Footpath and cycle routes need to be joined up
- More encouragement for dog walkers and general public to be tidy by providing bins and ‘poopascoop’

All of these need to be taken into account alongside and in conjunction with the housing development .

Ryden obo NHS Dumfries (0325.001) - Given the location of Dumfries, attracting major PLC house builders has proven to be challenging. Therefore, would support a more flexible and diverse allocation of housing sites rather than focusing on larger, more strategic housing sites which require significant upfront investment. This will help stimulate the local market and also offer smaller, local builders the opportunity to become more actively involved in the delivery of housing. Furthermore, the shift in focus to smaller, more easily delivered sites will also help facilitate urban regeneration and better use of underutilised or vacant sites located within settlement envelopes.

Holder Planning obo Sandy Robson (0332.001) - Since the current LDP was adopted there have been some significant changes, together with lack of change in respect of some allocated housing sites.

The most significant change is the construction of the new hospital on the western edge of Dumfries. This will inevitably have a major change on the dynamics of the town in terms of, inter alia, being a new centre of employment, the existing hospital employment centre shrinking markedly, travel patterns changing, transportation infrastructure being improved in response and the western side of the town becoming more desirable as a residential location. In short, the centre of gravity of the town has shifted westwards.

It is also the case that some allocated housing sites within the Dumfries market area in the current LDP have yet to demonstrate that they are effective for a range of reasons, including marketability. We have critiqued these sites before in terms of the Housing Land Audit and have attached the relevant document as Appendix 7 (note-exclude references to Annan HMA). This general lack of progress is also noted in the appendix to the LDP Action programme of Nov 2015 which does not record the damning appeal decision affecting the Heathhall College site. These criticisms are founded upon in support of this submission.

Taking these factors together, it is submitted that it is incumbent on the Council to clearly demonstrate how its spatial, housing and transportation strategies are being changed in response. It is submitted that it is not tenable for the Council to simply ignore these factors, regard the current Spatial Strategy as an immutable entity and carry on as before. Rather, the Council is called upon to demonstrate that its proposed Spatial Strategy is up to date based on current evidence and will be fit for purpose in LDP2.

Holder Planning obo Sandy Robson (0332.002) - In most Scottish Planning Authority areas, Homes for Scotland contribute to the Housing Land Audit and agree the proposed programming as credible on behalf of their members. However, due to the lack of national/volume housebuilders operating in Dumfries, Homes for Scotland do not review the Dumfries and Galloway Housing Land Audit, therefore, there is significant potential that some of the sites identified in the HLA have not been properly scrutinised by the development industry, leading to an over-estimate of effective sites and their programming.

Paragraph 55 of PAN 2/2010 Affordable Housing and Housing Land Audits sets out the criteria for assessing the effectiveness of a site. Homes for Scotland provide further guidance on their assessment of the effectiveness of sites in their

note Housing Land Audits: Homes for Scotland Procedures 2015, which includes the following;

Ownership - Homes for Scotland considers that a site can only really be considered effective if it is owned or controlled by a developer.

Ownership - Public land should be in a disposal programme and should be being marketed.

Marketability - Sales potential within an area must be considered, as must a developer's expectation for a reasonable return from a site.

Planning Consent - Planning consent does not guarantee a site will be built immediately. Audits should show details of the consents. Our default assumptions are:

- If consent expires before construction starts the site will be considered non-effective unless the Council supplies evidence of activity.
- Sites in the final year of consent, without activity, are non-effective. They will become effective again if they commence between audits.
- Councils will be asked to justify their assumptions for sites shown to start in the final year of a consent, or after apparent expiration.
- Sites where s75 agreements cannot be concluded because of viability should be considered non-effective until an agreement is signed.

Programming – programming information comes variously from direct survey by Councils, evidence from members, and trend-based estimates. Homes for Scotland will use the following realistic default assumptions on maximum annual completion rates, unless up-to-date industry evidence is available. These figures relate to the market housing on a site.

Type of site

- Detached / semi: Urban 30 units per annum (24 if no developer). Rural 10- 20 units p/a (depending on past trends)
- Flats: Urban 38 units p/a (30 if no developer). Rural 20 units p/a
- Strategic sites: 3 builders acting in a single year = 90 units p/a (72 if no developer)
- Small sites: 50% effective rule west Scotland Local trend-informed % assumption elsewhere
- As a default, the programme for the first year of production should be no more than 50% of a full year output

Old Sites - Homes for Scotland would assume that any site which has appeared in the housing land audit for 12 more years, without significant recent progress, is non-effective. Such sites should identified in a separate 'non-effective' schedule and reconsidered when the development plan is next reviewed.

With regards to the above criteria, some of the sites contained in the HLA 2016 are ineffective, and the programming of other sites overestimated. In terms of programming, the assessment has applied delivery of 75% to Homes for Scotland's default assumptions, given that completion rates in Dumfries are likely to be lower than more marketable locations upon which Home for Scotland have derived these figures. Based on the above, the revised housing land supply, is as follows;

Revised Effective Housing Supply 2016 – 2029

	Dumfries Regional Centre	Dumfries HMA
Revised Effective Supply 2016 – 2021	449	977
Revised Effective Supply 2019 – 2024	248	788
Revised Effective Supply 2016 - 2029	860	2,055

Based on the revised housing supply and housing land requirement, the MIR needs to allocate new sites to deliver 1,473 new homes in Dumfries HMA, of

those, 904 homes should be allocated in Dumfries Regional Centre for delivery over the plan period.

If the Council's aspirations of consolidating Dumfries' role as the Regional Centre is to be achieved and 70% of the HMA requirement is directed to Dumfries, effective land for the building of 1,610 homes should be identified in the LDP.

Consider that a number of the "preferred" MIR sites are ineffective or will not deliver completions as anticipated. Estimate that the supply from the preferred MIR sites is as follows

	Dumfries Regional Centre	Dumfries HMA
Revised Effective Supply 2016 – 2021	168	306
Revised Effective Supply 2019 – 2024	373	541
Revised Effective Supply 2016 - 2029	560	728

Housing land requirement Vs supply

Following table sets out the housing land requirement less the total supply, which have been revised as per the conclusions set out above. This demonstrates that there is a significant shortfall in the supply of effective sites in Dumfries Housing Market Area and more specifically in Dumfries Regional Capital over the plan period 2016 - 2029.

Housing Land Requirement Vs Supply 2016 - 2029

	Dumfries Regional Centre (70% Revised Distribution)	Dumfries HMA
Housing Land Requirement	2,469	3,528
Effective Housing Land Supply(Revised)	860	2,055
MIR Sites (Revised)	560	728
Shortfall/ Surplus	-1,049	-745

Based on the 13-year period 2016 – 2029, the requirement equates to 271 units per annum to be delivered in Dumfries HMA and 135 units in Dumfries Regional Centre. Therefore, over the five- year period, the Housing Land Requirement is 1,355 units in Dumfries HMA and based on the proposed dispersal of 70% of the total requirement, 949 units should be identified in Dumfries Regional Centre.

Following table sets out the housing land requirement less the effective supply and MIR "preferred" sites, which have been revised as per the conclusions set out above. This demonstrates that there is a shortfall in the supply of housing land in Dumfries over the 5-year period 2016 – 2021.

Housing Land Requirement Vs Supply 2016 – 2021

	Dumfries Regional Capital (70% Revised Distribution)	Dumfries HMA
Housing Land Requirement	949	1,355
Effective Housing Land Supply (Revised)	449	977
MIR Sites (Revised)	168	306
Shortfall/ Surplus	-332	-72

However, in terms of the MIR, it is most pertinent for the emerging plan to have

an effective 5- year supply from the date of adoption, which is 2019. The five-year requirement and supply from the date of the plan's adoption is set below and shows a shortfall in both the Dumfries HMA and more significantly in the Regional Capital.

Housing Land Requirement Vs Supply 2019 -2024

	Dumfries Regional Centre	Dumfries HMA
Housing Land Requirement	949	1,355
Effective Housing Land Supply (Revised)	248	788
MIR Sites (Revised)	373	541
Shortfall / Surplus	-328	-26

Given the shortfall in the supply of housing in Dumfries Housing Market Area and more specifically in Dumfries Regional Capital, the settlement boundary should be extended and Mavis Grove should be allocated for housing development in the Proposed Plan. Mavis Grove is effective and can contribute 200 new homes, including affordable housing, to the housing land supply, in a sustainable location. Please see this submission and associated Site Specific submission for further information.

Dumfries Settlement Boundary

Ewan Maxwell (0119.002) - The report indicates "no changes in circumstances since the last Development Plan". Whilst that is true, the representor is requesting the boundary be moved to the correct location because it is historically wrong. The reason this boundary is incorrect is because it separates their house from their garden, which in turn affects the value of the property. That is unfair, unprecedented and inconsistent with other householders on the edge of villages across Scotland. The Council have already accepted the area to the north of the house is garden ground and has been since 1968, and long before they bought this property. Believe this error has been carried forward from several previous Local Plans probably unnoticed and or improperly challenged. Whilst they admit no significant changes have taken place to the garden most recently, it must be noted the Locharbriggs northern boundary was identified many years ago and therefore should have been adjusted then. It is clear there has been a fundamental error in this boundary location ever since. The representors previous letter to the Development Team dated 13/10/16 refers to planning 94/P/3/0014 and 97/P3/0273 which contained a condition, that a tree barrier/plantation be created after mineral extraction by the local Quarry to give a clear identifiable and defensible boundary to the village at the very end of my garden. The Council then moved 30 mph limits in line with this tree plantation thereafter, which in itself was a significant change in circumstances, yet the Council failed to move the boundary to reflect the changes at this time. Therefore at present it appears there are now two village boundaries at this location, and both created by the Council! Would kindly ask the Council to rectify this error, and redraw the boundary at the end of the garden where it is visually apparent it should be located.

BUSINESS AND INDUSTRY

DFS.B&I 5 Land South of Dumfries Enterprise Park

Scottish Natural Heritage (0122.002) - Note that DFS.B&I5 is to be reduced in size to remove an area of ancient woodland from the allocated site. As an irreplaceable resource, the representor supports this change to the allocation as the most effective means of protecting the woodland at this site and the

contribution it makes to the amenity of the area.

DFS.B&I 7 Clumpton Hill

Scottish Natural Heritage (0122.002) - With the exception of DFS.B&I7, Business & Industry allocations in the current LDP are being carried forward. In the case of DFS.B&I7, the representor understands that one of the identified constraints to delivery is the presence of peat on the site. In support of the delivery of national policies on protection and restoration of peat soil resources, the representor welcomes and supports the intention to de-allocate this site.

DFS.B&I 201 Tinwald Downs Road

RSPB Scotland (0133.017) - Map includes call for sites area land south of Tinwald Downs Road (DFSB+1201), which the representor notes is adjacent to Lochar Moss. Would advise that any development proposal at this location needs to avoid impact to deep peat habitat.

(i) Allan Chapman (0209.001) - The site comprises high quality agricultural land and is in continuous use for crop production and pasture. Such land will be of increasing importance and value for food production in Great Britain (Morrisons plc. Report 2016). Such sites, once destroyed by development, can never be replaced.

(ii) Allan Chapman (0209.001) - Development would be a contradiction of the stated LDP Vision of “a sustainable economy built on sustainable principles that safeguard the landscape”. The assertion in the Main Issues Report P 65 that B&I 201 is “not visually prominent” is misleading. These fields are very prominent as they border, for about 500 metres, the footpath / cycleway from Dumfries town centre to Locharbriggs. This path is extremely popular for commuting and for recreational walking and cycling. The popularity for recreational walking owes much to the attractive, pseudo rural environment through which the footpath passes at this point.

(iii) Allan Chapman (0209.001) - The fields concerned now represent the only greenfield space of any size along the 3 miles of footpath from Dumfries to Locharbriggs following previous development. The importance on quality of life of maintaining green spaces in towns has been affirmed in numerous studies. Such spaces are of both psychological and physical benefit to humans and are both a reservoir and refuge for wildlife. DFS.B&I 201 forms part of an important aesthetic and environmental interaction, situated as it is between Heathhall Forest, the small area of woodland beside the Woodgrove housing development, the footpath and the remaining mature woodland bordering the former Pines Golf Course. Dumfries, like most other Scottish towns, is substantially ugly and should therefore preserve as many very pleasing sites like this as possible.

(iv) Allan Chapman (0209.001) - Peripheral developments will not improve the fortunes of Dumfries Town Centre which is sadly in a state of decline and decay.

(iv) Allan Chapman (0209.001) - Walking around the N.W. Dumfries the representor sees sites such as land adjacent to the existing, unsightly, Heathhall Industrial Estate, the derelict former Gates / Interfloor factory and its car park opposite, and one or two sites further out on Edinburgh Road which look

reasonable options if further business development is truly needed. It might be argued that tasteful development might even improve the appearance of some of these.

DFS.B&I 253 Land at Starryheugh

John A MacColl (0048.030) - The settlement boundary should be amended to include the area at Starryheugh- DFS B&I 253.

John A MacColl (0048.035) - Discussions and negotiations for the purchase of the land are currently ongoing along with financial and development appraisals. The proposed development is intended to be of a Business Park style rather than industrial and consideration is also being given to roadside facilities, accommodation for specialist services for the agricultural community and other uses compatible with a high quality Business Park. The land owner would insist on extensive screening to the exposed boundaries. The inclusion of this land for the purposes referred to would provide non-industrial opportunities for businesses who wish to locate close to good road links and in an environment suitable for their business. The land DFS B&I 3 is now being built on and the land DFS B&I 253 would provide a replacement in this area.

Linda McKeachie (0226.001) - The site and proposed building of business and industrial units will have a significantly detrimental impact on the aesthetic environment currently enjoyed by the adjacent cottages. They will be completely overshadowed by the proposed buildings and will experience an enclosed environment, an increase in noise level, an increase in traffic and foot flow and a general reduction in privacy. This will result in the loss of environmental pleasure currently enjoyed by tenants and a decrease in the value of the property. Question why virgin land is having to be used for such purposes resulting in the mishmash and uncoordinated spread of the town of Dumfries. Every time the representor visits Dumfries, they increasingly despair about the town environment compared to the vibrant exciting town they remember as a young person. They are not only referring to the town centre but to the rundown surrounding "brown" sites which require refurbishment. Surely planners have a duty to concentrate on modernising these areas and attracting industry there rather than attacking green land.

Question the suitability of the area for building based on its history of flooding over the years. The local farmer has put a lot of effort into draining and improving the land, but the area is still suspect and prone to flooding. Concerned that this will be exacerbated by building on it and by all the range of services that will be required. Is particularly concerned that the adjacent cottages, as the poor relation, will come out the worse for any wayward flow of rainwater during periods of very bad weather.

Wish to point out that the septic tank and soakaway for the adjacent cottages are currently outside the boundary of the cottages and are presumably within the proposed development area. Provision would have to be made to ensure that their continued operation is maintained to current levels of performance.

DFS.MU202 land east of Solway Gate

Savills obo Charlotte Developments (0063.010) - Seek the Council's agreement that land east of Solway Gate should be allocated for mixed use development. The land adjoins the Dumfries settlement boundary and could easily be brought

forward for development.

The site area comprises a total of 32.5 hectares. They have prepared and submitted a Development Framework Document (DFD) with these representations to illustrate how a development could be brought forward to deliver the proposed mix of uses.

This proposal is the only one to come forward during the 'Call for Sites' submission with such a diverse combination of uses which would have positive impact not only regionally but also on the International Euroroute E18. The proposed uses consist of the following:

- Overnight lorry park with driver facilities
- Overnight tourist caravan/motor home park with facilities
- Farm shops for local produce
- Tourist information centre and 60 bed hotel
- Car dealerships
- Agri business park
- Leisure facilities including a multiplex cinema
- A service area with a petrol filling station could also be incorporated next to the site entrance.

The lack of these proposed uses is well known locally in Dumfries and they offer an opportunity to meet this existing demand.

The site represents an opportunity to build upon the surrounding existing leisure and employment function to create a defined 'gateway' development into Dumfries. Both of the sites landowners have a shared vision for the site and are eager to progress in the short term.

Currently there is a four arm roundabout at this location (including the existing farm access) and the proposal is to construct a new enlarged roundabout off-line and then re-route a small section of the A75 to connect up. The new roundabout will be sized to alleviate the known tailbacks and the expected movements in and out of the new facility. An illustrative plan of this roundabout has been considered by Transport Scotland and, subject to complying with DMRB standards, they have no objection.

A future detailed design for the site would seek to enable access to the existing paths to offer recreational opportunities to those staying in the nearby hotels and caravans park. In contrast to infrastructure investment required for other proposed schemes, those required at the site are minimal and demonstrate the deliverability of the proposals in this location.

The principal land uses in the area are employment and leisure, development on the site would be in keeping with the established character of nearby land uses. Subject to consideration of a detailed layout, it is considered that a well designed and sustainable extension to the settlement can be achieved at this location.

Within the adopted LDP, the site is located next to the A75 trunk road, which is identified as part of the Strategic Transport Network. As such, the proposed uses which also have potential for a traffic service station, are supported by Policy T1: Transport Infrastructure within the adopted LDP. The proposals would greatly improve the road layout which currently results in congestion at the access point to the existing Shell filling station. The imminent opening of the adjacent Starbucks will only have a further negative impact. The proposals would result in a safer road layout in this location.

BIODIVERSITY, FAUNA AND FLORA - The woodland referred to is not 'ancient woodland'. It is Rough Woodland which has regenerated naturally and without any management over recent years and is classed as such in IACS for payments

under the CAP.

POPULATION AND HUMAN HEALTH - Agree, however the effect of sports, leisure, tourism and employment (approx. 650 jobs) could make a significant positive impact.

SOILS - The comments that this proposal would result in the loss of best quality agricultural land and that the southern part of the site is prime agricultural land is incorrect. The IACS classification for the site is 'PGRS – Permanent Grass'

WATER - Agree, detailed investigations would take place at the appropriate stage.

MATERIAL ASSETS - The proposed uses require to be located alongside the A75 trunk road and visible to road users.

CLIMATE FACTORS - Agree, however the majority of traffic would be associated with existing movements on the highway network.

CULTURAL HERITAGE - Agree however, there would be an opportunity to promote the regions heritage through the proposed Information Centre.

LANDSCAPE - Agree there may be a minor negative SEA impact locally however, this should be considered against the wider positive improvements elsewhere along the A75 by removing the overnight use of lay-bys by HGV and other vehicles (TRO).

PLANNING/EFFECTIVENESS ISSUES - Only modest consideration appears to be given to the positive effects on the increased sports provision or the opportunities the site can bring to the tourism and employment sectors. The comment of 'speculative' is subjective and not a valid planning reason for the proposal not being taken forward.

DFS.MU203 Interfloor Factory

Historic Environment Scotland (0012.004) - The representors have been concerned about the future of this important B-listed building for some time, and welcome proposals to include it as a development site, provided that they support the repair and reuse of the building. Encourage engagement with Historic Environment Scotland on any forthcoming development brief or masterplan for the site.

Yen Hongmei Jin (0274.001) - Support the reuse of the site for industry as we need big business/employers to invest in the area.

DFS.TC1 Brooms Road

Dumfries & Galloway Council Property Services (0100.027) - If there is no appetite to go to Members to raise the possibility of selling the site, it should not be in the LDP.

HOUSING

DFS.H1 Barnhill

Patricia Bell (0007.002) - Due to a change in circumstances the representor wishes their land to remain in LDP1 and also for it to be included in the LDP2.

John A MacColl obo Patricia Bell (0048.021); John A MacColl obo Mr McNay (0048.022) - Confirms that Miss Bell wishes her land to remain in the new LDP2 and representations supporting this have been made on behalf of both the land owners Miss Bell and Mr McNay. The land identified in the current local plan is in the ownership of five owners and all are supportive of having the land included in

the LDP2

John A MacColl (0048.025) - Site is free from physical constraints, is a sustainable location for the extension of the settlement and represents an effective and deliverable site. Client object to the removal of site from the LDP2 on the basis that the site remains an effective housing site and should therefore be included in the housing land supply for the forthcoming LDP period. The two consents, each for a single dwelling, were approved in 2014 have now expired. The landowners confirm that they do not intend to carry out any development which would prejudice access to the site or the development of the wider site.

The site represents an appropriate and sustainable site for housing development as it is located adjacent other housing development and local services, footpaths and cycleways.

LDP1 examination - the Reporter agreed with the Council that the site was suitable for housing development and it was carried forward as housing allocation DFS.H1 in the LDP. Overall, the Reporter's assessment of the site was positive and confirms that the site is an appropriate location for residential development in Dumfries.

The site is considered to be an effective site in terms of criteria set out in PAN 2/2010. The commentary below relates to the criteria in the PAN2/2010.

i) Effectiveness - The Dumfries and Galloway Housing Land Audit (HLA) June 2016. DFS.H1 has a remaining capacity of 259 at 31st March 2016. The commentary states that there are no completions programmed for the 2016/2024 period and 'Allocation considered ineffective during the period April 2016- March 2021.

14/P/310583 for 1 unit approved 9/12/15 and 14/P/310584 for 1 unit approved 16/11/15.' Despite stating the site is ineffective, there are no constraints noted and no commentary is provided to justify this general assessment. The HLA does not provide detailed reasoning for concluding that the Barnhill site is ineffective. On behalf of their clients, the representor maintains that the site is an effective site for housing development and the next HLA and the LDP2 should reflect this.

ii) Ownership - The site is within the ownership of 5 landowners (Messrs Smith, Farish, Bell, McNay and Stankovic/Whannel) who are collectively promoting the retention of the housing allocation in the emerging LDP2. The landowners are supportive of the ongoing allocation of the site for residential use and its development for new housing during the next LDP period.

iii) Physical - the site is considered to be free from physical constraints. The site is adjacent to the existing settlement and forms a natural extension to Dumfries. Suitable access arrangements are available at the site and the site is not subject to any natural heritage designations. Further site investigation work, including in relation to flood risk, will be undertaken as part of a planning application.

iv) Contamination - the site is largely greenfield, currently used as agricultural land. A portion of the site has been developed for housing. It is considered that there will not be any contamination issues at the site.

v) Deficit funding - no deficit funding is required for this site.

vi) Marketability - The landowners have historically had interest in the development of this site for residential use but the sale did not proceed. There has been a recent enquiry from a major housebuilder in relation to the site. The site is considered to be effective and deliverable. Dumfries and

Galloway Housing Partnership have provided a letter confirming that they would be interested in developing the affordable housing on the site

vii) Infrastructure - as confirmed in the representation there are no infrastructure issues that rule out this site coming forward in the Plan period. From initial utilities enquiries, there are no infrastructure constraints that would impede development.

viii) Land use - this site is currently allocated for residential development in the adopted LDP. This land use has been established as appropriate through the preparation of the adopted LDP. This is a sustainable location for a settlement extension and the proposal is acceptable in landscape impact terms.

Overall, the site is effective and is deliverable within the Plan period to 2029.

The site remains an effective and suitable housing site and the Council's proposal to de-allocate an effective housing site is considered inappropriate. The reason stated for the removal of the housing allocation in the LDP2 is that the combination of different aspirations of multiple landowners and lack of national housebuilders to negotiate for a site of this scale is making the site ineffective. All 5 landowners of the site are supportive and committed to the promotion of the whole site as a housing development opportunity. There has been recent interest in the site from a major housebuilder.

The demand for housing both in terms of need and aspiration remains and this site is an appropriate location for new residential development which can assist with meeting the housing need over the Plan period to 2029.

As demonstrated in this Report, the Barnhill site has been allocated in the adopted LDP for residential development on the basis that it is free from physical constraints, is well-located in relation to the existing built environment to provide a sustainable extension to the settlement and is considered an effective site for housing delivery.

DFS.H2 Marchfield

Woodland Trust (0152.001) - Oppose this development because the site proposed is directly on top of an area of ancient woodland 2b (Long Established of Plantation Origin.) LEPO, like semi-natural woodland is an official classification of ancient woodland which appears on the AWIS. SNH describe these woodlands as "Interpreted as plantation from maps of 1750 (1b1) or 1860 (2b) and continuously wooded since. Many of these sites have developed semi-natural characteristics, especially the oldest ones, which may be as rich as Ancient Woodland." Therefore this site should be protected and to develop this site would be in direct contravention of SPP. Believe that this site should be removed from further consideration for development.

Turley Associates obo Story Homes (0263.001) - Fully support the inclusion of the site. The proposed allocation comprises an existing allocated site in the adopted LDP (September 2014) plus additional land at Lady Park Farm, and is within the control of Story Homes Ltd. It is noted that the site is included in both the preferred and alternative approaches. It is agreed that this site is effective, as concluded at paragraph 3.4.16 of the MIR consultation document.

Story Homes Ltd has previously secured planning permission for residential development on land to the south of DFS.H2 and has been delivering houses on the site at a rate of 30-40 units per year. As highlighted in the site assessment for DFS.H2 provided alongside the MIR consultation document, the site "provides a

logical extension to recent development in this part of the town”, and benefits from water supply and waste water infrastructure upgrades.

Yen Hongmei Jin (0274.001) - Loss of greenfield space and increased traffic movement and pressure on roads. Object to any further developments in Summerpark and Marchfield unless proper plans also submitted at the same time for a community centre proposals for the area.

Residents of Marchfield and Summerpark pay a service charge to the developer to look after the greenfield space as part of their title deeds when they bought their property. this space is being encroached by new developments- asking that if service charge could be reduced to reflect this loss or the money put further towards future community facilities in particular a community centre.

Pressure on community centres in the area as result of increasing number of houses- particularly resident of Summerpark and Marchfield have raised concerns that they are no local community centres to their area and the closest is Georgetown.

Concern more houses puts pressure on schools and other community facilities.

These need to a consideration of any further development proposals.

Concern of the size of the houses and their proximity to each other. Propose new policy to address these concerns in their design and numbers.

DFS.H3 Noblehill

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) – Following submitted in respect of the Draft Housing Land Audit 2016 in relation to the effectiveness of existing allocations in the LDP.

(Comments were also submitted in relation to the 2014 and 2015 audits). There has been no change since either of the previous HLAs to alter our original assessment that this legacy site is fundamentally ineffective. This is clearly now further evidenced by the continued apparent complete lack of progress as in achieving any completions or meaningful prospect of doing so, as far as we have been able to ascertain

The 2016 HLA would appear to maintain the validity of this continued allocation, completions reduced to 50 units by 2021; 75 by 2021 – 2024 and 51 post 2024.

This is in line with what would be expected for an ineffective site where to the best of our knowledge there is presently no form of current planning application and therefore no material progress. The need to defer such a large number of units post 2024 appears to presume the content of LDP 2.

Since the adoption of the LDP the effectiveness of this site was further undermined by a misleading supplementary guidance Masterplan Brief.

Questions the total number noted for the site due to open space provision (including interpreting the area to be retained as open space by the Reporter in the Examination Report) and flood risk and also how the proposed link road would impact on the open space provision.

At the very least the total number of units that this site is capable of accommodating should be reduced to properly reflect the Reporter’s conclusions. The site should be reduced to a total capacity of 135 units to take account of this although in practice few, if any units, will eventually be contributed by this site to the housing land supply.

An effectiveness test for this site has also been produced by the representor which suggests that it scores poorly on one aspect being marketability due to open space provision in relation to Reporters comments, need to provide affordable housing,

flood risk and lack of marketing documentation from the Council.

Asher Associates obo Ms Dobie/Mrs Hyslop (0073.002) - Notes the intention to reduce the site by “approximately half its size”. It is unclear what this means in terms of exact site area. The representors clients own the central area of DFS.H3 (the area outlined in red on AA5257/EW/01 attached) and are clearly concerned that they may lose their allocation in the LDP.

Housing Development in Dumfries & Galloway has been slow moving in recent years, but the last 9 months has seen a huge upturn in interest in development sites, fuelled by the Scottish Government’s Social Housing Initiative. Of key importance at Parkhead/Noblehill is the recent acquisition by Dumfries and Galloway Housing Partnership of the land formerly owned by Dumfries and Galloway Council at Parkhead (outlined in blue on AA5257/EW/01 attached). Housing development in this area was first proposed in 1990 when land was acquired from the Dobie family by Nithsdale District Council for the construction of Council Housing. 27 years later, progress is finally being made towards the aim to see much needed social housing in an area of the town which is short of it. It would be highly ironic should the full scope of development in the area be stymied through removal of land allocation from the Local Plan at this stage. Discussions have taken place between our Clients and DGHP on the opportunities to link the sites.

It is noted that current Education proposals for Dumfries (Dumfries Learning Town) envisage the closure of Noblehill Primary School on its current site, transferring to the Dumfries High School campus. The Primary School site provides an Opportunity Site which adds to the critical mass to create a distinctive new neighbourhood in this part of the Town.

Technical Issues are raised as a justification for exclusion of part of the DFS.H3 allocation. The representors have undertaken a thorough feasibility report on the Site, inclusive of a topographical survey and ground investigation. Although it is noted that the ground conditions are poor, we believe that the site can be developed to its best advantages, with a large central public open space and SuDs feature occupying the less developable area. An outfall from the Site exists in the form of the existing 675mm diameter combined sewer. This already takes land water from the Site. A detailed drainage engineering scheme will be prepared to prove the sizing of a SUDS Basin/Pond required to outfall in an attenuated manner by way of a throttle (Hydrobrake or similar).

It is noted that, just this week, Story Homes’ former College Site at Heathhall has been refused again. Should this now be deemed dead in the water, a significant chunk of Dumfries’ housing allocation has been lost.

(i) Loreburn CC (0222.001) - There is concern in the locality that this represents overdevelopment of this area. If development proceeds it should be at low density.

(ii) Loreburn CC (0222.001) A significant part of the site should be maintained as improved public green space. Alternative provision will need to be found for the football ground

Ronald M Copland (0270.002) - Wish to appeal against the non-inclusion of these fields in designated DFS.H3 for the purposes of LDP2. It is the representors understanding that DFS.H3 comprises Greenbrae (Parkhead Old Fever Hospital

site), Parkhead playing fields, Stoop and the two fields at Noblehill in which the representor and others have an interest. The LDP site assessment and SEA checklist for the whole of DFS.H3 appears to indicate that it scores 'XX' Water and yet you have indicated that only part of DFS.H3 should be penalised. This part, the eastern end of DFS.H3 is particularly noted in the overall planning comment and it is in this respect that the representor disagree vehemently with the Council's thinking.

The two fields in question, with the exception of a small corner nearest to the existing housing at Gasstown are actually on a level with and in some areas higher than the existing Noblehill estate, so how can there be water problems? I would suggest that one should not always believe what one reads in reports by other bodies. The storm drainage pipe from Noblehill estate was replaced through the extreme east end of DFS.H3 two years ago.

Prime agricultural land is also mentioned as another reason for deleting the eastern end of DFS.H3 for the LDP. The two fields in question have been utilised for the past 70-80 years as grazing lets and have never been re-seeded to the representor's personal knowledge. Prime agricultural land they certainly are not!

(i) Yen Hongmei Jin (0274.001) - Objects to loss of green open space. Want to retain this space for future generations. Residents in Lockerbie Road want the site to remain green open space

(ii) Yen Hongmei Jin (0274.001) - Concerns of Significant Flood Risk- the site has known history of surface water flooding. Past history of sewage problems

Martin Rae (0277.001) - Learned of the Council planned sell former Parkhead Hospital site and the current Parkhead Park area to DHHP for social affordable housing and was advised the development would not progress for 5 years. Now understands from reports in the press that the decision was made to sell the site on 22 March 17 some weeks before the closing date for comments on the Local Development Plan (24 April 17) and that work is likely to start sooner. As a result of these actions the representor feels as a member of the community my views are only being sought as part of a "tick box" consultation and that they have no real voice in the process

Martin Rae (0277.002) - Question why are the Council selling off a valued and well used green space when at the same time it wishes to promote town centre development? The days of filling the town centre with occupied retail units are long gone and a mix of retail, culture and residential development must surely be a sensible way forward. Although the representor appreciates the necessity for the Council to raise cash they believe that selling this land to DGHP and the scale and nature of the housing will result in a negative impact on an established residential area.

If this development does proceed, building houses without adequate and nearby green spaces only stores up potential future social problems. Have we learned nothing from the development of Georgetown and Calside which were constructed without recreational facilities.

The current park is well used by young people children, dog walkers and sports enthusiasts, building a replacement park miles away only defeats the object of the exercise. The representor agrees with the idea to develop the area into a community garden and the existing Parkhead Hospital sandstone wall and gate

posts should be retained as an architectural feature.

Martin Rae (0277.003) - The Lockerbie Road is already over used with all the traffic from the Summerpark Development using it as their main route into the town. The representor has been advised by a Council officer that within the proposed development, a new road is planned from Aldi on the Annan Road running through to Parkhead Loaning before joining the Lockerbie Road. The representor is sure this will only add to Lockerbie Road residents' concerns in terms of congestion at peak times and when anti social irresponsible drivers choose to ignore the 30mph speed limit.

Before the decision was made to sell the site for housing the representor would like to know what work was undertaken to determine the impact of the additional traffic on local roads.

(i) Paul and Emma Craig (0280.001) - The impact this would have on their house and garden would be substantial. The area in question behind their house is prone to frequent and severe surface water flooding as D&G Council are aware. The land is wet and marshy even after moderate rainfall. The condition of their garden both back and front of the property is on occasion not acceptable. The Tesco site has suffered from flooding for years and nothing appears to have been resolved in relation to this. In the past the result was water being pumped from Tesco to the Noblehill area, the houses in Noblehill estate became inaccessible, driveways and garages were completely flooded. The water then was pumped way from Noblehill and across the field which then completely flooded the road in front of their property, the representors were not able to access their house for days as the flooding was so severe, the water was half way up the driveway and was too deep to either drive through or walk through.

The land around their property is believed not to be suitable for development and it has become increasingly wet and marshy and the Tesco since appears to be making this even worse. The area around the back of the Tesco building is still always completely full of water and is quite honestly unsafe to neighbouring children.

(ii) Paul and Emma Craig (0280.001) - The road along Stoop Loaning is maintained by the individual properties and it would be completely unrealistic to expect this road to accommodate bigger volumes of traffic, it barely copes with the amount of cars at present which is generally just cars accessing the houses. This is a single track road with no options for more than one car. The road serves the purpose of allowing the houses currently to access their drives but anything bigger than a normal car has difficulty. There is a blind corner at the top of the road which makes it safe only for very light traffic flow to avoid accidents. The owners of the properties along this road generally exit their properties with extreme caution as you cannot see oncoming cars until you have almost pulled out completely.

Saleem Hassan (0288.001) - The park area is utilised by many children playing sports such as football, running and even American football. If this area were taken away from us then it would mean that our children would have no place to play and spend more time indoors playing video games.

Dumfries - DFS.H4 Heathhall College

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - The previous application was refused and the appeal against this refusal (re PPA -170-2093) was dismissed on 23/12/14. An AMSC application ref 15/P/3/0513 was submitted on 21/12/15 for 75 houses located further from the adjacent area of existing commercial/ industrial. This scheme indicates future phases nearer this area of commercial/ industrial. Recent correspondence posted in eplanning appears to indicate that the grounds upon which the appeal was dismissed are still unresolved despite the proposed houses being remoter from the commercial/ industrial units and fewer in number. Any fair reading of the grounds upon which the appeal was dismissed significantly impaired the effectiveness of this site. The essential problem with this site is that it was compatible with the adjacent uses when a college but it remains doubtful if housing is an appropriate use. Indicative of this is the need to construct such an exceptionally high sound barrier to try to make this site effective.

In the interests of the efficacy of the 2016 Dumfries HLA, adopting the working assumption that 15/P/3/0513 will be approved and the further phase(s) materialise, the capacity of this site should be reduced to no more than 150 at best and arguably in the interests of prudence should be reduced at present to 75. This site otherwise misrepresents the effective housing land supply if it is maintained at 176.

Woodland Trust (0152.001) - Site borders on to a small area of ancient woodland, classification 2a as shown on the AWIS. If development is going to go ahead steps must be taken to protect the ancient woodland. A significant buffer zone must be included in plans if this pocket of ancient woodland is to be protected.

Turley Associates obo Story Homes (0263.002) – Support the inclusion of the site. This proposed allocation is carried forward from the adopted LDP. The site benefits from planning permission in principle for residential development, as highlighted in the accompanying site assessment and it is concluded, at paragraph 3.4.16 of the MIR, that the site is effective.

The site is included in both the preferred and alternative approaches set out by the Council. The site assessment acknowledges that, subject to acceptable noise mitigation measures, the site relates well to the existing development in the north eastern part of the town and benefits from close proximity to facilities and amenities. The site is brownfield land, the redevelopment of which is prioritised in SPP over development on greenfield sites.

Yen Hongmei Jin (0274.001) - Aware the planning application was refused. Some local residents reported to have been happy with this decision based on concerns the school may have reached capacity of pupil intake and strain on teachers and the school grounds in particular its shared facilities.

Local residents are Concerned of the issue of noise from the industrial use to the rear of the site should the site go ahead

Dumfries - DFS.H5 Ladyfield

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - While it is still early in the LDP not aware of any circumstances which have emerged since the 2014 HLA that changes our

opinion that this remains a fundamentally ineffective site most particularly in relation to marketability as we have recently had reaffirmed. The effectiveness of this site however will now be further impaired when the new hospital is brought into use. This will result in a redistribution of traffic at the St Michael Street/ Nithbank/ Craigs Road junction and an increase in delays resulting from both some services remaining at the existing DGRI and traffic to the new hospital from Craigs Road now travelling in the direction of St Michael Street causing traffic emerging from Nithbank into the roundabout at this junction to back up. A roundabout which has little scope it appears to us to be modified to deal sufficiently with this future problem. Furthermore, with this traffic redistribution (and some services remaining at the present DGRI site) the signalised junction at St Michael St/BroomsRoad will also be impaired as a result of additional traffic demand. Both these scenarios would need testing but we are advised it is a very likely outcome.

An effectiveness test for this site has also been produced by the representor which suggests that it scores poorly on the aspects of deficit funding and marketability as there is no indication of the contribution that would be required in respect of major roads and transport infrastructure. Marketability is impacted by high standards of design requirements, requirements to provide affordable housing and lack of marketing documentation from the Council

(i) Edith M Beeton (0228.001) - There is a lot of wildlife in the field and mature trees. It is not a large field, so would be a shame to lose it to houses

(ii) Edith M Beeton (0228.001) - If houses are to be built on the Ladyfield site and the adjacent field, please make Glencaple Road safer for drivers, between the junction of Glencaple Avenue and the 'Three Ends'. On the map it looks straight, but in reality it is not, it has several curves. The road is only wide enough for two cars, so a driver is forced to overtake parked cars on the left on two blind corners. The wall on the DGRI side could be removed to widen the road. It is a field behind the wall.

At the junction of Glencaple Avenue and the Glencaple Road, if you look to the right, the wall and Ladyfield restricts you seeing along the road to only a few yards. Although it is within the 30mph zone, drivers coming into town often ignore this, so we take our life in our hands existing this junction.

A similar problem arises at the Kingholm Road, Three Roads Ends junction. People are able to park on the left side of Kingholm Road, meaning overtaking on the wrong side of the road, at a busy, blind junction.

If building were to take place on the DGRI and Ladyfield sites it would be an opportunity to make it safer driving in this area. With more housing there will be an increase in traffic.

(i) Yen Hongmei Jin (0274.001) - Increased traffic movement and pressure on roads

(ii) Yen Hongmei Jin (0274.001) - Loss of greenfield space

Would object to any further development here unless proper plans also submitted at the same time for a community centre proposals for the area. Pressure on community centres in the area as result of increasing number of houses- have raised concerns that they are no local community centres to their area and the closest is Georgetown. Concern more houses puts Pressure on schools and other

community facilities. These need to a consideration of any further development proposals

Concern of the size of the houses and their proximity to each other- propose new policy to address these concerns in their design and numbers.

Questions if there is a requirement for adequate signage at Ladyfield to help navigate the development

Dumfries - DFS.H6 Lincluden Depot

Historic Environment Scotland (0012.004) - The B-listed former Lincluden Stables have stood empty for some time. The representor welcomes this allocation, provided that the stables are retained and converted to a new use in a way that sensitively protects their architectural and historic interest.

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - This is a Category B listed building. Finding a sustainable use, which will help preserve this building would be a very desirable outcome. Conversion of traditional buildings, especially ones listed at this level, have usually been avoided in our experience of working with various RSLs within and outwith Dumfries and Galloway owing to the risks and constraints presented by such buildings and the likelihood of objections from heritage bodies if the scheme fails to meet appropriate principles of conservation. Any RSL who may decide to develop this building and curtilage will also inevitably require considerable levels of public funding (probably without grant aid from Historic Scotland owing to the present pressures on this source). Such a funding package and the costs and risks of such a development are in our opinion inevitably unlikely to meet best value tests.

The 2014 HLA estimated 16 units would completed on this site by 2015 / 2016. Symptomatic of the lack of effectiveness of this site the 2015 HLA had moved the completion of the first estimated 16 of the 32 units to 2016 / 2017. The first 16 units are now moved to 2017/2018.

Understand that DGHP may have completed a feasibility study for this site.

However, to the best of our knowledge and enquiries there has been no material progress with this site. Despite this the 2016 HLA predicts 16 units will be completed in 2017 / 2018. Advised that the prediction in the 2015 HLA that 16 units would be completed in 2016/ 2017 seemed inconceivable. This has proven correct. Completion of this number in 2017/ 2018 remains equally questionable.

The current undetermined application ref 16/1741/FUL for 37 units on the adopted LDP allocated site DFS.H6 Lincluden Depot (upon which part of the MIR effective housing supply is calculated and is proposed be continued into LDP 2 in the MIR) is presently a layout that will significantly adversely affect the setting and character on that site of another Cat B Walter Newall building as acknowledged by the Council Archaeologist in his report on 23rd January 2017. A layout that demonstrates our contention in our comments on the 2016 HLA that DFS.H6 is partly an ineffective site in terms of the expectation that it will eventually contribute as many as 32 units to the housing supply (according to material it was necessary to obtain under the FOIA but which was not made available online as part of the MIR consultation as should have been the case).

The 2016 HLA should therefore be adjusted to reflect more realistically the status of this site in terms of the likely pace of development or indeed whether it is likely that the site will ever be developed

Dumfries - DFS.H7 Brownrigg Loaning

Taylor Planning (0108.003) - The current Local Plan allocates land at Brownrigg Loaning for long term housing at site DFS H7. The MIR intends to de-allocate the site (para 3.4.16) because of perceived Flood Risk Issues.

The Local plan is expected to identify long term housing needs. The site in question is extensive and in the same ownership as land to the east of Brownrigg Loaning.

The landowner is prepared to cooperate in terms of assessing possible flood risk and potential mitigation measures. Such a commitment was made in respect of land to the east of Brownrigg Loaning in the Call for Sites 2. This detailed assessment could be undertaken during the next 5 year period so that a considered conclusion as to the sites effectiveness can be incorporated into the next version of the Local Plan (LP3). The site should continue to be allocated subject to the caveat of needing further consideration as to its effectiveness.

(i) Michael and Natalie Rosie (0141.001) - Having referred to the MIR the representor understands that due to recent flood events the Council's Flood Risk Management Team have objected to sites DFS.H3 and DFS.H7, and that it is proposed to reduce the Noblehill site by approximately half its size and remove site DFS.H7 altogether from LDP2.

Surface water flooding – The area in question is prone to frequent and severe surface water flooding as Dumfries and Galloway Council are aware. The hydrology of the area is very sensitive with much of the infrastructure serving to manage the flow of water through the site either under capacity or in a state of disrepair. To date, the surface water impacts have amounted to loss of agricultural land, loss of private land, damage to private carriageways and restricted access to properties. This does not include the potential effect these flows could be having underground in what is a predominantly sandy and silty area

In addition, it is understood that Tesco, Lockerbie Road, Dumfries have suffered from flooding issues for a number of years now, for which no apparent solution has been found. As the representor understands it, any water discharged from the Tesco site will make its way through Noblehill to Gasstown eventually discharging into the Dow Lochar.

Since moving to Terliss in Dec 2016 the representor has been subject to moderate levels of rainfall. However ground water conditions within their own property and garden are borderline acceptable. Our lawn becomes saturated very quickly as it accepts much of the groundwater and surface water run-off from Back Row / Wellbrae / Stoop Loaning. The garden is currently some 200-400mm above the level of site DFS:H7 and relies on this natural advantage to drain freely and prevent flooding to our property.

The representor has observed site DFS:H7 to be saturated and prone to heavy surface water flooding. Any attempt to feasibly develop this land would require it to be raised to a level above that of the rear of our garden. This would prevent the natural flow of drainage from their property. The inevitable outcome of this would be to push the surface water flooding onto our property and thus cause injurious damage to hard and soft landscaping, our insurance premiums, our properties value and possibly even induce structural damage.

Given the severe issues upstream at the Tesco site and the condition of the proposed site, the representor is concerned that any proposed developments DFS.H7, DFS.H3 and DFS.H2 (Brownrigg loaning) would have an impact on the

natural flow of water and increase flood risk to their property. Furthermore the representor would not accept any future propositions to develop site DFS:H7 into SUDS features due to an insufficient discharge point. It is unlikely that Scottish Water would adopt any of the SUDS that would be required of this project. The SUDS would therefore be maintained subject to a maintenance charge, inevitably falling into disrepair and increasing the risk of flooding to our property and surrounding land.

(ii) Michael and Natalie Rosie (0141.001) - Access to the proposed sites via Stoop Loaning is not feasible. Stoop Loaning is a single track road with little or no room for adaptation to accept two-way traffic. As such it relies on a low flow of traffic to remain effective in use. Stoop Loaning is a private road to which the representors have a heritable obligation to maintain the junction to Wellbrae and carriageway immediately in front of their property. The road is not of fit construction to accept high volumes of traffic. They would not be willing to accept any maintenance obligation on the road should it be utilised as an access road to any further development in the area. It would therefore need to be fully adopted by the development or by the Local Authority. Current access along Wellbrae, although two-way is unsuitable for increased volumes of traffic as it is essentially a quiet residential culdesac with blind corners, garages exiting directly to the road, children playing etc. Traffic naturally slows past our house onto Stoop Loaning. Creating a thoroughfare here without significant adaptation of the site (i.e. demolishing housing) would increase the risk of accidents. When exiting their driveway in a vehicle they are effectively blind to traffic approaching from the right. In current configurations this is quite safe due to the low volumes and speed of traffic approaching from that direction. They do not believe this would be the case should traffic volumes increase. They would have serious reservations of any adaptation of the junction to Stoop Loaning and Wellbrae as increasing hardstandings at this point and altering the camber of the road would significantly increase the risk of surface water run-off to our steep driveway. This would exacerbate flood risk to our property and during periods of heavy rain followed by hard frost this would leave them unable to egress safely.

Ronald M Copland (0270.001) - On behalf of the owners of the field lying to the east of the Stoop Gasstown Loaning, the representor wishes to appeal against the non-inclusion of this field in designated area DFS.H7 for the purposes of LDP2.

The LDP site assessment and SEA checklist for DFS.H7 indicate a topic score of 'XX' and the overall planning comment indicates that DFS.H7 is an overall flood risk and makes it difficult to make the site effective, more so, because of similar comment made about the eastern end of DFS.H3. Like the land across the Stoop/Gasstown Loaning in DFS.H3, the representor has no knowledge of the field that they and others have an interest in being the subject of flooding. Any perceived problem about flooding lies entirely in the original building of Noblehill estate with inadequate storm water/surface drainage from the estate and fields in the south-east direction i.e. from DFS.H3 /DFS.H7 towards the eventual discharge through Arnold Clark garage forecourt, across from the Annan Road into a burn running down the west side of the railway towards the Lochar Moss. But then the appropriate Council department (Cargen Towers) knows all about this when the storm drainage pipe from Noblehill estate was replaced through the extreme east end of DFS.H3 two years ago!

(i) Paul and Emma Craig (0280.001) - Feel the impact this would have on the representors house and garden would be substantial. The area in question behind their house is prone to frequent and severe surface water flooding as D&G Council are aware. The land is wet and marshy even after moderate rainfall. The condition of their garden both back and front of their property is on occasion not acceptable. The Tesco site has suffered from flooding for years and nothing appears to have been resolved in relation to this. In the past the result was water being pumped from Tesco to the Noblehill area, the houses in Noblehill estate became inaccessible, driveways and garages were completely flooded. The water then was pumped away from Noblehill and across the field which then completely flooded the road in front of their property, they were not able to access the house for days as the flooding was so severe, the water was half way up our driveway and was too deep to either drive through or walk through. The land around their property they believe is not suitable for development and it has become increasingly wet and marshy and the Tesco since appears to be making this even worse. The area around the back of the Tesco building is still always completely full of water and is quite honestly unsafe to neighbouring children

(ii) Paul and Emma Craig (0280.001) - The road along Stoop Loaning is maintained by the individual properties and it would be completely unrealistic to expect this road to accommodate bigger volumes of traffic, it barely copes with the amount of cars at present which is generally just cars accessing the houses. This is a single track road with no options for more than one car. The road serves the purpose of allowing the houses currently to access their drives but anything bigger than a normal car has difficulty. There is a blind corner at the top of the road which makes it safe only for very light traffic flow to avoid accidents. The owners of the properties along this road generally exit their properties with extreme caution as you cannot see oncoming cars until you have almost pulled out completely.

Dumfries - DFS.H8 Catherinefield Farm

Robert Potter & Partners (0064.027) - This site is shown in the current LDP as a long-term housing site. DGHP has an active interest in the site for social housing and also has an interest in other sites, noted below. The 2016 Housing Land Audit shows the site capacity as 279 units with phasing set beyond 2024. The MIR states that it is proposed to carry forward this allocation as the site is still considered effective. DGHP's interest stems from the existing demand for social housing in this area. There are 974 applicants on the Homes4D&G waiting list for this general area. This is spread across a wide range of house types and sizes. For DGHP to meet this demand in a reasonable timescale it needs sufficient land available able to be programmed in a flexible way. DGHP has an interest in developing the whole of the Catherinefield site.

In addition to this, it has an interest in the former College site where it was intended to comprise part of the Story development 15/P/3/0513. Also, it has an interest in developing the Curries site, the subject of a current application for planning permission in principle under reference 16/1850/PIP. The Story application was recently refused permission at the Planning Applications Committee on the 18 April 2017. Thus, the future delivery of the intended DGHP houses is now in some doubt. Equally, the delivery of social housing on the

Curries site can only be an unknown quantity for the foreseeable future. In addition to this uncertainty, the delivery of housing on the Noblehill site, DFS.H3 is rendered doubtful as its capacity is to be halved. What DGHP therefore needs is the flexibility to meet these pressing demands without being forced into the straight jacket of LDP2 housing allocations programming and defined timescales DGHP therefore asks that the Council modify its policy allocations by allowing DFS.H8 to be brought forward without a limiting and defined timescale. This would still relate to the expected and logical sequenced programming of development in sequence of DFS.H4 followed by DFS.MU204 and then DFS.H8. The timescale of phasing set beyond 2024 would be removed. If the Council decides not to make the requested changes, DGHP objects to that decision.

Woodland Trust (0152.001) - This site borders on to a small area of ancient woodland, classification 2a as shown on the AWIS. If development is going to go ahead on either or both of these sites steps must be taken to protect the ancient woodland. A significant buffer zone must be included in plans if this pocket of ancient woodland is to be protected.

Yen Hongmei Jin (0274.001) - Would like to see some kind of local shop in this development [only Tesco petrol station and small NISA both very busy]. Would welcome improvements to the road for safety reasons as a condition of development

Dumfries - DFS.H201 DGRI

Historic Environment Scotland (0012.004) - This site is located adjacent to Castledykes, castle earthworks (Scheduled Monument, Index no. 2472) and the Crichton Royal Hospital (Category A Listed Building, LB3839). Development within this allocation should take into account the setting of the listed buildings and scheduled monument adjacent to the site. We would encourage engagement with Historic Environment Scotland on any forthcoming development brief or masterplan for the site.

Scottish Natural Heritage (0122.002) - Paragraph 3.4.20 states that a development framework will be produced for adoption as supplementary guidance. There are a number of issues relevant to our remit arising from this site, including the need to consider use of the site by European protected species (EPS) such as bats and the opportunity to link Core Paths and the local path network via its redevelopment. Look forward to discussing and shaping the development framework with you and other stakeholders.

Dumfries - DFS.H204 Woodlands Hotel

Robert Potter obo Calmac (0064.032) - Newbridge, Woodlands and DFS. H204 (land at Woodlands Hotel) were within the Dumfries settlement boundary in the Nithsdale Local Plan 2006 and the preceding Dumfries and District Local Plan 1993. Now, despite the size of Newbridge (some 35 houses) and Woodlands (approximately 98 houses) both are now classified as lying within the countryside and are therefore subject to Policy H3: Housing in the Countryside. The Council proposes to continue this situation into LDP 2. The only concession offered by the Council in the absence of any resetting of the boundary is that Newbridge and Woodlands have been designated Small Building Groups.

In our opinion this cannot be justified as contended in the MIR on the grounds that

(i) DFS.MU201 is not needed to meet the housing supply and (ii) it does not accord with the proposal in the MIR to recycle the adopted LDP spatial strategy and reject the option of resetting the settlement boundary to what it was in the Nithsdale Local Plan 2006. Reasons for this opinion follow:

- it is both unreasonable and unnecessary to argue in the MIR that “the Lochside/Irongray Industrial Estate forms a natural, robust and defensible boundary to the settlement” to the exclusion of any other options.
- the land comprising DFS. MU201 could be embraced without a formal allocation within a settlement boundary that is reset to that of the Nithsdale Local Plan 2006 without prejudice to LDP2, i.e. rendering it as white land. In such circumstances, any application for housing that arose could be disposed of under the MIR Policy H1(b) (third bullet point) if the Council was satisfied that prejudice to the housing strategy would arise.
- as recycling the current LDP spatial strategy has not been properly justified and any case is of doubtful continued validity in terms of its reapplication to Dumfries.

Based therefore on any reasonable and properly informed planning judgement the settlement boundary of Dumfries should be redrawn in LDP 2 to follow that in the Nithsdale Local Plan 2006. By doing so will also mean that owners of houses in both of the settlements of Newbridge and Woodlands and any prospective developers in either will not be subject to the limitations of Policy H3. It is simply wrong in planning terms for such large settlements which are perceived as very much a contiguous part of Dumfries in exactly the same way as is Cargenbridge, a settlement which still remains within the Dumfries settlement boundary in this MIR, to be the subject of Policy H3.

The Council argue in the MIR that DFS. H204 has “ limited possibilities for further development ”. The grounds of the Cat B Woodlands House Hotel are more than sufficient to allow the appropriate integration of 3 more suitably designed and sited houses without adversely affecting the setting and character of the Hotel. Coincidentally by way of comparison the current undetermined application ref 16/1741/FUL for 37 units on the adopted LDP allocated site DFS.H6 Lincluden Depot (upon which part of the MIR effective housing supply is calculated and is proposed be continued into LDP 2 in the MIR) is presently a layout that will significantly adversely affect the setting and character on that site of another Cat B Walter Newall building as acknowledged by the Council Archaeologist in his report on 23rd January 2017. A layout that demonstrates our contention in our comments on the 2016 HLA that DFS.H6 is partly an ineffective site in terms of the expectation that it will eventually contribute as many as 32 units to the housing supply (according to material it was necessary to obtain under the FOIA but which was not made available online as part of the MIR consultation as should have been the case).

As a second, but less appropriate in planning terms alternative (if the settlement boundary is not to be redrawn to follow the Nithsdale Development Plan 2006) Newbridge should be designated a village, according to any reasonable interpretation and application of the Settlement Hierarchy Technical Paper January 2017. The Woodlands House Hotel and its grounds are contiguous with both Newbridge and Woodlands and on applying reasonable planning judgement are physically and visually part of Newbridge and not as contended in the MIR “visually and physically separate”. Woodlands House Hotel is also considered to be an integral part of Newbridge by the residents of Newbridge (and Woodlands). Call upon the Council to advance evidence that the latter is not the case as we

and our client have failed to find any residents who think otherwise. Most Newbridge residents our client has spoken to are surprised to say the least that they now find that they do not live in a village. It is therefore submitted that the Settlement Hierarchy Diagram clearly points to this conclusion and that Newbridge compares very well to many of the villages listed in Appendix 1 of that document. The document also says that Small Building Groups are not regarded as settlements. It is therefore considered absurd for the Council to persist with this approach. Newbridge/Woodlands is clearly too large to be called a small building group and it is recognised locally as a settlement.

Dumfries - DFS.H218 Oaklands

(i) Scottish Natural Heritage (0122.002) - Site is described as having good accessibility to the town centre and the new hospital via a range of transport modes. The site itself also represents an opportunity to provide links between existing routes, including linking existing paths at Summerhill and Barnhill and beyond.

(ii) Scottish Natural Heritage (0122.002) - The site is largely open, however, the existing field pattern includes some hedgerows and trees that should be retained and enhanced as part of the development of the site.

(i) Paula Voce (0259.001) - Concerned about the existing road infrastructure in the surrounding area, which even if it was upgraded could cope with the plan to build more houses in the area and the traffic that would come with it. In particular:

- At present Station Road is effectively a single outside the Garage/MOT centre due to the number of vehicles constantly parked outside. This is particularly hazardous at peak times
- The junction of Station Road and Castle Douglas road is very hazardous due to the speed limit on the Castle Douglas Road and limited views in either direction. Again more traffic here will only add to the risk particularly when people get frustrated.
- Ash Road is single lane traffic and would not be suitable as access to any housing so additional pressure will be put upon Station Road.
- Terregles Road – whilst the national speed limit starts just past Barnhill people regularly exceed this limit in either direction. So if any access is required from this road the speed limits will need changed and paving etc installed.

All the above will only be made worse when the new hospital opens. The impact of that should be taken into account.

(ii) Paula Voce (0259.001) – It is not clear, given all the other suitable areas for development that already lie within the Dumfries settlement boundary why you are proposing to move the settlement boundaries to incorporate this area

(iii) Paula Voce (0259.001) - Loss of views

(iv) Paula Voce (0259.001); (i) Dawn Robson (0316.001) - Loss of privacy

(v) Paula Voce (0259.001); (ii) Dawn Robson (0316.001) - The representors septic tank, which they require access to all at all times, is located in the middle of the field to the side of the property with the outlet pipe running right across the field to soakaway at the roadside

(vi) Paula Voce (0259.001); (iii) Dawn Robson (0316.001) - Concerned what impact the proposed developments would have on the wildlife in the area. There are lots of wildlife including hawks, buzzards (who all nest in the first preferred site), nesting bats, red squirrels and the loss of hedgerow would displace all the animals.

(iv) Dawn Robson (0316.001) - Concerned about the negative impact to the existing road infrastructure which barely copes with the present traffic.

Jacqueline Callander (0319.001) - Think there is great concern for the amount of traffic that would increase on roads that would be affected by this development. Ash Road is only wide enough for one vehicle and think people would use this as a through road to avoid the Terregles Road/ Maxwelltown Station Road junction as some do already because of the amount of vehicles parked on Maxwelltown Station Road.

Maxwelltown Station Road gets congested just now and there will be the added effects of the new hospital.

Terregles Road seems narrow to have another entrance for a housing estate to be using.

Dumfries - DFS.H223 Priestlands

Jones Lang LaSalle (Glasgow) obo DSW Properties (0335.001) - Disappointed that the site has not been taken forward into the MIR as a preferred or alternative housing site. The site is located on the south western edge of Dumfries and lies between the A711 (Dalbeattie Road) adjacent to its western boundary, and the A710 (New Abbey Road) adjacent to its eastern boundary. The site can be accessed from New Abbey Road.

A summary of the reasons given for non-inclusion of the site in the MIR are outlined below as per the 'Sites Submitted Through the Call for Sites Not Included in the Main Issues Report' document:

1. Loss of a greenfield site and agricultural land
2. In isolation, this would not form a logical extension to the town
3. Archaeological issues with the adjoining site (DFS.267) which may make a more comprehensive development difficult to achieve
4. Combination of sites are technically possible to develop
5. Combination of sites not required to meeting housing land requirements
6. Other sites provide a more appropriate pattern of development for expansion

The representor has provided response to the above points, see below.

Please note, and as the Planning Authority will be aware, there are numerous supporting documents (traffic, flood risk, and supporting statement from 3b Construction) which have been prepared in relation to this site. The representor would ask that reference is made to the Call for Sites Submission in January 2016 and again in May 2016 for full details.

1. Loss of a greenfield site and agricultural land

With regard to the land use itself, a concept masterplan was prepared for the submissions made to the adopted LDP. The concept masterplans presents a design that creates a green urban edge for Dumfries considering the Cargen Pow, and accords with Scottish Government "placemaking" standards. It demonstrates that the alternative use can be achieved on site.

Furthermore, and within the context of the surrounds, views towards Dumfries

from the site and from the A710 New Abbey Road are already characterised by urban development, and the town's present southern boundary is fragmented by areas which are developed for housing and other uses.

It is therefore considered, given the surrounding uses and the successful proposed residential use (as has been demonstrated via the concept masterplan), that loss of agricultural land at this location should not be a significant concern as it is not considered that this land represents prime agricultural land. It is considered that the proposed socio-economic benefits and the suitability of this site for housing development, outweigh the value of retaining this small area of agricultural land.

Loss of this greenfield site and its use as agricultural land are not considered substantive reasons for non-identification as a housing development site.

2. In isolation, this would not form a logical extension to the town

The current strategy contained within the adopted LDP promotes a pattern of development that seeks to minimise the need to travel by allocating the majority of development to those settlements with a good range of services and facilities and employment opportunities. This strategy is to be continued through to the next Plan.

The site provides a perfect opportunity to sympathetically expand the settlement given that it is relatively self-contained with defensible boundaries and dedicated access points already in place. Although design detail would be considered at the planning stage, the landowner will present a development that is sympathetic in density, scale, mass and design to ensure it is appropriate and integrates seamlessly into the surrounding environment.

The site would provide a logical expansion given that it sits inbetween residential settlements, is free of constraints, and is perfectly suited to residential development. As set out by the Planning Authority in the Call for Sites assessment, the site is technically possible to develop for housing. This point is significant and was also set out by the Reporter in the Report of Examination pertaining to the adopted LDP as follows:

“As a strategic location for housing it is relatively well located in relation to the road network and for access into the town centre”.

Concerns regarding the location not being logical are not fully justified in our opinion given the site is connected to the settlement boundary at its eastern and western corners.

Therefore, even in isolation, the site could be brought forward as a sustainable and logical development site for housing.

3. Archaeological issues with the adjoining site (DFS.267) which may make a more comprehensive development difficult to achieve

Comments in relation to the archaeological issues are noted, however, it is not considered that this should represent a reason to preclude development of our site given it has been expressly stated that it is technically possible to develop for housing.

The representor is willing to work in collaboration with the adjacent landowners to develop a comprehensive solution (should the Planning Authority feel that this is appropriate) however, we would stress that the Priestlands site can come forward in isolation.

4. Combination of sites are technically possible to develop

It is considered that this site is suitable for housing development as it will not lead to coalescence and there is existing defensible boundary treatment to the west, east and south, and north east that will avoid sprawl. An allocation at the site

would 'round off' this part of the settlement given its residential context. Submissions by landowners of sites including DFS.H267 (Park Farm) and DFS.H258 (Land at New Abbey Road) have also been put forward as part of the Call for Sites process demonstrating a willingness by all parties to bring forward development in this part of Dumfries. As set out above, these sites are technically possible to develop and therefore should be identified as options for housing allocations. Concerns raised in the MIR regarding volume / national housebuilders should not preclude an approach whereby these sites could be developable either in parts or as a whole during the emerging Plan period.

5. Combination of sites not required to meeting housing land requirements

As per the Call for Sites submission a statement has been provided by 3b Construction. The Company confirms its commitment to undertake development within the site during the Plan period, thus indicating a requirement in terms of demand for housing in this location. Further, the site would provide a valuable contribution to meeting Scottish Government and identified housing land supply issues at an appropriate and deliverable site.

Furthermore, Scottish Planning Policy that states local development plans should allocate a range of sites which are effective and expected to become effective in the plan period and for a minimum of five years. As is evident, the current allocations in Dumfries are not effective and continued allocation of these requires reconsideration. In contrast, our site presents a suitable and constraint free solution under a willing landowner, with interest commercially from a local housebuilder.

6. Other sites provide a more appropriate pattern of development for expansion

It is considered that development of the site would create a natural southern edge to this part of Dumfries, with a designed landscape edge and public access along the Cargen Pow burn. Development would be in an area contained and defined by higher ground to the south, so would be set within landscape limits.

Significantly, it is noted as per the MIR, that none of the 8 housing sites allocated in the adopted Plan have been completed or are under construction. In comparison, the Priestlands site presents the opportunity to provide effective housing land in a location which will have minimal visual impact and is easily accessible from the town centre. Furthermore, it is closer to the town centre than some other housing allocations and has existing local public transport services in place.

Given the positioning of the settlement boundary in the area, the site effectively constitutes a gap site and is distinctly urban in character given residential and commercial uses.

Effectiveness of housing land is defined in the Scottish Government's Planning Advice Note (PAN) 2/2010 "Affordable Housing and Housing Land Audits". The allocated housing site meets this criteria, including:

- Ownership: the site is within the full ownership of a single party who is committed to delivering development within the LDP period.
- Physical: there are no known physical constraints to development.
- Contamination: the site has no previous use that would cause contamination or burdens that will hinder deliverability of the site.
- Deficit Funding: public funding is not required.
- Marketability: the site can be developed within the Plan period. There is commitment from a local housing developer. There are no issues regards access, delivery, title burdens or other constraints etc. that will affect marketing of the site in the short term.

- Infrastructure: there are no infrastructure constraints at the site. The site has the full breadth of services that are to be expected at an effective housing site and includes a dedicated access point from a public road.
- Land Use: there are defensible boundaries that would ensure that urban sprawl is not a consequence following any residential allocation. Housing is the most acceptable and sympathetic land use in amenity and land use terms at the site.

For all purposes the site could be considered to be located within the Dumfries town envelope and is a sustainable, accessible and an appropriate housing site. A housing allocation will not detract from residential amenity and would integrate seamlessly into the existing site context. From the street it would be read as a planned development with no visual intrusion.

The landowner is committed to creating a successful development and is also supportive of the aims and objectives of the LDP process and principle policies. The site is viable and deliverable and would make a positive contribution to the surrounding area in terms of design and townscape. Critically, it is effective and deliverable within the LDP period.

Dumfries - DFS.H228 Corbelly Hill

John A MacColl (0048.033) - Tennis courts and hockey pitch which were surfaced in a non grass finish and which formed part of the Convent property. The area of land should not be described as a greenfield site because of the above.

The ground conditions are such that erosion will not occur and the gradients cannot be described as steep as they conform to engineering requirements and will be graded further and strengthening planting will be carried out when the access road has been completed.

The development of the land will not have a detrimental effect on the setting of the Convent as the building in its prominent position can clearly be seen from long distance views in all directions.

An acceptable engineering solution has been prepared and was submitted as part of a planning application which was refused but the access was not the reason for the refusal. There are no issues with regard to the access as my client owns all the land required for an access to be formed to adoptable standards and evidence of this can be provided if required.

Negotiations are currently ongoing with regard to the sale of the Convent and adjoining land for a mix of mainstream and affordable housing for sale and rent and the availability to develop the land would provide cross funding to contribute to the extensive conversion and refurbishment costs of the Convent building to make the property viable and to bring the Convent back into residential use.

The term Open Space used to describe the land should be removed as this area is not and never will be available for use by the public as an open space.

The opportunity to bring the Convent back into use should not be missed by the Council especially as the intention is to provide much needed housing of the type described above and the benefits that this would bring to the local economy. I would urge you to give further and favourable consideration to the material change proposed for this vacant building which hopefully will result in the land being included in the Plan.

Dumfries - DFS.H229 land adj to Doonholm

John A MacColl (0048.030) and (i) (0048.038) - The settlement boundary should be extended to include this area.

(ii) John A MacColl (0048.038) - The proposal would not have an adverse effect on the character of the area.

The removal of the small holding policy is a backward step in the rural area of Dumfries & Galloway and the description of my submission should now be considered as a small residential development of no more than 2 houses. A meeting has taken place with the Roads Department and the extension of the current speed restriction area would provide an opportunity to form a new access to the road. The increasing pedestrian traffic crossing the road from and to the golf course on each side of the existing public road is a concern to road users and the extension of the 30 mile per hour speed limit would remove the current situation and make this section of road safer. The volume of traffic travelling in both directions to and from the expanding garden centre is increasing and this justifies the extension of the 30 mile per hour speed limit. The level of traffic currently entering and leaving Maxwelltown Station Road at the roundabout is increasing and if area DFS.H218 is to be included in the Plan the volume of traffic will be increased considerably along with the additional traffic which will be generated by the new hospital and the speed limit should be extended in advance of the additional traffic movements referred to.

Dumfries - DFS.H230 land south of Maxwelltown High School

John A MacColl (0048.030) - The settlement boundary should be amended to include this site.

(i) John A MacColl (0048.037) - The settlement boundary should be re-aligned to include this area as it would allow for the expansion of area DFS.H262. The reference to "rounding of" would be resolved by the re-alignment of the settlement boundary.

(ii) John A MacColl (0048.037) - This land is situated in an area that is predominantly residential and would provide an opportunity to develop the area further for a mixed residential use. Inclusion of this site would provide a mixed use development if DFS.H262 was to be used for a non-residential purpose. There is insufficient land identified for a mix of affordable and mainstream housing for sale and rent in north west Dumfries and this site would provide for this need within the term of the Plan

Development on this land complies with the Council's policy within the Main Issues Report of recommending new residential development on prime agricultural and greenfield land. The loss of agricultural land would be minimal in this area as it adjoins large areas of undeveloped agricultural land.

There are no issues that would prevent this land being developed and therefore the land is effective.

Dumfries - DFS.H231 Georgetown Road

Laurence T Wilson (Planning) obo McPetrie (0070.009) - Site 1 is 5.4ha and site 2 is 9.9ha, offers several opportunities for private and affordable housing in area located to the immediate South of Georgetown Housing Estate to the south of Dumfries.

Ground conditions are acceptable there are existing water and drainage connections, existing roads strategy to follow and existing facilities two sizeable shops and an excellent community centre.

Site 1 could have several retirement houses along with non-retirement housing,

adding a further dimension to housing stock. In the site there might be a Health Clinic with back up services, with a nursing unit, podiatrist, 'good health 'centre and gymnasium, basically all the facilities that a modern large housing development should have. It sits immediately south of existing housing development, forming a boundary between housing and countryside. The site is currently a 'green field site'. The public roads would be widened to take additional traffic. Area could be made available to make public roads acceptable and safe for the public. The access for the public road for access to a Southern By pass could be addressed. Traffic management would be an issue and this could be dealt with early rather than late. It is now time, well in advance of a nearby Dumfries 'By-Pass, that this development area be given consideration for housing. The development site would be landscaped, particularly the Georgetown Roadway adding privacy to the few existing dwellings on that road.

Dumfries - DFS.H232 land east of Georgetown Road

David Fallas (Planning) obo Dundas Chemical (0071.013) - It is recognised that the land under consideration is capable of growing a range of crops however that is also the case with the majority of other sites allocated for residential/industrial development within the current and proposed LDP. To dismiss the inclusion of this site on such a ground when other similarly graded and larger parcels of land are being promoted is grossly inconsistent in the assessment process and the interpretation of the evaluation criteria. If this small area of land were to be taken out of active agricultural production it is submitted that this will not have any significant or material impact in the overall gross area of productive land within Dumfries and Galloway nor detrimentally affect to any measurably adverse degree the contribution the agriculture sector has to the overall economy of the region.

With regard to the matter of the overhead power line it requires to be noted that it pre-dates the laying out and development of the Barnton/Georgetown housing estates that lie underneath its path so the existence of it has never before been seen by the Council as any sort of a constraint or hindrance to the development of the land underneath it. There is no research information, national policy statements, reports or other evidence to the affect that the existence of such overhead electricity lines should be regarded as a constraint to the residential development of land below them, or has been used by the Council to disregard its allocation for residential development. The fact the Barnton/Georgetown housing estates were constructed under this high voltage transmission line is clear proof the Council has not previously seen their existence as a potential constraint on the residential development of land and so the identification of the lines as such now is quite contrary to its actions in the past. The existence of that line has not resulted in the layout of those estates being considered as being " ...below the design standards required for good placemaking" and it is quite wrong to prejudice the inclusion of this site now on such an illogical ground when it is quite obvious through the other housing developments under the line that an appropriate layout of the land can indeed be achieved

The exclusion from the LDP of the site in part because of the overhead power lines was based upon a false premise and overlooked the submitted fact that the power line crossing the identified field is permitted under an established way leave agreement between the owner of the site and the power transmission company. The owner retains the right to issue a twelve month notice to quit that

secures the removal of the lines so the existence of the lines should not be regarded as any sort of permanent restriction to the development of the land for residential purposes in the same way the acknowledged restraints at the aforementioned allocated sites was no impediment on them being included in the current LDP.

It is also accepted that the proposed site is "...visible over a wide area" however that is also the case with the existing land it can be regarded as being a logical extension of as well as for the majority of the other sites presently allocated within the LDP and being added through the LDP2. The same weight to that 'visibility' factor as was assigned to it in the evaluation of those other sites should be a similarly assigned in this instance, and it is respectfully submitted that if that same degree and consistency of evaluation is brought to bear in this case then that 'ground' for the exclusion of the site can be properly disregarded.

The majority of the land forming the subject of this submission has been allocated in the previous Nithsdale Adopted Local Plan and various iterations of that document for housing purposes so its legitimacy as a potential site for housing purposes has previously been recognised by the Council. The site was submitted for inclusion in the current Local Development Plan however it was excluded for reason that there were other sites closer to the centre that better met the housing requirements of the immediate market at that time.

The Council has previously maintained that matters relating to sustainability, the connectivity of sites and an aim to make the best use of existing infrastructure, facilities and transport networks has been a fundamental consideration in the identification of the allocated sites. If the identified sites at Brownrigg, Catherinefield and Ladyfield are what the Council regard as being sustainable and well connected, then the comments it has made regarding this site being 'an outlying location' and too distant from the town centre should be disregarded as it is presently better connected and closer to the centre of Dumfries than either of these other sites. The proposed land at Georgetown Road is better connected to the town than the other preferred sites and easily accessible by various modes of transport. As it has previously been considered, as recently as the old Nithsdale Adopted Local Plan, for housing purposes, it can be accepted its use would make appropriate use of existing infrastructure, education facilities and transport networks.

There's no traffic issues associated with the proposed site and no objections concerning that matter have previously been raised by 'Roads' against the allocation of the land for housing. Indeed there are real betterments to be had to the wider community from the development of the site as that will secure at no cost to the public purse the appropriate widening of the Georgetown Road frontage and ensure that the link in the road network serving the whole of the estate is up to the current Roads design standards. When the whole of the housing estate was first laid out in the 70's the stretch of public road along the western boundary of the proposed site was to be linked up with the 'Calside Estate' with the widening of this section provided for through the development of the land.

A surface water sewer presently runs across the proposed site forming the subject of this submission and this is identified in yellow upon the attached illustrative site plan. Such infrastructure is usually, and can also be in this instance, incorporated centrally within the road layout of any future estate layout. This approach ensures both the long term access for maintenance of the infrastructure and accommodates it into the estate's development in much the

same way the rest of such public utilities would be and is therefore not a material impediment to the allocation of the site. It is therefore contended that a previous reason of the Council's not to allocate the site for residential development on such a concern is spurious and without any material foundation.

It should also be noted that since the preparation of the LDP the owner of the site has acquired ownership of a parcel of land adjacent to the proposed site at the end of Oakbank Drive. The purchase of the land now enables the long anticipated and previously planned for road link between Oakbank Drive and the Georgetown Road to be implemented as anticipated forty years ago when the whole estate was initially conceived. With continued restrictions on Council budgets there is no provision within the Roads programme for these works, which would greatly improve the circulation of traffic within and through the estate, to take place so the allocation of the land for housing purposes can be seen to positively benefit connectivity within the estate and fully utilise the existing roads infrastructure in place

Dumfries - DFS.H236 Nithbank

Historic Environment Scotland (0012.004) - Welcome allocation of this site as a development site, provided that development supports the retention and reuse of the listed buildings and respects their setting. The representor has previously advised that the terrace and open lawn in front of the main hospital building is important to its setting and should not be built over. It should be possible to convert the listed buildings to office and/or residential use, while retaining their architectural and historic character.

John Douglas Lipton (0268.001) - There are currently several fairly-recently built bungalows with gardens immediately behind our house and the older Nithbank buildings. It would be appropriate if this little development could be sold off as it stands and the buildings occupied (lived –n) once again. To the north of these, there is an extensive area of abandoned buildings and space which might offer a suitable site for several more bungalows in keeping with what is already on the site – as well as in neighbouring developments – the primary school, houses already on Craigs Road and the Carruthers Cottages would need to be considered, of course.

At present access from Johnstone Park in to the area of 'upper' Nithbank, i.e. giving on to the clinicians parking space, is restricted by stanchions: the access is pedestrian or cycle only. We would strongly object to any plan which saw this 'road' being returned to any kind of vehicular access. Prior to our moving into this house the previous owner told us that there had been a time when this access was open to vehicles of all kinds. They described a 'rat run' from Craigs Road to St Michael's Street, using Johnstone Park as a thoroughfare. This road is designed as a cul-de-sac and any through traffic would be inappropriate and dangerous, damaging the amenity of the street and affecting the households road about Johnstone Park (north).

Gail Stokes (0308.001) - It states in this section that there're no rights of way , this is incorrect as the representors property has a right of pedestrian access across the ground connected to the lodge at the entrance to Nithbank. They are unable to find the plans at this time as they are attached with the deeds of the property. However the owners of the ground NHS will also have a copy of this right of access, and it will be documented at the land registry in Edinburgh . Can you

please confirm that this has been noted and will not impact on access to this property

Dumfries - DFS.H241 land north of Cairnsmore Avenue

Andrew Kennedy (0170.001); William Moir (0181.001) - Parking spaces would increase especially for the residents of Cairnsmore Crescent and Carrick Road due to the increase of extra homes. Kindar Drive is a problem at the moment because of lack of parking places and I fear for the future because an accident is bound to happen as children make their way to and from school

Mr and Mrs George K Thomson (0183.001); Sheila Anderson (0188.001) - Parking issues for the new residents particularly with some homes having two cars

Andrew Kennedy (0170.001); William Moir (0181.001); Mr and Mrs George K Thomson (0183.001); Sheila Anderson (0188.001) - This site is constrained i.e. road issues, access of Carrick would be difficult and would have an increase in traffic which is restricted at the moment with the lack of road parking in fact it is almost a one way street. Kindar Drive is already restricted parking for the amount of vehicles per house, this being a bigger issue for them if more houses are built on this site.

The volume of traffic in the area will increase risk of road accidents which is a constant worry especially for families with small children.

Sheila Anderson (0188.001) - The representative's private drive also backs onto Cairnsmore Crescent, again if work vehicles are nearby on the road the access will be restricted.

Andrew Kennedy (0170.001); William Moir (0181.001); Sheila Anderson (0188.001) - Public transport will be affected as well due to the increase in traffic

Andrew Kennedy (0170.001); Mr and Mrs George K Thomson (0183.001); Sheila Anderson (0188.001) - Loss of green spaces and amenity ground

Andrew Kennedy (0170.001); William Moir (0181.001); Sheila Anderson (0188.001) - Over development of site on vital green spaces

Andrew Kennedy (0170.001); Sheila Anderson (0188.001) - Flooding and drainage issues will be a problem on a sloping site

Andrew Kennedy (0170.001); Sheila Anderson (0188.001) - Will the schools have capacity for extra pupils

Andrew Kennedy (0170.001); Sheila Anderson (0188.001) - Has an archaeological survey been conducted?

Sheila Anderson (0188.001) Privacy is certainly going to be provoked as the area does not seem large enough for multiple new builds without being too close to the road.

Sheila Anderson (0188.001) - It seems to make sense to build on a larger plot with better road access such as the land the current Primary and Secondary

Schools exist on, which will be demolished after the new build.

Dumfries - DFS.H247 land at Auchencrieff Road North

Yen Hongmei Jin (0274.001) - Emphasise the importance of retaining the protected open space and any play park facilities.

Dumfries - DFS.H248 land at Burntscarthgreen

Yen Hongmei Jin (0274.001) - Emphasise that this site is on protected open space and also concerned about the school capacity.

Dumfries - DFS.H250 land at Craigs Road

Yen Hongmei Jin (0274.001) – Additional housing sites in the south of Dumfries will potentially increase demand for a Dumfries southern bypass which is an aspiration of the local transport strategy. This site may be required for the provision of such a bypass and therefore development should be avoided.

Dumfries - DFS.H251 Solanus

Yen Hongmei Jin (0274.001) - Additional housing sites in the south of Dumfries will potentially increase demand for a Dumfries southern bypass which is an aspiration of the local transport strategy. This site may be required for the provision of such a bypass and therefore development should be avoided.

Dumfries - DFS.H254 land at Curristanes

John A MacColl (0048.030) - settlement boundary should be amended to include this site.

John A MacColl (0048.034) - The loss of agricultural land would be minimal and would not have a detrimental effect on the farming operation.

The proposal would enhance the setting and approach to the town. The proposed development would sit comfortably in this location adjoining existing housing to the east and west.

Inclusion of this site would meet with the Council's Preferred and Alternative Approaches and this would provide a choice of housing sites to house purchasers.

The provision of affordable housing should be encouraged.

There will be pressure to provide residential accommodation close to the new hospital and this site would meet this need.

Dumfries - DFS.H255 Mavis Grove

Holder Planning obo Sandy Robson (0332.001) - The site is suitable for housing development and can contribute to meeting the housing requirement for Dumfries. The Dumfries settlement boundary should be extended to include it. An indicative layout has been prepared that demonstrates that an attractive residential development, comprising 200 new homes, including affordable housing, can be delivered.

Development of the site will strengthen the role of Dumfries Regional Capital by attracting new families to the town, and will create choice for existing inhabitants. It is bounded on the north side by housing along Mavis Grove, on the east side by the banks of the River Nith, on the west side by the A710 and on the south by Laghall House and a number of low density houses.

Mavis Grove is in a sustainable location and is within walking distance of

Troqueer Primary School and local facilities including a grocery shop, gym, church and pub. It is approximately 1.5 miles from Dumfries Town Centre and is within walking distance of existing bus stops, which provide regular bus services, of around 11 per hour in both directions to the town centre and beyond. The site is also adjacent to a cycle route connecting the site to the primary school and town centre.

The site has direct access to the A710, which connects it to Dumfries town centre and the surrounding road network. It is within 2 miles of the train station. The site can be accessed from two points; from the existing A710 access and from a new access off the U233n - Laghall to the south of the site.

The site is predominantly flat, with no adverse ground conditions or technical constraints.

The site is well contained on all sides and a 10-metre tree belt buffer is proposed along its boundary, which will minimise the visual impact of the development and create an enhanced, new settlement edge. The indicative layout proposes homeszones throughout the development and high quality, amenity open space provided in the form of a central park.

A marketing report has been prepared by NI Land Consultants, which demonstrates that the site is attractive to both developers and potential occupiers (Appendix 5). Dumfries and Galloway Housing Partnership have also provided a letter confirming that they would be interested in developing the affordable housing on the site

Prime Agricultural Land - Cara Consultants Ltd, agricultural specialists, were instructed to undertake a site assessment, which is included in Appendix 7. They assessed the land and concluded the following;

- The fields are completely surrounded by restrictions in the form of houses, roads and a river and are isolated from any farm buildings or steading area. This makes the use of the fields very difficult for grazing livestock as any movement of stock for veterinary attention or routine management will require them to be moved along a main road to a safe handling area. The alternative option is to grow crops and that has been the husbandry decision taken in recent years. Growing cereals has been transformed in recent years in Scotland and the UK due to long periods of low prices and the need to be competitive and keep costs low. This has resulted in increased field sizes and ever increasing size of equipment and machinery to ensure that maximum use is made of expensive labour. It is virtually impossible to operate modern arable equipment effectively in field sizes similar to those found at Mavis Grove. The question therefore is - despite the quality of the soils in these fields could this land ever be competitively producing cereals and the answer is almost certainly negative.
- Whilst this land area has been mapped by James Hutton Institute as 3.1 it would be acknowledged that it is extremely difficult to drill down to field level with extreme accuracy. Class 3.1 refers to 'consistently high yields of grass and cereals' whilst the soil type refers to 'the natural drainage is very free or excessive, the moisture-retaining capacity of the soils is low and in dry -periods crops are affected by drought.' This would suggest a lack of consistency and local knowledge of crops grown in these fields would not indicate consistent high yields and indeed at the end of May this year after a moderate period of dry weather the spring barley crops in these fields are beginning to show signs of moisture stress.
- The isolation of these fields will prevent their successful use for grazing

livestock and the combination of small field size and drought prone soils will reduce the possibility of profitable cereal production.

Overall, the assessment demonstrates that the actual practical value of the land to agriculture is at best borderline as a result of physical, locational and agriculture marketing constraints. Therefore, its loss of agriculture would not be significant.

Further, it is notable that the site of the new Dumfries and Galloway Royal Infirmary hospital is also located on grade 3.1 agricultural land, as are Ladyfield (DFS. H5) and Brownrigg Loaning (DFS.H7), which have been identified as preferred development sites in the MIR. Therefore, we do not consider this to be an acceptable reason for not allocating the site.

Loss of Greenfield Land - It is recognised that planning policy directs development to brownfield sites, however, it is not possible to meet the housing land requirement in full on brownfield sites, which can be challenging to develop and in locations that are unattractive to developers and potential purchasers. In our housing submission, we comment in detail on the Council's strategy for focusing housing allocations on ineffective, brownfield sites and consider that to meet the housing shortfall, the settlement boundary must be extended and additional, effective greenfield sites identified for development.

Further, given that the MIR identifies other Greenfield sites, such as (Oaklands DFS. H218) as preferred development sites, we do not consider this a reason to discount Mavis Grove.

Visual Impact - The representor disagrees with this conclusion. The site is well contained and located adjacent to the existing Dumfries settlement boundary. The area surrounding it has a number of urban characteristics; there is existing housing located to the north and south of the site, and the settlement of Cargengen to the south west, which comprises housing, commercial premises including a former Arnold Clark Garage and Showroom and former Cargenholm Nursing Home. Given the level of built development surrounding site, rather than it being isolated, it represents a logical expansion of the town reflecting and respecting adjacent urban uses.

An enlarged settlement at Mavis Grove would integrate well with the surrounding development and would reflect the built development on the other side of the River Nith at Kingholm Quay. It would also allow a more robust settlement boundary to be identified to the south of Laghall House. An indication of the proposed revised settlement boundary is provided in Appendix 2.

It should also be considered that if the Dumfries southern bypass, which is currently under consideration by the Council is implemented, it will redefine the boundary of Dumfries and extend the settlement to the south to include Laghall House and Mavis Grove. Furthermore, the Council's preferred alignment for the bypass proposes a junction directly adjacent to Mavis Grove, further enhancing its accessibility to the road network.

With regards to the perceived impact on the setting and approach to Dumfries, this is already affected by the existing development along the A710. However, the impact from Mavis Grove will be minimised by the proposed 10m tree buffer, which will limit the visibility of the site from the road and surrounding area and create a strong, defensible boundary.

Impact on rural setting and character - The site is located on the edge of an urban area and has a number of urban characteristics. There are no environmental constraints to its development. Extending the settlement boundary to include the site in the settlement boundary will enable a sustainable housing

development to be delivered in a marketable location, where people want to live.

Housing Need - The representor's separate representation in respect to Housing Supply & Demand demonstrates that there is a significant shortfall in the supply of effective "preferred" sites identified Dumfries HMA and more specifically in Dumfries Regional Capital over the plan period. Consequently, additional housing sites will need to be allocated in Dumfries, recommend that Mavis Grove is one of these. See schedule 13 for more detail.

Comparison to Oaklands (DFS.H218) - Mavis Grove is of similar character to Oaklands, Terregles (DFS H218). Both sites are agricultural, greenfield sites adjacent to the existing settlement boundary. However, Oaklands, Terreglas is identified in the MIR's preferred strategy for 97 units, with a further 128 units identified for delivery post 2029.

Paragraph 3.4.19 of the MIR states that "the largest of the proposed new sites is land at Oaklands, Terregles Road (DFS.H218) which would provide a self-contained greenfield site with easy access to both the town centre and the new hospital from a range of transport modes and is adjacent to new development in the north-west of the town".

The Site Assessment for Oaklands undertaken by the Council concluded the following "Minor negative SEA issues, including loss of greenfield land and prime agricultural land and increased traffic movements resulting in increasing carbon emissions. However, the site is within walking distance of existing services and facilities and benefits could be gained through the use of solar gain and sustainable construction techniques."

In terms of these conclusions, consider that they can also be applied to Mavis Grove, as follows;

- The is a self-contained greenfield site with easy access to both the town centre and the new hospital from a range of transport modes.
- Minor negative SEA issues, including loss of greenfield land and prime agricultural land and increased traffic movements resulting in increasing carbon emissions.

The site is within walking distance of existing services and facilities and benefits could be gained through the use of solar gain and sustainable construction techniques.

Effectiveness - Consider that a number of the sites allocated in the adopted Local Development Plan and identified as preferred sites in the MIR are ineffective and should be removed, or their capacity reduced and additional effective sites identified.

With regards to preferred MIR sites, amongst others, concerned about the effectiveness of Noblehill (DFS.H3), Heathhall College (DFS.H4) and Queens Road Sanquar (SNQ.H2). Also concerned about the longer-term allocation of Ladyfield (DFS.H5), doubtful it will ever deliver housing. The effectiveness of these sites has been assessed against PAN 2/2010 effectiveness criteria. The assessment concludes that these sites are ineffective. Therefore, consider that they should be removed from the supply and replaced with other more effective sites.

Mavis Grove: Conversely, the representor considers that Mavis Grove is effective and in terms of the PAN 2/2010 effectiveness criteria, consider it is suitable for development, as follows;

Ownership: The site is in the control of a single party who is able to develop it or release it for development. It could be programmed for a start within the first five years of the plan period.

Physical: There are no constraints related to slope, aspect, flood risk, ground stability or access. The site is currently in agricultural use and the land quality is graded 3.1. This has been assessed in detail by Cara Consultants Ltd. Their report clearly demonstrates that the actual practical value of the land to agriculture is at best borderline as a result of physical, locational and agriculture marketing constraints. In short, its loss to local agriculture would be immaterial. In addition to this, it is noteworthy that the site of the new hospital is also classed as 3.1. Land at Ladyfield is graded at both 3.1 and 3.2 and at Brownrigg Loaning it is 3.2. All of the sites are either under development or are allocated. It is therefore considered that the Council would have no legitimate basis to invoke the terms of LOP Policy NE13 Agriculture I Soil against this site. To do so would be to demonstrate that the Council is content to engage in the adverse practice of situational ethics.

Contamination: No contamination on site that would inhibit development.

Deficit Funding: No public funding is required to develop housing on the site. It is considered that the site is economically viable on its own merits and that deficit funding would not be a material issue.

Marketability: It is submitted that the site is self-evidently attractive to both developers and potential occupiers. In support of this a report from N I Land Consultants on its marketability and the weaker marketability of other allocated sites in the LDP and the terms of this are founded upon. Further, DGHP have provided a letter confirming that they would be interested in developing the affordable housing on the site

Infrastructure: The site is free of such constraints, or any infrastructure that may be required can be provided realistically by a developer.

Water - A main runs along the New Abbey Road site frontage and would be augmented as necessary to support the development.

Sewerage - There is spare capacity of 733 units in the Troqueer Sewage Treatment works. That capacity cannot be held in reserve for sites already committed in the LOP, so is available.

Education - The site is in the catchment area of Troqueer Primary School, which is effectively at capacity. The potential developer is aware of this and acknowledges that a developer contribution would be necessary. This would be costed into the development cost of the site.

Transportation - On transportation issues, a report in support of the submission from ARW Transportation Consultancy Ltd. This concludes that the proposal would not raise any material transportation issues and would be at least as well connected with the town as many other sites. In addition it would stand to benefit from infrastructure improvements triggered by the construction of the hospital. This report is founded upon. Comparative distances as the crow flies from approximate site centres to Whitesands are; this site 2k, Cargenbridge 2.5k, Ladyfield 2k, Noblehill 1.9k, Summerfield 2k, Barnhill 2.5k and former Heathhall College 4.5k.

Land Use - If the use of the land was to be changed from agriculture, housing would be the sole preferred use in planning terms, as this could be integrated into the existing landscape and pattern of development of the area just as, or more successfully as many other developed or allocated sites.

The representor considers that Mavis Grove is an effective and should be allocated for development in the emerging Local Development Plan for delivery within the plan period. At the very least it should be identified for development post - 2029 and replace Ladyfield (DFS H.5).

Dumfries - DFS.H261 land adj to Beeches Avenue

John and Sue Bowman (0045.002) - Concerned that an area of land which was included within the settlement boundary of the last LDP is being considered to be removed. The representor had no idea removing an area was even a possibility. The representor bought this land around 15 years ago. Since it adjoined the existing Cargenbridge settlement they thought they may have an opportunity to build on this for their two children. Both their children were on the Council House waiting list for many, many years since leaving school. They have never been out of work taking on any job which came along. They are both settled in work now, one in the Ambulance Service and the other in the University Crichton Campus but not in housing although both have children now. When they made a formal enquiry after 10 years to find out where they were on the Council House waiting list they were absolutely devastated to discover they were further back on the list than when they were first put on and had virtually no chance of ever being allocated a Council House. They then both removed their names from the waiting list and privately rented houses and have done so ever since. This is not sustainable however as they both pay over £540 every month in rent alone and because they work are not entitled to any help, with they accept.

The representors tried on two occasions to secure planning permission on this site but this was refused mainly because the site was not in the Local Plan. They then spent the next 10 years or so, with the help of a Scottish Government Department and Planning Aid for Scotland trying to persuade the Planning authority to include this in the Local Plan being worked on at that time. They took advice from Scottish Power who came to the site and carried out an assessment and gave us a favourable report which I still have. We took topography assessments which were favourable and checked the situation regarding essential services. All posed no significant problems. Thankfully our submission was successful and the small area of land referenced above adjacent to the settlement was included in the settlement boundary in the LDP adopted on 29th September 2014.

Since the last Local Plan was adopted almost three years ago the representor set to work to clear the way for submitting a planning application taking advice along the way. They have spent considerable amounts of money and time in consultancy fees and solicitors fees and are still in the process of securing a safe entrance to the land since I understand the Roads Department now say they would not support entry from Waterside Road. There are other options which they are in the process of exploring. Appreciate the LDP'S are relatively new and suppose in some circumstances when other surrounding issues change there may, on occasion, be merit in removing land from the LDP. In this case however, absolutely nothing has changed and the representor is actively trying to overcome any access difficulties and have made a considerable investment in doing so. Hope you will agree in these circumstances it would be extremely unfair to now remove this land from the new plan in view of all of the above - particularly since absolutely nothing has changed in terms of roads since this was included in the plan? Because of this I cannot see the justification in considering its removal.

Cllr Ian Blake (0246.001) - This land is in the current Local Development Plan as having potential for housing development.

Mr. & Mrs Bowman have invested a considerable amount of time and money attempting to overcome access difficulties to the site and this issue is currently in

the hands of solicitors who are working towards resolving the situation. Very recently, Mr & Mrs Bowman have been led to believe that it is the intention to remove this land from the LDP2 due to access difficulties. They have not been formally advised of this possibility.

As this land was identified in the original LDP as having the potential for development and that nothing has changed with regard to access in the meantime, I strongly feel that if the proposal to remove it from the LDP2 is true, this action is not only premature but is extremely unfair as Mr & Mrs Bowman are currently actively attempting to overcome access restrictions and have invested a considerable amount of money trying to achieve this.

The representor would be obliged if this can be looked into as a matter of urgency with a view to having it in the LDP2 until all access investigations have been exhausted.

Dumfries - DFS.H262 Maxwelltown High School

Rosefield Salvage (0005.002) - This plan borders directly on to the representor's working site and they object to the proposed plan DFS.H262 to be considered for residential housing, considering the history with noise that they had with R&D proposals on the other side of my boundary.

Housing is regarded as a noise sensitive land use, and the activities by our working yard are significantly noise generating, and as quoted in the Dumfries & Galloway Council Local Development Plan (page 113) they would like to assume that the Council would "Continue to identify and protect established business and industry areas, recognising their important role in providing local employment", and support their objection, as if this land were to proceed for residential housing it could have a detrimental effect on our working policy

Sportscotland (0008.003) - Should a planning application be submitted on a site which the representor are statutory consultee, they would base our response against the provisions of Scottish Planning Policy (SPP) paragraph 226. This states that outdoor sports facilities should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with sportscotland show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision

Dumfries – Housing new site: DFS.H269 land at Brooms Road

Loreburn Housing Association (0333.001) – The site is currently vacant and in an ideal situation for residential properties close to the town centre and its current/planned regeneration programme. The site provides the opportunity for a

small pocket of high quality affordable and supported housing in the main economic centre of Dumfries and Galloway. In keeping with LDP objectives, this site is located directly on a sustainable transport link and allows the development of a visually enhanced town edge and approach road. It is the representors proposal to include some form of academy/training centre on this site for the supported housing residents, thereby making this an educational and skillset development opportunity.

Council response and proposed modifications:

Dumfries General

Scottish Natural Heritage (0122.002) - The comments are noted. Access in terms of cycling and walking links have formed part of the overall assessment for all sites and additional details will be added to the site guidance.

(i) C S Stevens (0151.001) – Policies contained within the LDP support residential accommodation in the town as well as a range of other uses. Consideration of the use of compulsory purchase powers would be under the remit of different departments within the Council and is not a matter specifically discussed in the LDP which is used to assess planning applications. No modification(s) proposed.

(ii) C S Stevens (0151.001) – The Retail Capacity Study, which was updated to provide background information to LDP2 would not support a further large supermarket within Dumfries. The policy framework set out in the LDP would limit such proposals coming forward. No modification(s) proposed.

(i) Loreburn CC (0222.001) – The comments are noted and it is proposed to update the information in the settlement overview to include reference of the Midsteeple Quarter.

(ii) Loreburn CC (0222.001) - The re-use of existing town centre car parks would need to be considered in response to a review of the car park strategy. Many of these gap sites would be considered too small to actually allocated but could be considered as windfall sites under policy H1: Housing Land. No modification(s) proposed.

(iii) Loreburn CC (0222.001) – The conversion of existing buildings and the reuse of brownfield sites is supported within the LDP. The former Art School at George Street has a current planning permission for conversion, whilst the former Benedictine Convent has been marketed for some time. The conversion/redevelopment of Loreburn Primary School will be considered if this should become vacant. No modification(s) proposed.

Colin Douglas (0271.001) – Dumfries, as the regional capital, is allocated significantly more housing sites than other settlements in the region for the very reasons stated by the representor. However it is also important to ensure that other settlements within the region are also able to provide for growth, particularly those in the east where employment sites are concentrated around the A74 corridor. No modification(s) proposed.

Transport Scotland (0310.001) – The comments are noted. As a key agency the representor will be kept informed of the proposed package of sites for Dumfries as

the plan progresses. No modification(s) proposed.

Dumfries General Housing

Robert Potter obo Calmac (0064.032) – The Council consider that sufficient land has been allocated within the Dumfries HMA to adequately meet the housing land requirement.

The housing audits are issued for consultation to enable landowners and developers to contribute in respect of their sites that are included in the audit. Planning Advice Note 2/2010 states “Involvement in the preparation of the audit should not be viewed by contributors as an alternative means of commenting on the housing land allocations in the development plan.” It is understood that the comments made in the representation are in respect of sites not in the representors or their clients ownership.”

DFS.H2, DFS.H3, DFS.H4 and DFS.H6 are considered, by the Council to be effective sites. DFS.H204 is discussed later on. It is accepted that market demand within the region is low and therefore it can take time for sites to come forward for development. However progress is being made on a number of current allocations since the LDP was adopted.

It is considered that an allocation of 50% of the housing land requirement to Dumfries is reasonable and will allow for its growth and consolidation. However it is also important that other parts of the Dumfries HMA are also allowed to grow and expand. If the 50% allocation was increased to 70% as suggested in the representation it would have a significant impact on those settlements ability to grow as the housing allocations would be significantly reduced.

All sites submitted for consideration for inclusion in LDP2 have been subject to a full planning and SEA assessment which includes the criteria set out in PAN 2/2010. The landownership and marketability of sites has been considered during the site assessment process although it is accepted that this information may not be explicit in the assessment form. Further discussions have taken place with landowners to ascertain the marketing arrangements for sites. The Council are of the view that the level of information contained in the site assessment forms is sufficient for the purposes of assessing sites effectiveness for inclusion in LDP2. The representor takes a different view to that of the Council in terms of the suitability of sites. No modification(s) proposed.

Yen Hongmei Jin (0274.001) – All the elements listed by the representor have been taken into account as part of the planning assessment of the sites. No modification(s) proposed.

Ryden obo NHS Dumfries (0325.001) - The comments are noted. It is proposed to include a range of sites across Dumfries at varying scales, including smaller and brownfield sites.

Holder Planning obo Sandy Robson (0332.001) – Since the LDP was adopted, progress has been made on a number of allocated sites within the town although they are not yet at a point where construction has commenced on site. There is developer interest on a range of sites, mainly from housing associations and many of the sites are included in the Strategic Housing Investment Plan with the expectation of construction commencing in the next couple of years.

The relocation of the hospital had already been taken into consideration in allocating the package of sites across the town in the current LDP. The Council

has reviewed this current allocations as part of the work when preparing the MIR for LDP2. A change was proposed to the overall strategy in order to provide for a larger range and variety of sites across the town. Some amendments have also been made to the existing allocations taking into account new information and changing circumstances. The spatial strategy allows for a range of sites across the town making the best use of public transport and other facilities and is considered to be sustainable. There has historically been a lack of demand from private developers and this continues to be the case. The Council are of the view that the proposed allocation are effective and represent sustainable development going forward. However, due to the general lack of demand it is recognised that sites may take time to deliver and to expect progress on all sites in the short time since the current LDP was adopted would be unrealistic. No modification(s) proposed.

Holder Planning obo Sandy Robson (0332.001) – The Council consider that sufficient land has been allocated within the Dumfries HMA to adequately meet the housing land requirement and the proposed allocations are effective and represent sustainable development going forward.

The housing audits are issued for consultation to enable landowners and developers to contribute in respect of their sites that are included in the audit. Planning Advice Note 2/2010 states “Involvement in the preparation of the audit should not be viewed by contributors as an alternative means of commenting on the housing land allocations in the development plan.” It is understood that the comments made in the representation are in respect of sites not in the representors or their clients ownership.” Since the LDP was adopted, progress has been made on a number of allocated sites within the town although they are not yet at a point where construction has commenced on site. There is developer interest on a range of sites, mainly from housing associations and many of the sites are included in the Strategic Housing Investment Plan with the expectation of construction commencing in the next couple of years.

The figures included in the representation are based on a higher proportion of the housing land requirement being allocated to Dumfries. If more of the housing land requirement was allocated to Dumfries it would have a significant impact on the ability of the other settlements in the Housing Market Area to grow.

The site at Mavis Grove (DFS.H255) is specifically considered under the Dumfries housing sites. The settlement boundary would not be extended to include this site unless it was included as an allocation in the LDP. Site capacities for each allocated site is identified in the Proposed Plan. No modification(s) proposed.

Dumfries Settlement Boundary

Ewan Maxwell (0119.002) - The proposal to amend the settlement boundary at this location has been considered at previous development plan examinations. As stated at the LDP examination the settlement boundary indicates the extent of built development expected within the plan period for planning purposes. It does not indicate land ownership or even, necessarily, what the community may consider the extent of the settlement to be. It is considered that the development of this site would result in ribbon development and an incursion into open countryside.

At the LDP examination the Reporter came to the following conclusion:

“Whilst I note some justification from the enclosure of the garden ground for

inclusion within the settlement boundary, I maintain the view held at the previous local plan inquiry that the site bears a closer relationship to the surrounding countryside than the built up area. I consider the boundary in this area is correctly drawn to define the logical edge of the settlement and that the ownership of the land does not alter this position.”

The location of the 30mph zone reflects road safety issues and is not considered to directly relate to the boundary of the settlement. No modifications(s) proposed.

BUSINESS AND INDUSTRY

Dumfries - DFS.B&I 5 Land South of Dumfries Enterprise Park

Scottish Natural Heritage (0122.002) – The comments are noted. Recommended to retain site in Proposed Plan with an amended boundary

Dumfries - DFS.B&I 7 Clumpton Hill

Scottish Natural Heritage (0122.002) – The comments are noted. Recommended to remove site from Proposed Plan.

Dumfries - DFS.B&I 201 Tinwald Downs Road

RSPB Scotland (0133.017) – The comments are noted. Recommended not to include site in Proposed Plan.

(i) – (iv) Allan Chapman (0209.001) – Like much land around Dumfries this is Prime Agricultural Land. There is a balance to be made in retaining land for agricultural purposes and finding logical sites for new development. This site lies within two built up parts of Dumfries and effectively serves as an infill site rather than as an extension into the open countryside.

Although it is accepted that the site will be visible from adjacent viewpoints and the cycleway this would be expected from any development but this is a level site which is not considered to be visually prominent in the wider landscape. It would be expected that should development take place on the site that additional landscaping and screening would form part of any proposal.

The importance of retaining green land has to be balanced against the needs of development and economic sustainability of the region. It is likely that the area that is suitable to build on is relatively small and that much of this area would be retained, particularly in respect of the woodland. It should be noted that Lochar Moss to the east provides a large area that is managed for recreational purposes by Forestry Commission Scotland which provide ample open space in the area. It is unfortunate that the supply of suitable sites closer to the town centre is limited for the provision of business and industry sites, however the site is limited in terms of access and it is not proposed to bring it forward at this time.

These sites have already been recommended for inclusion in LDP2 for development.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.B&I 253 Land at Starryheugh

John A MacColl (0048.030) – It is proposed to include the site in Proposed Plan.

John A MacColl (0048.035) – It is proposed to include the site within the Proposed Plan for the nature of development suggested by the representor. Extensive screen planting would be a requirement of the site guidance.

Linda McKeachie (0226.001) – Any development proposal would have to be assessed against Policy OP1 a) and consideration given to the impact of business uses on any adjacent residential property. If need be mitigation measures would need to be put in place to ensure that any noise and emissions are of an appropriate level. The layout and design of any development on the site would need to take into account the existing residential properties and should not have an overbearing impact on them.

A number of brownfield sites have also been considered and are to proposed to be allocated, however there is an insufficient supply of such sites to meet all the development needs around the town.

A Flood Risk Assessment will be required which will assess the suitability of the site for development and will identify developable areas and the mitigation measures that will be required.

The impact on septic tanks is a private matter and should be discussed with the landowner/developer. Recommended to include site in Proposed Plan.

Dumfries - DFS.MU202 land east of Solway Gate

Savills obo Charlotte Developments (0063.010) – The site is located on the fringes of the town, some distance from the town centre and is not well related to the existing built-up part of the town in a location. The A75 is considered to form a strong defensible boundary feature and including the site would extend development into open countryside. Much of the land immediately adjacent to this part of the settlement boundary has yet to be developed and therefore it is not considered appropriate to include this site as an allocation within the plan. The site would be a visually prominent feature at a key gateway to the town.

Of the list of uses submitted by the representors it is considered that the majority of these could more appropriately be met on existing sites in and around the town within the settlement boundary or could be considered under the policy framework and as a result it is not proposed to allocate this site.

Transport Scotland have confirmed that the principle of the development taking access from the fourth arm of the roundabout would be acceptable in principle. However, there was no agreement on the relocation of the A780/ A75(T) roundabout junction and realignment of the A75 trunk road. Further information would be required in this respect in order for them to fully consider the impact on the road network and road safety.

In relation to ancient woodland this is not related to trees on the site but to the history of trees as a woodland in this location . The information is taken from the inventory of ancient woodland produced by SNH.

For consistency the Council assess higher quality agricultural land under the information provided

at http://map.environment.gov.scot/Soil_maps/?layer=10. The Council have always taken categories 1, 2, 3.1 and 3.2 to be higher quality agricultural land. Very few of these uses are considered to require a location adjacent to the A75 and many of them would be visually prominent which would not provide an attractive entrance to the town. Comments are noted in respect of population and human health, water, climate factors, cultural heritage, landscape and planning effectiveness.

This would be a significant site to bring forwards for a range of uses that do appear to be highly speculative at this time and would not lead to a logical extension to the town.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.MU203 Interfloor Factory

Historic Environment Scotland (0012.004); Yen Hongmei Jin (0274.001) - Comments are noted. Recommended to include site in Proposed Plan.

Dumfries - DFS.TC1 Brooms Road

Dumfries & Galloway Council Property Services (0100.027) – As there are no current plans for the Council to dispose of this site it is proposed to remove it from the LDP. Recommended to remove site in Proposed Plan.

HOUSING

Dumfries - DFS.H1 Barnhill

Patricia Bell (0007.002); John A MacColl obo Patricia Bell (0048.021); John A MacColl obo Mr McNay (0048.022) – It was proposed in the Main Issues Report to remove this particular allocation due to the combination of different aspirations of multiple landowners. It was considered that these issues, and in particular contradictory statements made by the largest landowner since the LDP was adopted in 2014 that currently makes the site ineffective and it is unlikely to be brought forward in the near future.

The landowners are now suggesting that they do wish the site to be retained in the LDP however there appears to have been no progress made in bringing the site forward. As a result, and as this is a relatively new allocation, it is proposed to retain the site in the LDP but to make it a long term site in order to provide additional time for the landowners to establish a united approach.

John A MacColl (0048.025) – It is already accepted that there are no significant physical constraints to the site's development and that it is located in a relatively sustainable location, the issues are related purely to multiple landownership and the wishes of the landowners.

The element of the site that has been completed will be deleted from the site area and it is noted that the applications on Hardthorn Road have now lapsed.

It is also noted that all the landowners now support the continued inclusion of the site in the plan but this has not always been the case which has made the site ineffective for a number of years since the LDP was adopted. As a result it is proposed to make this a long term site in order that more progress can be made in this respect.

The developer interest noted in the representors letter appears to be very preliminary enquiries which were not taken further. The letter provided by the representor from Dumfries and Galloway Housing Partnership (DGHP) again is only a preliminary note of interest and it is noted that this site does not currently appear on the Strategic Housing Investment Plan agreed in March 2017.

The comments in relation to contamination, deficit funding, infrastructure and flood risk are noted.

Recommended to retain site in Proposed Plan but as a long term site.

Dumfries - DFS.H2 Marchfield

Woodland Trust (0152.001) – The adopted Area Development Framework identifies the woodland as open space to be retained and not a part of the site that is suitable for development. As a result it is not considered appropriate to remove the whole allocation on this basis.

Turley Associates obo Story Homes (0263.001) – Comments are noted.

Yen Hongmei Jin (0274.001) – The adopted Area Development Framework identifies large areas of open space within the site along with an area for the development of community facilities. The factoring arrangements are a matter between the residents and the factoring company.

Consideration has been given to school capacities. The Council's education department have been consulted and their future requirements are included in the Area Development Framework. Policy OP2 Design Quality of New Development and its associated supplementary guidance seeks good quality design for all developments and the principles that these set out should be followed. The Marchfield Area Development Framework requires a mix of house types including a mix of size of houses to provide housing choice within the development. Set guidelines are followed to ensure that the amenity and privacy of existing and future residents are maintained.

Recommended to retain site in Proposed Plan and to include additional area at Ladypark Farm which was previously excluded from the allocation in error.

Dumfries - DFS.H3 Noblehill

(Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - The eastern part of this site was purchased from the Council by DGHP in March 2017. They are expecting to submit a planning application in the near future. The site is identified in the Strategic Housing Investment Programme and commencement on site is likely to be 2017/18.

The majority of the comments regarding the effectiveness of the site do not take into account the above recent developments. The Council has assessed the effectiveness of the site against the criteria in paragraph 55 of Planning Advice Note 2/2010 and have concluded that the site is effective and contributes to the 5 year effective housing land supply.

A brief setting out the requirements and content of the required masterplan has been produced as planning guidance. As planning guidance it was not, and did not need to be, subject to public consultation processes. The total number of units noted in both the LDP and the planning guidance are based on average housing densities in the local area with some consideration for general open space and infrastructure requirements. This figure was then reduced to take into account the specific needs at this site for the provision of a football pitch and a link road to connect the Annan Road and Lockerbie Road.

Recent flood events have resulted in the Council's Flood Risk Management Team objecting to the continued inclusion of the site in its current format. The eastern part of the site appears in pluvial SEPA flood maps and is subject to very sensitive hydrology. A body of water traverses the site and there is a culverted system within the existing site boundary. The Council holds flood records in connection with the site and object in principle to the development of the eastern part of the site. The number of units is proposed to be reduced further as the site area is reduced due to flood risk issues. It is proposed to allocate the western part of the site for some 70 units in the period to 2029.

The Council understand that the representor has interpreted the Reporters comments in relation to which part of the site should be considered as open space differently to that of the Council.

Asher Associates obo Ms Dobie/Mrs Hyslop (0073.002) – The Council holds flood records in connection with the site and object in principle to the development of the eastern part of the site. The area owned by the representors is subject to flood risk and it is proposed to remove this area from the site allocation. The number of units is proposed to be reduced further as the site area is reduced due to flood risk issues. It is proposed to allocate the western part of the site for some 70 units in the period to 2029.

Loreburn CC (0222.001) – It is expected that the site will be developed at a similar density to those found in the area.

Loreburn CC (0222.001); (i) Yen Hongmei Jin (0274.001); Martin Rae (0277.001); Saleem Hassan (0288.001) – Both the site guidance and the masterplan brief (available on the Council's website) require the provision of open space at this site including a full size pitch and the consideration of incorporating areas of existing open space into the site.

Ronald M Copland (0270.002); (ii) Yen Hongmei Jin (0274.001); (i) Paul and Emma Craig (0280.001) – Recent flood events have resulted in the Council's Flood Risk Management Team objecting to the continued inclusion of the site in its current format. The eastern part of the site appears in pluvial SEPA flood maps and is subject to very sensitive hydrology. A body of water traverses the site and there is a culverted system within the existing site boundary. The Council holds flood records in connection with the site and object in principle to the development of the eastern part of the site. The number of units is proposed to be reduced further as the site area is reduced due to flood risk issues. It is proposed to allocate the western part of the site for some 70 units in the period to 2029.

Martin Rae (0277.001) – In order to meet the housing needs of the town it is important to provide a range of potential housing sites within the LDP. Policies within the LDP also support for town centre living but this alone would not be sufficient to meet the housing needs of the wider area. This is an established residential area and therefore residential development is considered to be in keeping with this.

Martin Rae (0277.002) – A road is proposed through the site to provide a link from the Annan Road to the Lockerbie Road and ultimately to the Edinburgh Road through the Marchfield site. The Dumfries Regional Traffic Model was updated in 2012 to take account and assess the sites contained in the adopted LDP. Traffic assessment work has been undertaken to assess the impact on the local road network and junction capacities in relation to this site and DFS.H2 and DFS.H7 . A further traffic assessment is likely to be required to provide further information in terms of these aspects.

Martin Rae (0277.003) – This site is currently allocated for housing development in the Local Development Plan (LDP) adopted in September 2014. It was previously shown as committed for development in the Dumfries and District Local Plan adopted in 1993 and as a housing allocation (partly long term) in the 2006 Nithsdale Local Plan. As part of the development plan processes its inclusion as a housing allocation has been the subject of public consultation on a number of different occasions.

This site had previously been under offer to another developer back in 2008 and that sale was agreed in 2009. However this sale did not materialise. A report was presented to Nithsdale Area Committee on 4th Sept 2013 stating that the land was surplus to Council requirements and asked for any suggestions for community use, subject to approval by the Committee. No suggestions were made, therefore the way was clear to dispose of the land. The land was sold to Dumfries and Galloway Housing Partnership (DGHP) on 31st March 2017.

(ii) Paul and Emma Craig (0280.001) – It is not expected that Stoop Loaning would be used as an access to the development of this site.

Recommended to retain site in Proposed Plan, at a reduced site area for some 70 units. Proposed to redraw settlement boundary to reflect deletion of the eastern part of the site.

Dumfries - DFS.H4 Heathhall College

Woodland Trust (0152.001) – The site is physically separated from the ancient woodland by a road and therefore a buffer zone is considered to be necessary in this case.

Turley Associates obo Story Homes (0263.002) – Comments are noted.

Yen Hongmei Jin (0274.001) – The refusal of planning permission is currently being appealed but in any case the Planning in Principle consent is still extant. The concerns regarding noise from the adjacent industrial estate are the main issue for concern and are being fully considered as part of the planning application, including any necessary mitigation measures.

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - This site has been purchased by a developer and the Planning in Principle planning consent is still extant. The most recent planning application in relation to the details of the development has been refused but is currently subject to an ongoing appeal. Should the appeal be allowed then it is likely that this site will be brought forward for development at an early point in the plan process.

Recommended to retain site in Proposed Plan

Dumfries - DFS.H5 Ladyfield

(Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - Since the adoption of the LDP the lease arrangement with the Crichton Trust has now ended and the site has reverted back to the Council for disposal. The Crichton Quarter Development Framework is now available as draft Supplementary Guidance. Preparation of the document included work in relation to transport issues in the wider southern Dumfries area and some mitigation measures have been identified in relation to the Crichton Quarter and associated developments, including this site. A further transport assessment will be required to be submitted with any planning application coming forward which may itself result in further road improvements as part of the development.

(i) Edith M Beeton (0228.001) – There are no known biodiversity issues specifically related to this although development would inevitably have some impact on wildlife this would not necessarily warrant the removal of this site. All sites contain wildlife of some form. It would be expected that mature trees within the site should be retained wherever possible.

(ii) Edith M Beeton (0228.001); (i) Yen Hongmei Jin (0274.001) – It has been acknowledged that there are local road network issues within the area. As a result work in relation to transport issues in the wider southern Dumfries area have recently been undertaken and some mitigation measures have been identified in relation to the Crichton Quarter and associated developments which include this site. A further transport assessment will need to be submitted with any planning application coming forward which may itself result in further road improvements as part of the development.

(ii) Yen Hongmei Jin (0274.001) – The provision of open space will be a requirement of any development coming forward in line with both the Open Space and Design Quality and placemaking Supplementary Guidance. Consideration has been given to school capacities and the location of existing facilities as part of the planning assessment of each site. The Council's education department would be consulted on any relevant planning applications coming forward in respect of any required developer contributions. Policy OP2 Design Quality of New Development and its associated supplementary guidance seeks good quality design for all developments and the principles that these set out should be followed. A mix of house types and sizes would be required and set guidelines followed to ensure that the amenity and privacy of existing and future residents are maintained.

Recommended to retain site in Proposed Plan.

Dumfries - DFS.H6 Lincluden Depot

Historic Environment Scotland (0012.004) – Comments are noted.

Robert Potter & Partners obo Kindbuild (0064.031); Robert Potter & Partners obo Calmac (0064.032) - This site has been purchased by DGHP who are expecting to submit a planning application for a mix of residential conversion and new build by the end of 2017. They are working with the Council in order to overcome some of the issues with the previously submitted plans. They are also in discussions with the Prince's Trust in respect of the detailed design elements of this scheme. The site is identified in the Strategic Housing Investment Programme and commencement on site is likely to be 2017/18.

Recommended to retain site in Proposed Plan.

Dumfries - DFS.H7 Brownrigg Loaning

Taylor Planning (0108.003) – The site appears in the pluvial SEPA flood maps and the Council hold flood records in connection with this site. A body of water traverses the site and there is a culverted system within the site boundary. Overall the site has a very sensitive hydrology. The Flood Risk Management Team object in principle to the development of this site and the MIR concluded that the site should be removed from LDP2 and the settlement boundary redrawn to reflect

these deletions. No further information or a Flood Risk Assessment has been submitted by the representor to demonstrate that this issue could be overcome. The site is therefore considered to be ineffective due to flood risk. It is recommended to remove site from Proposed Plan on basis of flood risk and redraw settlement boundary to reflect deletion.

(i) Michael and Natalie Rosie (0141.001) – Recent flood events have resulted in the Council’s Flood Risk Management Team objecting to the continued inclusion of the long term site at Brownrigg Loaning (DFS.H7) in the proposed plan and the site at Noblehill (DFS.H3) in its current format. The site appears in the pluvial SEPA flood maps and the Council hold flood records in connection with this site. A body of water traverses the site and there is a culverted system within the site boundary. Overall the site has a very sensitive hydrology.

(ii) Michael and Natalie Rosie (0141.001); (ii) Paul and Emma Craig (0280.001) – It is not expected that Stoop Loaning would be used as an access to the development of this site.

Ronald M Copland (0270.001) – Recent flood events have resulted in the Council’s Flood Risk Management Team objecting to the continued inclusion of the long term site at Brownrigg Loaning (DFS.H7) in the proposed plan and the site at Noblehill (DFS.H3) in its current format. The site appears in the pluvial SEPA flood maps and the Council hold flood records in connection with this site. A body of water traverses the site and there is a culverted system within the site boundary. Overall the site has a very sensitive hydrology. It is recommended to remove site from Proposed Plan on basis of flood risk and redraw settlement boundary to reflect deletion.

(i) Paul and Emma Craig (0280.001) – Recent flood events have resulted in the Council’s Flood Risk Management Team objecting to the continued inclusion of the long term site at Brownrigg Loaning (DFS.H7) in the proposed plan. The site appears in the pluvial SEPA flood maps and the Council hold flood records in connection with this site. A body of water traverses the site and there is a culverted system within the site boundary. Overall the site has a very sensitive hydrology.

Recommended to remove site from Proposed Plan and redraw settlement boundary to reflect deletion.

Dumfries - DFS.H8 Catherinefield Farm

Robert Potter & Partners (0064.027) – Since the Main Issues Report has been published, DGHP have purchased the adjacent site DFS.H205 (Curries site). The purchase of this site now allows for the access issues to be resolved in relation the larger site at DFS.H8 (Catherinefield Farm) as direct access can now be obtained from the A701. As a result it allows this site to be brought forward at an earlier point in time.

The application at DFS.H4 is currently the subject of an ongoing appeal. It is still proposed to allocate DFS.H4 as part of the Proposed Plan and the DGHP element of this site is unchanged.

Woodland Trust (0152.001) – The site is physically separated from the ancient

woodland by the local wildlife site (LWS) and therefore a buffer zone is considered to be necessary in this case for this purpose. However, it is proposed to amend the site guidance in the Proposed Plan as a buffer may be required to the LWS.

Yen Hongmei Jin (0274.001) – A proposal for a mixed use site, which may include a local centre and retail outlet, has been proposed for the land to the west of Edinburgh Road.

Recommended to retain site in Proposed Plan but change time period to current plan period

Dumfries - DFS.H201 DGRI

Historic Environment Scotland (0012.004); Scottish Natural Heritage (0122.002) – Comments are noted.

Recommended not to include in Proposed Plan

Dumfries - DFS.H204 Woodlands Hotel

Robert Potter obo Calmac (0064.032) – The Settlement Hierarchy Technical Paper sets out how different types of settlement are classified based on a number of factors. The size of the settlement is not one of the factors taken into account and it is accepted that some small building groups can be quite large in size. The list of small building groups were not reviewed as part of producing the Local Development Plan. It was decided that in future any new groups would be assessed as part of the planning application process. As a result of planning applications having come forward both Newbridge and Woodlands have now been classified as two small building groups and have been added to the list held on the Council's website.

The strategy for allocating sites within the current LDP across Dumfries took into account sustainable development principles, aiming to make the best use of existing land, infrastructure, facilities and transport networks. For the review of the plan the preferred option would retain this strategy but also ensuring that there are a range of sites in terms of scale across the town. This is considered to be a reasoned and sustainable approach which accords with national policy to create sustainable places.

DFS.MU201 is located on the fringes of the town some distance from the town centre and would form a large extension to the town. Although it may be technically possible to develop this site, it is not required to meet housing land requirements at this time. A number of other sites have been recommended for inclusion in LDP2 which are considered to provide a more appropriate pattern of development and expansion of the town at this time.

At the examination for the Local Development Plan the reporter agreed with the Council in that “the existing edge of development (at the Irongray Industrial Estate)presents a logical settlement boundary given that the site is not required to meet the area’s housing needs.” This is still considered to be the case.

It is considered that this is too large a site to include within the settlement boundary as unallocated land close to the edge of the settlement and there is no overriding reason for it to be included within the settlement boundary.

The Small Building Groups at Woodlands and Newbridge are physically and visually separated from the built up part of Dumfries and it would not be logical

for them to be located within the boundary as they currently stand. Planning consent has already been gained for 3 dwellings to the north of the hotel's main building. The grounds and landscape setting of this listed building, particularly when viewed from the front, are considered of importance and views to the building from the road should not be impeded or be detrimental to this setting. As a result it is considered that any development potential would be to the north of the building similar to that which has been approved.

The assessment of all planning applications will be considered on their own merit on a case by case basis. The application noted by the representor has been withdrawn.

It is the Council's view, as discussed as part of the legal challenge in respect of the current LDP, that there are three distinct and separate elements in this location; the two discrete Small Building Groups at Woodlands and Newbridge, and then the Woodlands Hotel which sits between these two groups. It is considered that all three elements are visually and physically separate and do not form a single cohesive or functional village. The hotel is not considered to fall within one group or the other and therefore it does not form the function of a community facility within a settlement. As a result, it is not proposed to classify Newbridge or Woodlands, either individually or together, as a village under the terms set out in the Settlement Hierarchy Technical Paper.

As previously noted there is no size criteria in relation to small building groups and a number of such groups can be quite large in size which does not seem to have raised any issues elsewhere.

Recommended not to include site in Proposed Plan

Dumfries - DFS.H218 Oaklands

(i) Scottish Natural Heritage (0122.002) – Comments are noted

(ii) Scottish Natural Heritage (0122.002) – Comments are noted, it is proposed to make reference to trees and hedgerow development in the site guidance.

(i) Paula Voce (0259.001); (iv) Dawn Robson (0316.001); Jacqueline Callander (0319.001) – A transport assessment will be required in relation to the development of this site which would identify any offsite mitigation works required to the wider road network and road junctions. Reference to the need for such an assessment will be included in the site guidance.

(ii) Paula Voce (0259.001) – A number of sites that are currently allocated within the LDP are proposed to be deleted or reduced in size in LDP2. In order to ensure an adequate supply of housing land additional land has to be allocated to replace these areas. This site would provide a replacement area within this part of the town, close to the hospital and transport routes and is considered to be a logical extension to the current settlement boundary.

(iii) Paula Voce (0259.001) – That development would result in the loss of a view is not a material planning consideration

(iv) Paula Voce (0259.001); (i) Dawn Robson (0316.001) – Loss of privacy need not arise with careful site design and layout which would be addressed at the application stage.

(v) Paula Voce (0259.001); (ii) Dawn Robson (0316.001) – This would be a private matter and should be discussed with the landowner/developer.

(vi) Paula Voce (0259.001); (iii) Dawn Robson (0316.001) - Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other.

Recommend to include in Proposed Plan but only that portion shown in the Preferred Option in the Main Issues Report

Dumfries - DFS.H223 Priestlands

Jones Lang LaSalle (Glasgow) obo DSW Properties (0335.001) - The SEA and planning assessment assessed all proposed sites using the same criteria. Many sites around Dumfries are located on high quality agricultural soils or are greenfield land, neither of which are the primary reason for not including the site.

The site is not considered to represent a logical extension to the town as it only connects obliquely to existing development at the north west and north east corners. There is no development adjacent to the site to the north. As a result the site is not considered to be sympathetic to the existing pattern of development.

The Reporter in the Report of Examination stated that: “The site has little visual connectivity to the established residential area to the north. It would extend development into open countryside beyond the logical settlement boundary.”

The archaeological issues relating to the site to the north is a consideration as it is the development of these sites that would create a more logical pattern and sequence of development in this part of the town which is missing without them.

The site at DFS.H267 was not submitted by the landowner for inclusion in the LDP but was assessed by the Council to ensure a comprehensive assessment was made of sites in the area. The Council do not dispute that the site is technically developable.

It is considered that an effective range of sites have been provided within the town to more than meet the housing needs. The comments are noted in respect to the effectiveness of the site however this would be a large extension to the town that is not required to meet housing targets at this time.

Recommended not to include in Proposed Plan.

Dumfries - DFS.H228 Corbelly Hill

John A MacColl (0048.033) – This site is used as a paddock and if it has had a previous use it has naturally regenerated itself and is considered as a result to be greenfield.

The Council is of the view that development of this site would impact on the setting of the listed former convent due to its sensitive, prominent and elevated location

Roads officers are satisfied that a roads access can be achieved.

The area is designated Protected Open Space. This term covers a range of types of land but does not necessarily need to be publicly accessible to serve an open space function. In this case the site is considered to provide an important function in terms of visual amenity and open setting to the listed former convent.

Recommended not to include in Proposed Plan.

Dumfries - DFS.H229 land adj to Doonholm

John A MacColl (0048.030) (0048.038) – Castle Douglas Road is considered to have a strong semi-rural character due to the location of the golf course and the sporadic nature of development along it. It is considered that this area does not relate well to the main built up area of Dumfries.

A policy in relation to the provision of smallholdings had previously been included in the 2006 Nithsdale Local Plan but was not taken through to the LDP as these particular areas had not achieved the type of developments envisaged by the policy designations. This was supported by the Reporter that stated that the 'policy objective of achieving semi-rural small-holdings has been less than effective'. It is not proposed to revive this policy approach.

It is noted that the site should now be considered for residential development of not more than two units however it has not been the Council's practice to allocate such small sites for inclusion in the LDP.

There have been discussions to extend the 30mph limit however this does not necessarily have a bearing on the suitability of this site for inclusion in the plan. The site at DFS.H218 will require a transport assessment to assess any required off site road mitigation works.

Recommended not to include in Proposed Plan.

Dumfries - DFS.H230 land south of Maxwelltown High School

John A MacColl (0048.030) and (i) (0048.37) - The settlement boundary in this location would only be amended if the site were to be included as an allocation in the Proposed Plan.

(ii) John A MacColl (0048.037) – Development in this location would form an extension into the open countryside in a manner that does not completely fit with the pattern of recent development which has been more of a 'rounding off' and there are issues in relation to the provision of suitable access requirements. Amending the settlement boundary would not overcome this issue. It is considered that more than sufficient land is being provided for in a range of sites across the town.

Recommended not to include in Proposed Plan.

Dumfries - DFS.H231 Georgetown Road

Laurence T Wilson (Planning) obo McPetrie (0070.009) - It is considered that the U110N forms a strong boundary to the existing Georgetown housing estate and there is no suggestion that this estate, in terms of its layout and orientation of buildings, was left incomplete in this location. A stone wall to the rear of the existing properties and to the field boundaries continues along the length of both sides of the road and mature trees and vegetation also exist.

The site would extend development into the countryside towards Georgetown. Whilst the landscape setting provides a degree of containment with trees along the western and southern boundaries the site remains relatively remote from the town centre and poorly related to the existing residential area.

This site is considered to be visually prominent and development here would result in coalescence with the small building group at Georgetown Village. The plan already makes sufficient housing provision and this site is not considered to be required to meet the housing land requirements of the plan.

This site is located in an outlying location and relatively remote from the town centre and its services and facilities which is considered to make it less appropriate for either the retirement or affordable housing markets. It was considered that other sites, closer to the town centre and other facilities better met the housing land requirements for the plan at this time.

There are no current plans to develop a southern by-pass.

Recommended not to include in Proposed Plan.

Dumfries - DFS.H232 land east of Georgetown Road

David Fallas (Planning) obo Dundas Chemical (0071.013) – The SEA and planning assessment assessed all proposed sites using the same criteria.

Many sites around Dumfries are located on high quality agricultural soils or are greenfield land, neither of which are the primary reason for not including the site.

It is noted that the powerlines pre-date the Georgetown development. However the high voltage powerlines cross the site which may not be viable to relocate. It is considered by the Council that these would impact on any development coming forward and be likely to result in a layout below the design standards required for good placemaking which is now a priority of the LDP or create the residential amenity standards expected today.

The site is considered to be visible over a wide area which impacts on the setting of the town in long distance views. The Council cannot comment on consistency with other allocated sites as these are not specified in the representation.

In each review of the development plan the Council will review and reassess all the allocated sites in terms of housing need and how the sites fit together as a pattern of development across the town. This site has previously been allocated however this does not mean that it would be allocated in perpetuity. Each review will reconsider the site selection and some sites will be retained and some removed depending on the strategy going forward. This site had been allocated for some time with no development coming forward and was not required for inclusion in the current LDP.

Ladyfield is located close to the town centre. The site at Catherinefield has previously been shown to be long term land but does provide for development in the north east of the town adjacent to a site proposed as a mixed use site including possible local centre functions. It is proposed to remove the long term site at Brownrigg Loaning from the plan.

Roads officers have raised no issues in relation to this site.

The surface water sewer is a constraint to the development of the site and is raised accordingly. The cost of relocating the sewer would need to be considered in relation to the viability of the site along with the relocation of the powerlines.

The purchase of adjoining land is noted.

Recommended not to include site in Proposed Plan.

Dumfries - Dumfries - DFS.H236 Nithbank

Historic Environment Scotland (0012.004) – Comments are noted.

John Douglas Lipton (0268.001) – The comments are noted however the bungalows do not form part of the listed element of the site and therefore it would be the developer to consider which elements are retained within the proposed scheme. Any development would need to be carefully designed to preserve the setting of the listed building and taking into account the site's character and

context.

Detailed consideration of access would be considered at the planning application stage.

Gail Stokes (0308.001) – It should be noted that the site assessment relates to public rights of access such as public footpaths that are open to all. The description would appear to relate to private access rights between particular properties which would be a private matter between the landowners and any developer.

Recommended to include site in Proposed Plan as a Mixed Use site.

Dumfries - DFS.H241 land north of Cairnsmore Avenue

Andrew Kennedy (0170.001); William Moir (0181.001); Mr and Mrs George K Thomson (0183.001); Sheila Anderson (0188.001) - Although this site is free from technical constraints and is considered to be developable, it is not proposed to include the site as a specific allocation at this time given the level of objections received.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.H247 land at Auchencrieff Road North

Yen Hongmei Jin (0274.001) – It is not proposed to include the site as it would result in the loss of open space.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.H248 land at Burntscarthgreen

Yen Hongmei Jin (0274.001) – It is not proposed to include this site due to the loss of open space and trees, and also due to concerns raised by Roads Officers in relation to an overlong cul-de-sac.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.H250 land at Craigs Road

Yen Hongmei Jin (0274.001) - The comments are noted however there are no current plans to develop a southern by-pass.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.H251 Solanus

Yen Hongmei Jin (0274.001) – The comments are noted however there are no current plans to develop a southern by-pass.

Recommended to include part of this site that currently has planning permission in the settlement boundary.

Dumfries - DFS.H254 land at Curristanes

John A MacColl (0048.030) - The settlement boundary in this location would only be amended if the site were to be included as an allocation in the Proposed Plan.

John A MacColl (0048.034) - The SEA and planning assessment considers all

sites on the same basis and such consideration is whether the site is located on High Quality Agricultural Soils. This applies to many sites around Dumfries and is therefore not the primary reason for not including the site.

The Council are of the view that development in this location would not enhance the setting and approach to the town. The development would appear to be isolated and visually detached from the town and would not be visually well integrated. Development would also impact on the rural setting and character of this location.

It is considered that due to the above reasons this site would not meet the approach to selecting housing sites in the town. There are already a number of other suitable sites that provide options and housing choice across the town.

The provision of affordable housing is a requirement within the LDP.

Other sites are considered to provide housing in locations close to the hospital.

Recommended not to include site in Proposed Plan

Dumfries - DFS.H255 Mavis Grove

Holder Planning obo Sandy Robson (0332.001) - The settlement boundary in this location would only be amended if the site were to be included as an allocation in the Proposed Plan.

The Council accepts that the site is within walking distance of a number of services, that the land is relatively flat and there are no adverse ground conditions.

Roads officers have not raised any issues in respect of access to the site.

The letter provided by the representor from DGHP again is only a preliminary note of interest and it is noted that this site does not currently appear on the Strategic Housing Investment Plan which was agreed in March 2017.

The SEA and planning assessment considers all sites on the same basis and such considerations are whether the site is located on High Quality Agricultural Soils or greenfield land. This applies to many sites around Dumfries and is therefore not the primary reason for not including the site. For consistency the Council assess higher quality agricultural land under the information provided at http://map.environment.gov.scot/Soil_maps/?layer=10. The Council have always taken categories 1, 2, 3.1 and 3.2 to be higher quality agricultural land. The Council are of the view that development in this location would not be visually well integrated and would appear isolated detrimentally impacting on the setting and approach to the town. The row of houses at Mavis Grove are physically and visually separated from the main built up area of the town as is this site. There is no built development across the river at this location as this is an extensive area of open space which is unlikely to be developed due to flood risk. The Small Building Groups at Mavis Grove and Cargenholm are characteristic of the rural areas of Dumfries and Galloway and are not considered to be urban in nature.

There are no current plans for the creation of a southern bypass for Dumfries.

The site at Oaklands, although a greenfield site in agricultural use, is directly adjacent to the built up part of the town and next to recent development at Barnhill and therefore is considered to be better related to the existing pattern of development in the town.

The sites at both DFS.H3 and part of SNQ.H2 have recently been purchased by housing associations and are identified on the Strategic Housing Investment Programme. Both are expected to commence development within the next year

subject to planning permission. Since the adoption of the current LDP, further work has been undertaken to assess the improvements required to the local road network which will allow DFS.H5 to be brought forward for development within the LDP2 plan period. The Council are satisfied that these three sites are effective. Although a recent application at DFS.H4 was refused this is currently the subject of an appeal. This site is owned by a developer active in the area and should the appeal be successful is likely to be brought forward for development.

Recommended not to include site in Proposed Plan.

Dumfries - DFS.H261 land adj to Beeches Avenue

John and Sue Bowman (0045.002); Cllr Ian Blake (0246.001) – It is proposed to retain this area as white land within the settlement boundary to provide the landowners a longer period to resolve the access issues.

Recommended to retain land within the settlement boundary.

Dumfries - DFS.H262 Maxwelltown High School

Rosefield Salvage (0005.002) – The comments are noted and it will be a requirement of the site guidance for noise assessments to be carried out and any identified attenuation measures implemented.

Sportscotland (0008.003) – Although the playing fields attached to the school will be lost they are being replaced at the replacement school campus currently under construction.

Recommended to include part of site in Proposed Plan

Dumfries – Housing new site: DFS.H269 land at Brooms Road

Loreburn Housing Association (0333.001) – This small brownfield site represents an infill development opportunity. Subject to the grant of planning consent it would be considered a windfall site and a planning application would be assessed in regard to Policy H1 b.

Recommended not to include site in Proposed Plan.

Issue 15	Mid Galloway HMA
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.5 Mid Galloway Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Savills obo Alleyford (0063.011) Robert Potter obo 3b Construction (0064.025) (0064.026) Scottish Natural Heritage (0122.002) Natalie McKenna (0139.001) David Hirst (0140.001) Howden Skimming (0142.001) Martin Robertson (0146.002) Woodland Trust (0152.001) Ronald Jones (0156.001) Mark Coyle (0159.001) Alex Dale (0163.001) (0163.002) Richard Oxley (0172.001) Alan and Lesley Brown (0173.001) Petra and Andrew Winters (0174.001) Brian and Gloria Holden (0190.001) Peter and Sandra Duffy (0194.001) Anne S Highman (0206.001) Simon Wheeler (0212.001) Halliday Fraser Munro obo Viga Homes (0225.001) Christina Johnston (0241.001) Norman John McIntosh (0253.001) Noreen Johnston (0278.001) Cree Valley CC (0284.001) (0284.002) (0284.003) (0284.004) (0284.005) (0284.006) Mhairi Shaw Planning obo Mr Craig (0296.001) Rapleys obo Caravan & Motorhome Club (0312.001) Scottish Wildlife Trust (0318.001) Lily Maria Whitehead (0331.001) (0331.002) (0331.003)</p>	
Summary of the representation(s):	
<p>Mid Galloway HMA - General <u>Robert Potter obo 3b Construction (0064.025)</u> - Support the special strategy for the Mid Galloway Housing Market Area and approach intended to be adopted.</p> <p><u>Martin Robertson (0146.002)</u> - Support for the preferred approach to the Mid Galloway HMA sites and settlements.</p> <p><u>Cree Valley CC (0284.001)</u> - It is noted that the proposed Plan includes approximately 44 Hectares for housing development, excluding NST MU1, which would be more than double that assessed as required for housing in the Mid Galloway Housing Market Area.</p>	

DISTRICT CENTRES

Newton Stewart - General

(i) Cree Valley CC (0284.001) - Disappointed there are no development plans between Dumfries and Stranraer. Believe that the future of the Cree Valley Community will depend on developing the industrial and commercial opportunities in this area.

(ii) Cree Valley CC (0284.001) - The area to the west of Victoria Street, incorporating the old Galloway Gazette premises and the former Grapes Hotel and the adjacent garden/utility areas would be suitable for a development site with suitable access achieved via the demolition the dilapidated Grapes Hotel Building.

(iii) Cree Valley CC (0284.001) - Traffic management developments in Newton Stewart and Minnigaff have been piecemeal with little attention given to their interaction. The Cree Bridge, Victoria Street and Dashwood Square are causing particular difficulty at busy times. An integrated Traffic Management Scheme for the whole of Minnigaff and Newton Stewart should be instituted.

(iv) Cree Valley CC (0284.001) - Some Councils in Scotland have acquired areas of land which are then sold off to self-build projects at an affordable rate. This should have an overall cost to the Council and could raise small profits. It would encourage development in the area. Would suggest that areas NST.H2 and NST.H5 would be appropriate for this purpose.

Newton Stewart - NST.H6 Station Road

Cree Valley CC (0284.001) - Site should not be allocated in the plan

Mhairi Shaw Planning obo Mr Craig (0296.001) - Site should be allocated in the plan. The owner has provided details of their intention to develop

Newton Stewart - NST.H201 land at Hill of Old Hall Farm (incl. H4+H7)

Savills obo Alleyford (0063.011) - Support the inclusion of site NST.H201, H4 and H7. Submission includes alternative site boundary which reduces the area of site to be considered for inclusion within the settlement boundary.

Scottish Natural Heritage (0122.002); Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001) - Strongly object to the proposed housing development of sites NST.H201, H4 and H7 due to the visual impact development on the landscape. This is an elevated site which forms a backdrop to the north-western part of the settlement.

Alex Dale (0163.001); Cree Valley CC (0284.001) - The development will result in exacerbating the already serious traffic problems and will impact services as a result.

Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001) - Development of this site could have lead to increased flooding and surface water run off during heavy rain, and in extreme weather. Environmental groups should be consulted on the impact the proposed development will have on the area in

terms of potential flood risk. Housing development of NST.H201 would increase the rate of run off water from these sites and would feed the water into the river above the town. This would increase the flooding risk in the town centre. Existing drains and drinking water supply are already at their limit at the north end of town, and could not cope with the additional demand from new housing. The slopes and access to these sites would be expensive for the Council to service in the future.

Scottish Natural Heritage (0122.002); Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001); Scottish Wildlife Trust (0318.001) - This site hosts significant areas of woodland, the majority of which is semi-natural broadleaf which is not included on the ancient woodland inventory but which is nevertheless well-established. The proposals include three areas of woodland which are important in the landscape of the town. Care should be taken to maintain the woodland and the wildlife corridors to support Bats and Bluebells as development could result in the loss of wildlife, leading to amenity issues.

Scottish Natural Heritage (0122.002); Alex Dale (0163.001) - The site also hosts a number of field boundary features such as stone walls that should be retained as part of any future development.

Scottish Natural Heritage (0122.002) - Development would result in the loss of community facilities. Existing paths and tracks which could form the basis of an active travel network connecting this site and its neighbours with the existing settlement and beyond.

Alex Dale (0163.001) - High voltage power lines and pylons run west to east through the middle of the site, and obviously houses cannot be built under them.

Newton Stewart - NST.H202 Creebridge Caravan Park

Brian and Gloria Holden (0190.001) - We live in the Caravan Park and have not been informed of the plans to redevelop the site for residential use.

Cree Valley CC (0284.001) - Support the inclusion of site in the plan.

Newton Stewart – Housing New Site: NST.H203 land to north east of Barnkirk Cottage

Cree Valley CC (0284.002) – This site is being proposed as a more suitable alternative to site NST.H201.

Newton Stewart – Housing New Site: NST.H204 land adjacent to Barnkirk Cottage

Cree Valley CC (0284.003) – This site is being proposed as a more suitable alternative to site NST.H201.

Newton Stewart – Housing New Site: NST.H205 land north of New Galloway Road

Cree Valley CC (0284.004) – This site is being proposed as a more suitable alternative to site NST.H201.

Newton Stewart – Housing New Site: NST.H206 land north west of A75

Cree Valley CC (0284.005) – This site is being proposed as a more suitable alternative to site NST.H201.

Newton Stewart – Housing New Site: NST.H207 former Community Council offices

Cree Valley CC (0284.006) – This site is being proposed as a more suitable alternative to site NST.H201.

Newton Stewart – NST.B&I1 Barnkirk Farm

Christina Johnston (0241.001) - Development of this site will result in vast increase of traffic which will lead to an increase in noise pollution, impact on the built or natural environment, result in construction noise, result in possible overshadowing or overlooking, impact on result in emotional and physical wellbeing of the surrounding residents.

Cree Valley CC (0284.001) - Support the allocation for site NST.B&I1

Newton Stewart – NST.B&I201 land south of Barnkirk Farm

Noreen Johnston (0278.001) - Development of this site will add to the noise and fuel pollution which already exists from the adjacent A75 and will affect our emotional, health and wellbeing considerably.

The fields attract all kinds of wildlife such as a diversity of birds which would also be adversely affected as well as the loss of a Greenfield site to sheep and cows that currently enjoy it.

The area is overlooked by holiday visitors coming into Newton Stewart from the A75 and our stunning green landscapes should be kept to encourage the Tourist Industry and not adversely affect it.

There are areas in the field prone to flooding after heavy rain as the land is low lying.

Wigtown - WGT.H1 Southfield Park

Robert Potter obo 3b Construction (0064.026) - Support the allocation of this site in LDP2. Landowner intends to have development of the site commenced within the term of the adopted LDP and with the intention to build out during LDP2.

Scottish Wildlife Trust (0318.001) - Barn owls have been seen using the barn on the site. Surveys would be required to be carried out to establish if the Barn Owls are breeding in the barn. If proven then mitigation measures would be required and the barn could not be demolished during the breeding season. The mature trees on the site boundaries are used for feeding and a corridor for European Protected (EPS) Pipistrelle Bat species which roost in adjacent properties. These trees must therefore be retained. New street lighting should be designed to have as little impact on bats as possible referring to Bat Conservation Trust (BCT) guidelines

LOCAL CENTRES

Creetown - General

Lily Maria Whitehead (0331.001) - There is no requirement for more housing in Creetown. There are already a lot of properties for sale. Also there are no local jobs. This means that anyone living there is going to have to drive some

distance to get to work, increasing the carbon footprint.

Creetown is not a settlement having a 'good range of services and facilities or employment opportunities.'

Creetown - CRE.H1 land at Barholm Mains

Richard Oxley (0172.001), - Support continued inclusion of site in plan.

Woodland Trust (0152.001) - This site is bordering ancient woodland classification 2b of long established woodlands of plantation origin (LEPO). A buffer zone of at least 50m should be included in plans in order to preserve the ancient woodland.

Creetown - CRE.H2 Barholm Croft

Petra and Andrew Winters (0174.001) - Support continued inclusion of site in plan. Site does not flood.

Creetown - CRE.H1 land at Barholm Mains and CRE.H2 Barholm Croft

(i) Howden Skimming (0142.001) - Landowner unwilling to grant further access for future residents of CRE.H1 and CRE.H2 over the private road and Barholm Bridge. Owner is however open to the sale of the road and bridge.

(ii) Howden Skimming (0142.001) - The proposed access route is unsuitable for further traffic.

(iii) Howden Skimming (0142.001) - There are several old trees approx. 30m tall which are home to wildlife and a danger to potential development during storms. The land where additional access is required is home to a diversity of wildlife including woodpeckers, red squirrels, bats, roe deer.

(iv) Howden Skimming (0142.001) - Development would need to ensure the long life of the historic well located to the West of Garden Cottage.

Lily Maria Whitehead (0331.001) (0331.002) (0331.003) - CRE.H1 is allocated for 50 houses, with at least 50 vehicles exiting onto the narrow road leading (left to the bypass) and (right into Creetown) is going to be dangerous. At the moment there are no footpaths. It is going to be costly to widen the road, to put in even one footpath on one side of the road, leading down from CRE.H1, but then the road meets the bridge over the River Cree, before going down into the village. This is too narrow to have a footpath, impossible to widen, and also dangerous to walk along at the moment, because cars, vans and lorries still move too fast. Use of an unmade up, unlit, private back footpath has been proposed as an alternative route, but this is unlikely to be suitable for safety. In the depths of winter, even a torch is not enough and unaccompanied children should not take that path. They would still have to cross to reach the school. A level crossing would be needed, another unnecessary expense. All of this will result in an unnecessary increase in the C footprint, due to increased car usage. Also, parents will choose to transport their children to the village school by car because of safety issues of walking on the road, but because of the distance, and because of the walk back with groceries is all uphill. Proposed development of 50 units would overload the current sewerage system. Creetown has had incidents of flooding below the proposed sites, CRE.H1 and CRE.H2. The proposed site, CRE.H1 is good agricultural land, which we should be preserving. The farmer keeps sheep and

cattle on the site and there are adders and exceptional bird life.

Creetown - CRE.H201 land at Castle Cary Holiday Park

Scottish Natural Heritage (0122.002) - Potential allocation CRE.H201 is identified as an alternative to the preferred package of sites at paragraph 3.5.12. The site itself is flat and open, despite this it is relatively well contained in wider views from the A75 trunk road to the south. Development here would however change the character of the entry to Creetown along Park Crescent and may, depending on form and layout, interrupt views to Castle Cary Wood, which currently frames entry via Park Crescent from the south. Sensitive design and layout could mitigate this potential change.

Alan and Lesley Brown (0173.001) - The property next to CRE.H201 is not appropriate for building of houses. The main reason is that this site floods and the submitted pictures demonstrate this. CRE.H1 and CRE.H2 are more suited to development and are in an area that does not pose any risk to flooding.

Scottish Wildlife Trust (0318.001) - Mitigation measures are required because of its impact on the environment. The woodland edge and nearby agricultural land adjacent to this site are important feeding places and movement corridors for European Protected Bat species (EPS), These come from a large Natterers bat roost in the adjacent church hall and also Pipistrelle bats from the Kirkmabreck Church. Any development should have new street lighting designed to have as little impact on bats as possible referring to Bat Conservation Trust's (BCT) guidelines.

Lily Maria Whitehead (0331.001) (0331.002) (0331.003) - H201 is a more suitable site for development than both CRE.H1 and CRE.H2. CRE.H201 is on the same flat level as the main garage, on the road leading into the village, (just off the A75 bypass) as are the butchers and the village shop. CRE.H201 is within easy walking distance, along the main road leading into the centre of Creetown, with already existing footpaths. This road is much wider at the entrance to the village. is much more suitable, less expensive, less environmentally damaging and building has already been done around it. Winter 2013 saw the completion of the new football pavilion, next to the football ground, next to CRE.H201. King George's Field is home to the village playground, so safer access would be provided to unaccompanied children from houses built on CRE.H201. Previous objections by transport Scotland about the dangers of exiting CRE.H201 onto the bypass no longer need present a problem, since road work has been carried out to make ingress and egress safer. When building work was done on the new pavilion there was minimal disruption to the village. There was no need for building vehicles to pass through the village. This site is closer to services like gas, electric and lighting and would therefore be less problematic to link up. CRE.H201 is of no use to agriculture, but eminently suited to building purposes, with fewer detrimental, environmental and ecological effects than the proposed new sites CRE.H1 and CRE.H2.

Garlieston - GRL.H1 Mill Road

Rapleys obo Caravan & Motorhome Club (0312.001) - The site is on Prime Agricultural Land and is less attractive than the proposed site at the Garlieston Caravan & Motorhome Club site.

Kirkiner and Braehead - KBH.H2 Smiths Croft

Mark Coyle (0159.001) - Please remove triangular section of land indicated on attachment. This section is privately owned and should not form part of KBH.H2

(i) Simon Wheeler (0212.001) – The “layby” behind Railway Cottage that gives access to a number of properties is used by farm vehicles, local residents and visitors amongst others.

(ii) Simon Wheeler (0212.001) – When the A746 is closed then traffic is diverted via the Newton Hill road and thus increasing pressure at the junction. The recommendation to widen the U87w and A746 junction could be a mixed blessing as it might mitigate the pressures on that junction but also increase them as traffic will find it easier and more attractive to use that junction. However, there are concerns about the impact of construction traffic on the junction and the whole of NewtonHill and mitigation measures will be required.

(iii) Simon Wheeler (0212.001) – Safety is an issue that needs to be considered due to the topography and there being no safe “run-off” place for anything that may lose control.

(iv) Simon Wheeler (0212.001) – Sometimes surface water does run off, across the A746 and down into properties.

Norman John McIntosh (0253.001) - Not opposed in principle to a housing development on this site. However, any further development should be subject to strict conditions with regard to the access and adjoining roads. The road known as Boreland Terrace, which runs between the A746 and the B7085, is not suitable for increased traffic. Where it joins the A746 requires substantial improvement. There is also concern that the Milldrigan Bridge on the A746 is unsuitable for any increase in traffic flow. It is currently a bottleneck and increased traffic will exacerbate the problem.

Port William - PWL.H1 South Street

Natalie McKenna (0139.001); David Hirst (0140.001); Anne S Highman (0206.001) - Strongly object to the allocation of PPK.H1 due to obstruction of our view from proposed development.

Natalie McKenna (0139.001); Peter and Sandra Duffy (0194.001) - Buildings would overlook our garden.

Natalie McKenna (0139.001); David Hirst (0140.001); Ronald Jones (0156.001) - The path we use for walking would be lost. An application for a public right of way has been submitted for this site.

Natalie McKenna (0139.001); David Hirst (0140.001); Ronald Jones (0156.001); Peter and Sandra Duffy (0194.001); Anne S Highman (0206.001) - The site is in a flood risk area.

David Hirst (0140.001); Ronald Jones (0156.001); Anne S Highman (0206.001) - This site is home to protected species including Adders and Badger Setts. This site has a growth of Japanese Knotweed on it.

David Hirst (0140.001); Anne S Highman (0206.001) - There are road and access concerns. The egress from the site requires an almost blind junction with South St. The development would result in road and access issues, specifically there would be no turning point for cars and emergency vehicles or street lighting.

David Hirst (0140.001) - The existing character of fishing cottages would be compromised by the development between them and the seashore.

Ronald Jones (0156.001) - Building work should allow for adequate drainage.

Halliday Fraser Munro obo Viga Homes (0225.001) - Support the allocation of site PWL.H1 in the plan. The issues highlighted in the MIR site assessment would be addressed as part of any future planning application

Port William - PWL.H201 South Street Depot

Robert Potter obo 3b Construction (0064.025) - Redevelopment of site will have significant economic benefits for the area whilst providing direct improvement to the visual impact and overall appearance on approach and entrance to Port William.

Scottish Natural Heritage (0122.002) - Support for the redevelopment of the site offers an opportunity to improve the quality of place and the approach to Port William from the south along the A747 trunk road.

Council response and proposed modifications:

Mid Galloway HMA - General

Robert Potter obo 3b Construction (0064.025); Martin Robertson (0146.002) - Comments noted. No modification(s) proposed.

Cree Valley CC (0284.001) – The Proposed Plan identifies 661 housing units are required for the Mid Galloway HMA in the period 2017-2029. Sites proposed for allocation in LDP2 are set out in the Proposed Plan and are considered effective and sufficient to meet the housing land requirement. Each site has different characteristics and surrounding environments which are considered in determining housing unit densities and therefore determined on a site by site basis. No modification(s) proposed.

DISTRICT CENTRES

Newton Stewart - General

(i) Cree Valley CC (0284.001) - The LDP includes allocated sites in settlements between Dumfries and Stranraer. There are established and allocated businesses and industrial sites in the LDP and new sites are being considered for allocation in the proposed plan. No modification(s) proposed.

(ii) Cree Valley CC (0284.001) - The Council recognises the importance of

regeneration of town centres and considers this should be included as a planning objective for the town. Should residents or community groups wish to investigate and develop this area, the Council would be interested in a working partnership. Amend the list of planning objectives for Newton Stewart.

(iii) Cree Valley CC (0284.001) – The Local Development Plan considers allocated site access and surrounding roads. However, these comments and concerns are noted and have been forwarded onto the Infrastructure and Transportation Department who have requested further information on the issues and problems at these areas. Further information and discussions are therefore advised between the Community Council and the Infrastructure and Transportation Department.

(iv) Cree Valley CC (0284.001) - The Council is always looking for innovative ways to provide housing. The scheme referred to will be looked into further and if considered something the Council could get involved in will be included within the supplementary guidance. No modification(s) proposed.

Newton Stewart - NST.H6 Station Road

Cree Valley CC (0284.001) – No reasons were included in the representation as to why the site should not be included in the Plan. The site is considered effective and it is recommended to retain site in Proposed Plan.

Mhairi Shaw Planning obo Mr Craig (0296.001) - Comments noted. The site is considered effective and it is recommended to retain site in Proposed Plan.

Newton Stewart - NST.H201 land at Hill of Old Hall Farm (incl. H4+H7)

Savills obo Alleyford (0063.011) – Due to issues of landscape and roads access facing the original site NST.H201, the revised boundary proposed offers a more appropriate level of development for the settlement. The new boundary would allow for development on the current allocated site NST.H4 and site guidance will reference the need to include an access to the northern fields to avoid land locking should this land be required in future plans. The revised boundary also includes NST.H7 with additional land to the north to allow access to NST.H7. Site guidance will reflect road and landscape requirements that the site should not be developed for more than 50 units and that the additional land to the north of NST.H7 is only used for road access into the site. NST.H4 and amended NST.H7 are considered effective sites and it is recommended to retain both sites in Proposed Plan.

Scottish Natural Heritage (0122.002); Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001) - The Council's Landscape Officer reflects these concerns for the original site boundary. Amended site boundaries have been proposed and are considered to address landscape concerns. Sites NST.H4 and amended NST.H7 are considered effective sites and it is recommended to retain sites in Proposed Plan.

Alex Dale (0163.001); Cree Valley CC (0284.001) - A revised site boundary offers a more appropriate level of development for the settlement. The new boundary would allow for development on the current NST.H4 and NST.H7 sites with additional land to the north of NST.H7 allowing for a single access point. Traffic

management of Newton Stewart and other settlements are addressed by other departments within the Council. Sites NST.H4 and amended NST.H7 are considered effective sites and it is recommended to retain both sites in Proposed Plan.

Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001) – The Council's Flood Risk Management Team have identified the NST.H7 location being within close proximity to SEPA flood areas and therefore a Drainage Impact Assessment will be required as part of any planning application to develop this land. Scottish Water state there is sufficient capacity at water treatment works. Further investigation such as Flow and Pressure test or Water Impact Assessment may be required to establish what impact, if any this development has on the existing network. Scottish Water state there is sufficient capacity at the waste water treatment works. Further investigation such as a Drainage Impact Assessment (DIA) may be required to establish what impact, if any this development has on the existing network. In both instances, early engagement with Scottish Water via the Pre-Development Enquiry process is strongly recommended. The site is considered effective and it is recommended to retain both sites in Proposed Plan.

Scottish Natural Heritage (0122.002); Alex Dale (0163.001) (0163.002); Cree Valley CC (0284.001); Scottish Wildlife Trust (0318.001) - Revised site boundary offers a more appropriate level of development for the settlement. The new boundary would allow for development on the current NST.H4 and NST.H7 sites with additional land to the north of NST.H7 and would avoid areas of woodland, paths, tracks and pylons. Duncree Wood is outwith the revised boundary of NST.H7, is also allocated as Protected Open Space and potential development of the site would require consideration of the woodlands setting. Consideration for the reuse of field boundary features such as stone walls will be included within the site guidance. The site is considered effective and it is recommended to retain both sites in Proposed Plan.

Newton Stewart - NST.H202 Creebridge Caravan Park

Brian and Gloria Holden (0190.001) - Public consultation for the MIR has been advertised via numerous channels. Site has been put forward for LDP2 consideration by the site owners. The Council has no responsibility for communication issues between owner and residents. The site is considered effective and it is proposed this site is recommended to include site in Proposed Plan.

Cree Valley CC (0284.001) - Site is located within the settlement boundary and is considered to be effective and it is recommended to include site in Proposed Plan.

Newton Stewart – Housing New Site: NST.H203 land to north east of Barnkirk Cottage

Cree Valley CC (0284.002) – This site was proposed as an alternative to site NST.H201. Site is a relatively remote, very open, prominent and relates strongly to wider rural agricultural landscape rather than settlement. There are archaeological and flood risk concerns associated with this site. There are other sites considered more appropriate for development and therefore it is recommended not to include site in Proposed Plan.

Newton Stewart – Housing New Site: NST.H204 land adjacent to Barnkirk Cottage

Cree Valley CC (0284.003) – This site was proposed as an alternative to site NST.H201. Site is a relatively remote, very open and would be physically separate to the town. Development would extend settlement into a new valley/area, detracting from context of settlement which relates to river crossings. There are archaeological concerns associated with this site. There are other sites considered more appropriate for development and therefore it is recommended not to include site in Proposed Plan.

Newton Stewart – Housing New Site: NST.H205 land north of New Galloway Road

Cree Valley CC (0284.004) – This site was proposed as an alternative to site NST.H201. Very prominent gateway location which would represent a significant eastward extension to the settlement which could have an effect on the character and setting of the town. This site has flood risk concerns and development of site is unsuitable due to presence of nationally significant Bronze Age burial cairns within and adjacent to the site. There are other sites considered more appropriate for development and therefore it is recommended not to include site in Proposed Plan.

Newton Stewart – Housing New Site: NST.H206 land north west of A75

Cree Valley CC (0284.005) – This site was proposed as an alternative to site NST.H201. It is a large open site which could be affected by traffic noise from the A75 which defines the southern site boundary. Site remote from settlement beyond the undeveloped allocation NST.MU1 and does not relate to local landscape features. Development would risk increasing sprawl and suburbanisation. There are other sites considered more appropriate for development and therefore it is recommended not to include site in Proposed Plan.

Newton Stewart – Housing New Site: NST.H207 former Community Council offices

Cree Valley CC (0284.006) – This site was proposed as an alternative to site NST.H201. This site is a brownfield site located within the settlement boundary and would provide a redevelopment opportunity. Recommended to include site in Proposed Plan.

Newton Stewart – NST.B&I1 Barnkirk Farm

Christina Johnston (0241.001), Cree Valley CC (0284.001) – received planning permission on 05/07/2013 (reference 12/P/1/0307) and development has commenced on site. It is recommended not to include site in Proposed Plan.

Newton Stewart – NST.B&I201 land south of Barnkirk Farm

Noreen Johnston (0278.001) - The type, design and layout of proposals will be made at the application stage. The landowner is responsible for the relocation of sheep and cows. SNH made no comment to the loss of wildlife on the site. This site adjoins the Newton Stewart settlement boundary and is considered a logical extension to the settlement. The site is located beside other business and industry land with an allocated site (NST.B&I1) to the north and is opposite an established

site to the east. Implementation of planning permission on site NST.B&I1 means additional business and industry land is required for the largest District Centre in the Mid Galloway HMA. A drainage impact assessment would be required prior to development and a flood risk assessment may be required. It is accepted that any construction work will result in a level of disturbance. The site is considered effective and it is recommended to include site in Proposed Plan.

Wigtown - WGT.H1 Southfield Park

Robert Potter obo 3b Construction (0064.026) - Comments noted. The site is considered effective and it is recommended to retain site in Proposed Plan.

Scottish Wildlife Trust (0318.001) – This site is allocated in the current LDP and the site guidance states that “A barn owl and bat survey, along with any necessary mitigation, may be required for the proposed demolition of the barn or felling of mature trees.” It is recommended to retain site in Proposed Plan.

LOCAL CENTRES

Creetown - General

Lily Maria Whitehead (0331.001) – The Proposed Plan allocates land for a 10 year period. 661 units are required for the Mid Galloway Housing Market Area in the period 2017-2029. The Settlement Hierarchy Technical Paper flow charts places Creetown as a Local Centre due to a number of factors including 3 or more key facilities and travel time to District Centres such as Newton Stewart. As a result it is considered that this settlement is suitable for the allocation of housing development in order to support those services and facilities. The plan also includes policies which supports and encourages existing and new community facilities. No modification(s) proposed.

Creetown - CRE.H1 land at Barholm Mains

Richard Oxley (0172.001) - Comments noted. It is recommended to retain site in Proposed Plan.

Woodland Trust (0152.001) - This site is allocated in the current LDP and the site guidance states that “care should be taken to respect the special qualities of the surrounding woodlands and landscape, taking in views into and out of site”. The site is considered effective and it is recommended to retain site in Proposed Plan.

Creetown - CRE.H2 Barholm Croft

Petra and Andrew Winters (0174.001) - SEPA have advised that because there is a watercourse adjacent to the site a basic flood risk assessment will be required. It is recommended to retain site in Proposed Plan.

Creetown - CRE.H1 land at Barholm Mains and CRE.H2 Barholm Croft

(i) - (iv) Howden Skimming (0142.001) – Comments are noted. The Councils Road Department have stated that 2 access points are required and this site should be considered alongside CRE.H2 due to the difficulties that the site has for an individual access. Access would be required to be taken from the Old Military Road. The developer will be required to resolve access issues.

It is the legal responsibility of the developer to undertake the appropriate investigation and, where required, any subsequent mitigation measures with

regards to on site protected wildlife prior to development. The likely results of such work will be a material consideration in the assessment of proposals. The well lies just north of the approach drive to the former Barholm House, within the designed landscape, and falls just outwith the development area for CRE.H1. This site is allocated in the current LDP and the site guidance states that “care should be taken to respect the special qualities of the surrounding woodlands and landscape, taking in views into and out of site”. The site is considered effective and it is recommended to retain site in Proposed Plan.

Lily Maria Whitehead (0331.001) (0331.002) (0331.003) - The SEA and planning site assessments published alongside the MIR have considered the points raised in the representation. The site assessments were informed by internal and external departments and used to determine the effectiveness of considered sites. Creetown has no suitable brownfield land available for housing sites and therefore greenfield sites require to be assessed. It is the responsibility of the developer to undertake the appropriate investigation and, where required, subsequent mitigation measures with regards on site wildlife. The site is considered effective and is recommended to retain site in Proposed Plan.

Creetown - CRE.H201 land at Castle Cary Holiday Park

Scottish Natural Heritage (0122.002), Alan and Lesley Brown (0173.001), Scottish Wildlife Trust (0318.001), Lily Maria Whitehead (0331.001) (0331.002) (0331.003)

– Although flood risk and landscape issues have been identified in relation to this site it is considered they can be overcome. The site was recommended for inclusion in the adopted LDP at Proposed Plan stage but was removed following the examination into LDP1. This was due to the issue of effectiveness as the site was allocated in previous plans without any resulting development. Other sites in Creetown are considered to be effective and are being recommended for allocation in LDP2. As a result, it is recommended not to include this site in the Proposed Plan.

Garlieston - GRL.H1 Mill Road

Rapleys obo Caravan & Motorhome Club (0312.001) – There are a number of constraints associated with developing the caravan park site including potential flood risk, landscape, archaeology, contaminated land and historic built environment. The site at Mill Road is considered more suitable for development in Garlieston therefore the Caravan Park is not being recommended for allocation in the proposed plan. It should be noted that the site is currently located within the settlement boundary and development of the site could be considered under the policies in the plan. Site GRL.H1 is considered effective and it is recommended to retain site in Proposed Plan.

Kirkinner and Braehead - KBH.H2 Smiths Croft

Mark Coyle (0159.001) - Comments noted and site boundary to be realigned in accordance with information supplied with submission. Recommended to retain remainder of site in Proposed Plan.

(i) - (iv) Simon Wheeler (0212.001) - The SEA and planning site assessments published with the MIR provide detail on road and access requirements. Details on specific road and junction improvements will be considered at the planning application stage. SEPA and Council Flood Risk Management team advise that a

Flood Risk Assessment is required for this site. The site is considered effective and it is recommended to retain site in Proposed Plan.

Norman John McIntosh (0253.001) – The Council Roads Department have advised that “The site should be accessed from Newtonhill, the junction with the A746 will require to be upgraded and improved to accommodate the proposed increase in traffic.” This requirement will be included in the site guidance. Recommended to retain site in Proposed Plan.

Port William - PWL.H1 South Street

Natalie McKenna (0139.001); David Hirst (0140.001); Anne S Highman (0206.001); Peter and Sandra Duffy (0194.001);

Ronald Jones (0156.001); Halliday Fraser Munro obo Viga Homes (0225.001) – The Council’s Flood Risk Management Team and SEPA both object to the allocation of this site in the plan as a substantial part of the site is located in the 1 in 200 year coastal floodplain. The Landscape Officer states that the existing character of fishing cottages would be compromised by development between them and seashore. As a result it is recommended not to include site in Proposed Plan.

Port William - PWL.H201 South Street Depot

Robert Potter obo 3b Construction (0064.025); Scottish Natural Heritage (0122.002) - Comments noted. This site is considered effective and is therefore recommended to include site in Proposed Plan.

Issue 16a	Stewartry HMA District Centres
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.6 Stewartry Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Sportscotland (0008.003) Hope-Dunbar Children's Estate (0009.006) Ecoplan Architectural (0011.003) Historic Environment Scotland (0012.004) Andrew Campbell (0031.002) John A MacColl (0048.029) (0048.031) (0048.036) William Matthew Taylor (0089.002) Allan McLean Phin (0097.002) Scottish Natural Heritage (0122.002) John Petterson (0125.001) Woodland Trust (0152.001) Fiona McColl (0154.001) Mr and Mrs Lockhart (0155.001) Ann-Marie Blanchard (0157.001) Heather Nisbet (0164.001) Ken Kilcullen (0179.001) Tom Macpherson (0182.001) Colin R Clark Hutchison (0185.001) Jill Horabin (0186.001) C Marriott (0192.001) Norman D Kennedy (0195.001) Jeremy Hidson (0196.001) Cherry Harrop (0201.001) Margaret E Copp (0210.001) Raymond Mounsey (0214.001) Malcolm J Risk (0218.001) (0218.002) (0218.003) Raymond and Vera Tuchewicz (0221.001) Robert Wright (0223.001) Jennifer and Duncan Dickson (0227.001) Austin (Dalbeattie) obo Scott Family (0229.001) Donald Shamash (0230.001) Norman and Fiona Thomson (0231.001) Karen Shamash (0232.001) George Moore (0233.001) Allan Maxwell (0235.001) Dumfries & Galloway Greens (0250.002) Christine Benson (0252.001) John White (0254.001) David McHale (0261.001) Ryden obo Wallets Marts (0292.001) M Aisley (0317.001) Scottish Wildlife Trust (0318.001) TD and ME Reid (0324.001)</p>	

Summary of the representation(s):

Castle Douglas - General

Ryden obo Wallets Marts (0292.001) – It is noted that the housing land requirement for the Stewartry HMA is significantly higher than the adopted LDP. Accordingly, there is a need through LDP2 to identify additional land in the HMA. Table 4 in the MIR highlights the fact that the housing land supply in the Stewartry HMA is significantly lower than the identified housing land requirement necessitating the identification of additional sites through LDP2.

Castle Douglas - CSD.H3 east of Ernespie Road

Historic Environment Scotland (0012.004) - The remains of the Ernespie Stone Circle (Scheduled Monument, Index no. 1011) are present in close proximity to this allocation. Any impacts on the setting of this monument should be considered as part of a development assessment.

Ryden obo Wallets Marts (0292.001) - Welcomes CSD.H3 being carried forward

Castle Douglas - CSD.H6 south of Jenny's Loaning

Ryden obo Wallets Marts (0292.001) - Disappointed the MIR proposes to remove this site from the Plan and replace with Site CSD.H203.

This site is a long term development opportunity. The housing market is gradually recovering from the recession and it is a retrograde step for the MIR to introduce uncertainty in the delivery of land. The MIR acknowledges that this site was allocated in LDP1 as a long term site and that recent assessment work has identified issues with obtaining an access into the site and further work is needed to determine whether these issues can be overcome. Wallets Marts would be pleased to assist with this. Wallets Marts recognise this site is required to come forward as part of a phased and masterplanned approach and the need to work with the owners of Site CSD.H5. The Marts have endeavoured to work with the owners, but the developer which owned the land went into administration and the current owners of the site have been difficult to identify. The Council themselves have a degree of responsibility to ensure the delivery of sites allocated in the LDP. In this regard, Wallets Marts would be pleased to attend any meeting the Council were able to arrange with the owners of CSD.H5 to discuss the progression of both sites for development. The development potential of the site has long been recognised having been carried forward from the previous Local Plan into LDP1. It is a site lying within close proximity to the town centre with limited landscape and visual impacts. This development would make a significant contribution to the growth of Castle Douglas. The Reporter at the Examination into LDP1 recognised the difficulties in bringing this site and the adjoining site forward for development. However, he noted that Sites CSD.H5 and CSD.H6 were well located to accommodate the future housing development of the town, being handy to the town centre, primary school, and other facilities. In conclusion he considered that " ...the lack of progress at Site CSD.H5 does not justify reprogramming it to after 2024, as it is to be hoped that steps will be taken to bring this site forward during the next 10 years , opening the way for the subsequent development of Site CSD.H6" . 10 years have not elapsed since the Reporter's findings and there is still a real prospect that Site

CSD.H5 will come forward for development. As such, having recognised the benefits of developing both sites, CSD.H6 should remain in the Plan for development in the longer term.

Castle Douglas - CSD.H7 Academy Street / Queen Street

Ecoplan Architectural (0011.003) - This site under the current local plan is designated for 10 units. Six units are now complete, leaving only four designated units on the site. Request revision of allocation on H7 to accommodate new proposal for 28-30 flatted units.

Castle Douglas - CSD.H10 land to south of Ernespie Lodge

John Petterson (0125.001) - Support de-allocation of this housing site. It is not a good site, tucked away surrounded by trees and in a very high position. If built upon, water will shed off the site in considerable volumes.

Ryden obo Wallets Marts (0292.001) - Object to the proposed de-allocation of the site. The examination report noted the convenient location to facilities in the town centre and the fact that the main development issue was the need to maintain the historic shelter belts that surround the site, especially in the alignment of the vehicle access that would be required. There was no suggestion that the site constraints could not be satisfactorily addressed in the detailed design of the development. The Reporter concluded "...that this land has the potential to offer an excellent location for a suitably designed housing development. It is in an attractive setting in a prestigious location, within easy walking distance of the town centre. The site merits a high quality low density development, including allowance for generous separation distances from the surrounding tree belts to safeguard their long term future". He went on to consider that this allocation would "complement the other larger allocations, and would offset any delays in developing these sites". In the intervening period there has been no significant change in circumstances which would warrant the removal of this site from LDP 2 and should be retained.

Scottish Natural Heritage (0122.002) - Support de-allocation of CSD.H10 due to the potential for adverse effects on semi-natural and ancient woodland at this site. Support this change as a means of avoiding loss or damage to this irreplaceable resource. In addition to its biological importance, the woodland at this site forms an important part of the character of this part of Castle Douglas and approaches from the north-east on Old Military Road.

Castle Douglas - CSD.H11 land to south of Kilmichael, Abercromby Road

Robert Wright (0223.001) - The potential development would adversely affect the aspect of the town on approach from Ayr due to the housing being visible at a very high point. It would require a steep access road being a potential hazard to service vehicles, vulnerable residents both young and aged, and would create a potential hazard especially in winter and at integration with the busy main A713 Ayr Road. The site has a right to roam access-development would result in loss of this amenity. Concern development would overshadow existing properties on Abercromby Road. The development of this site is likely to impact on the status and access to nearby listed building.

Ryden obo Wallets Marts (0292.001) - Welcome the proposal to carry site forward into proposed plan. Developer interest has been expressed in this site

Castle Douglas - CSD.H201 land at Castle Douglas

John A MacColl (0048.031) - This site is in private ownership and should not have been included in the Open Space Audit without prior notice to and with the approval of the landowner. The action of the Council prevents the landowner from benefitting from development potential of this asset. Any development proposal would be sympathetic to the surrounding area. The suggestion that the site is on a prominent approach to the town is misleading as the most prominent approach to the town is from the A75 to the east of Castle Douglas town centre. The proposal would not have a detrimental impact on the setting of Carlingwark Loch.

The provision of a limited number of mainstream and affordable housing on this land would contribute to the economy of the town. The close proximity of the site to the town centre would encourage residents to walk into the town rather than use cars and this would contribute to the reduction in vehicle movements and carbon emissions. There is no provision in the Plan for housing which is needed to the west of the town and this would satisfy that need. There are sufficient open space areas close to the town centre and therefore there is no need to increase the current volume. The site would not have a detrimental impact on the setting of the town. There is nothing to prevent this land from being developed immediately.

John A MacColl (0048.029) - Do not agree with this approach as the area which is included in the current LDP (now identified as CSD H20 I) and which is neither an active play area nor sports pitch should, because of its location, be identified for a small residential development and not a protected open space. Development of the site which is covered by Open space policy could be carried out and still retain an area of open space. The representors client owns other land to the west of the area and would be prepared to consider releasing part of this land as an open space as a replacement for CSD H201. This policy should be reviewed to remove all areas which have been identified as Open Spaces without the approval of the land owner, especially as the Council does not have legal control of some of the areas. The implementation of this policy in its present form prevents land owners from using their own land for their preferred use.

Castle Douglas - CSD.H202 land adjacent to Cemetery, Whitepark Road

Andrew Campbell (0031.002) - In a previous submission it was requested to include the representors land for development in LDP1 which could also provide an opportunity to extend the cemetery and provide an improved access thereto. Representor provided photographic evidence to refute the previously suggested flooding issues associated with the site. Having examined the MIR, note that in terms of the housing supply target, the Stewartry area has been identified as having the greatest need for land supply for housing after Dumfries. Welcome this commitment and would suggest this development should take place in the market town of Castle Douglas. Note that two large sites have been identified for housing on land to the West of Torrs Road and at Jenny's loaning. No objection to the development of either but aware but no applications have been forthcoming.

Also aware that there are multiple ownership issues and that significant infrastructure costs which are unlikely to result in their development for the foreseeable future. Argue sites which are required to meet the projected housing need should only be included if they have a reasonable prospect of development in the lifetime of the plan.

This site does not suffer from these constraints but could be readily made available for development within the lifetime of the plan. Should the site be considered for inclusion in the plan, a comprehensive development brief to accompany the requisite planning application would be produced.

This production would deal with all relevant factors including means of access, servicing and landscape impact and mitigation. This submission would be prepared in consultation with the Council as planning authority.

Castle Douglas - CSD.H203 land at the Stables

John A MacColl (0048.036) - The following information is in addition to the supporting information included in the submission dated 6 June, 2016.

DGHP have agreed in principle to allow an access to be formed over land owned by them. The site would provide mainstream and affordable housing. Engineers have inspected the area and are confident that an engineering solution can be arrived at to form an access at one or both of the proposed access points. A residential development would fit comfortably in this residential area. There is a good road network adjacent to the proposed access points. There is nothing to prevent this site from being developed.

Scottish Natural Heritage (0122.002) - Potential allocation CSD.H203 appears likely to be visible from the A75. However, it may be possible to mitigate this through structure planting and enhancement/extension of existing woodland. This would have the additional benefit of contributing to place-making at the new site.

Ryden obo Wallets Marts (0292.001) - The MIR considers this site to have potential as a housing site and proposes it as an allocated site. However, the MIR acknowledges that work is ongoing to determine access to the site. The site assessment undertaken of all existing LDP sites and new bid sites advises that the site is land-locked and would require third party land outwith the application site to allow access. It goes on to highlight that this would require significant engineering works to be achievable. It also highlights an issue with the cultural heritage due to the proximity of a pre-historic fort site. This will require that an evaluation and ensuing mitigation would be required before any development could begin. On the basis of the above it is somewhat odd that this site is being considered for development as an alternative to Site CSD.H6 when both require third party land to secure access. The cultural heritage constraint and the engineering works required to secure an access to Site CSD.H203 seriously question its effectiveness whereas no such constraints apply in relation to Site CSD.H6. Wallets Marts strongly oppose the proposed allocation of Site CSD.H203 as an alternative to CSD.H6. However, should the Council be mindful to continue with that approach Wallets Marts would highlight that they own the land lying to the north east of Site CSD.H203 and as a consequence, may be able to facilitate access should their land similarly be allocated for development. Wallets Marts would be pleased to meet with the Council to discuss this matter in greater

detail.

Dalbeattie - General

Ken Kilcullen (0179.001) - Concern regarding the old bridge over Dalbeattie Burn at the old port. As a right of way it has been closed for months and there is no work being done to repair or renovate it. As a historical structure it should be retained for the local community and tourist industry in the Stewartry.

Allan Maxwell (0235.001) - Having attended the consultation meeting in Dalbeattie Town Hall, there was still an area of confusion as to where 'development' was to take place in the Council's eyes. The very pleasant couple were not local and unable to answer many of the questions being asked of them. The implication appeared to be that the Council's preferred site was to the west of the old railway embankments and as this is privately owned land, with landlords who have implied they are to develop it, how can 'both' develop the said land. Informed this development would not necessarily provide affordable housing and this is surely what Dalbeattie needs.

John White (0254.001) - This section mentions a Preferred Option in the LDP 2 to carry forward undeveloped existing housing allocations as land at Sunnyside/ Barhill Road DBT.H1, Bruce Road I Port Road DBT.H3, and John Street I Barhill Road DBT.H6 forwarded into LDP 2. None of which have been progressed and the Council wish to allocate additional NEW sites. Still incomplete 0037.060.001 and 0037.070.001 Station Site/ New Road I Haugh Road, Dalbeattie. Perhaps because of no buyers. Do not consider the site name 'land adjacent to Nursery Cottage' DBT.H202 as accurate. The site is separated from Nursery cottage by a road.

Dalbeattie - DBT.H6 John Street / Barhill Road

Allan McLean Phin (0097.002) - Suggest the Western boundary of H6 is moved eastwards to exclude field between Barhill Rd and Linwood House, to allow green corridor linking Colliston Park and Barhill Plantation. The owner of part of DBT.H6 erected no parking signs on the track leading to woodside smallholding resulting in increased parking by walkers in Barhill Road. Barhill Rd is also much used by visitors and staff to Munches Park House old peoples residence for parking. Suggest there is a case for a small car parking area. Using the field next to Barhill Road as a greenspace and a small off road car parking area would be an attractive amenity to this corner of Dalbeattie, especially if the small woodland in the site could be maintained.

Woodland Trust (0152.001) - This site directly borders a large site of ancient woodland classification 2b LEPO, the Barhill forestry plantation. This woodland is not identified as ancient in the Dumfries and Galloway council site assessment documents. As described above LEPO woodland can be just as valuable as ancient woodland of semi-natural origin and Scottish Planning Policy advocates its protection. Therefore, the lack of acknowledgement of this ancient woodland within the site assessment is deeply concerning. If this site is to be included in the plan, measures must be taken to protect this woodland, such as a 50m buffer zone of additional planting.

Fiona McColl (0154.001) - This landowner has advised they are unwilling to release their ground for development. The plan takes no account of the access road used by the owners of several houses. The access road has been in existence and in use for over 100 years.

M Aisley (0317.001) - Object to the building plan on grounds that the applicant has not abided by planning rules previously laid down by the Council and has proceeded with work not authorised by the Council.

Raymond Mounsey (0214.001) - Local residents are aware of the proposed development area being a 'bridge' for wildlife between Barhill wood and Rounall wood to the west. The Barhill wood squirrel population face being cut off from their food source and hence their ability to survive severe winters. Removal of semi-mature trees from the remaining southern section of railway embankment has increased road kill on the A711 in this area due to the lack of cover. Red kites now regularly overfly this area as well as the local buzzard population. For the same reason deer road kill has also increased in this area. It was stated by the owner/occupant of the southern railway embankment section at a recent Community Council meeting that the soil on removal of this section was to be used to raise the height of the land to the rear of this section. Indeed this has already been done on the rear of the northern embankment section. Further soil tests should be undertaken as it is likely deeper areas of embankment soil is being exposed to the surface than was tested previously. It was a surprise to many that SEPA did not oppose development on previous planning applications for the overall site regarding the potential for flooding. A representative from the organisation who prepared previous Flood Risk Assessments (FRA) for the site gave a presentation to Dalbeattie Community Council in 2016 and confirmed that the assessment did not extend to the west any further than the A 711. A section within the report mentioned an unknown stream flowing from the southern railway embankment section into the main burn running through the site. No investigation was carried out re the source of these waters. Many local residents feel that an area of regular flooding to the west of the A711 in the same area ie Hillhead Lane/Rounall Avenue, has been excluded on purpose, as an underground culvert crossing under the A711 is the only outflow from this area of flooding. It seems strange to many that previous FRAs have apparently been restricted in the area covered and where the parameters are set by the planning applicant, who also apparently foots the expense. A new full, independent, flood assessment is required covering a larger area from Rounall wood and Dalbeattie Golf Club fairways which drain into Hillhead Lane, Glenealy Caravan Park, Eddingham Industrial Estate and Barhill wood to the east.

Christine Benson (0252.001) - The land proposed for inclusion in the development plan abuts the representor's boundary wall. The MIR does not recognise the unmade private road over which 5 residents have right of access. It is also the main access for entry to the Barhill Wood used regularly by the Forestry Commission and by walkers using the amenity of the forest.

Dalbeattie - DBT.H202 land adjacent to Nursery Cottage

Margaret E Copp (0210.001) - SEPA has consistently raised objections to developing this site because of flood risk. On one side of the A711 water from the Rounall Wood and Hillhead Loaning collects and already two houses in Rounall Avenue flood on a regular basis. Across the A711 from this area is the Edingham Burn, part of the Kirkgunzeon catchment. If development takes place in the land adjacent to Nursery Cottage the burn will have to absorb all the water from this land, from the water collecting across the road and any overflow coming down from the Kirkgunzeon catchment. SEPA flood maps show medium to high likelihood of river flooding in this area.

John White (0254.001) - This land is always wet and at times standing in water. This land adjoins a track leading to a cottage which is adjacent to the Golf Course. When the rain is heavy water runs down this track like a river. The representor's garden which is adjacent to the site has a burn running through it. In November 2015 the fire service was called as the bungalow at the bottom of the track flooded and the fire service cut channels in this track diverting the water into the representor's garden burn. Similar events took place in 2016. Sensitive location in relation to landscape and setting of approach to the town. Development would detract from existing gateway to settlement and rural setting. Moderate SEA concerns including flood risk which also affects known human health and resilience to climate change and potential impact on the landscape. It went on to say the site reasonably close to existing services and amenity space but, benefits from this are negated by the flood risk. SEPA have raised an objection. They wish to highlight the further potential flood risk to the site from minor watercourse I drain located within the site.

Dalbeattie - DBT.H204 Galla Court

Norman D Kennedy (0195.001) - Representor questions how the site can be included as a proposed housing allocation site when the ownership is unknown

Dalbeattie - DBT.H205 land to south of Craignair Road/A711

Mr and Mrs Lockhart (0155.001) - Has anyone visited the proposed site after heavy rain? It is known as a flood plain, so why build houses on it? Representor notes substantial flooding on the site during Christmas 2015. Anyone buying a house on this site would have great difficulty getting any insurance. Is this really a good planning project to be proud of?

Scottish Natural Heritage (0122.002) - Acknowledge the preferred approach to allocating additional sites at Dalbeattie is to allocate DBT.204 along with DBT.H205. Paragraph 3.6.14 explains that the preferred approach would avoid loss of agricultural land and would have less of a landscape impact. Representor questions this assumption as DBT.H205 is situated within a flat landscape with long views of Dalbeattie on the approach along the A711 from the west.

Dalbeattie - Housing New Site: DBT.H206 land at Reedweel

Austin (Dalbeattie) obo Scott Family (0229.001) – This site came forward as a

representation to the Main Issues Report requesting inclusion in the Proposed Plan.

Dalbeattie - DBT.B&I1 land at Edingham Business Park

Historic Environment Scotland (0012.004) - There are several scheduled monuments associated with the Edingham Munitions Factory (Index no. 6789) located in the vicinity of this site. A small extension to this site would not impact on these significantly. Request further recording and evaluation if development proceeds.

Dalbeattie - Business and Industry New Site: DBT.B&I202 land north of Edingham Industrial Estate

William Matthew Taylor (0089.002) - This site came forward as a representation to the Main Issues Report requesting inclusion in the Proposed Plan.

Dalbeattie - DBT.CF1 Craignair Road

Sportscotland (0008.003) - Outdoor sports facilities may be present on this site. Should a planning application be submitted for this site, it should be noted SportsScotland are a statutory consultee.

Kirkcudbright - General

Hope-Dunbar Children's Estate (0009.006) - In the MIR there only appears to be 2.65 hectares allocated for B&I purpose in the whole of the Stewartry. As was commented at the open meeting over the Kirkcudbright Creamery Site, 'there is little point building houses if there are no jobs'. The Regional Council then made a very bad decision to permit housing on the Creamery Site which leaves Kirkcudbright unable to offer much in the way of starter workshops, or bigger sites, for businesses that might wish to be established in the area.

David McHale (0261.001) - The Housing Supply Targets proposed for D&G are excessive and the need for further housing in the area can virtually be met with windfall development. There is no need to designate any further housing allocations in the area. This is sufficient space for at least the next five years, more likely ten years. Further allocation around Kirkcudbright should only be considered in LDP3.

Kirkcudbright - KBT.H1 Mersehouse/Mersecroft

Hope-Dunbar Children's Estate (0009.006) - The Council continue to list H1 as a potential housing site but for the last ten years the owner of this site has been unwilling to release the land. Suggest approach landowner to question willingness to release land for development. If the answer is unclear the site should be removed from LDP2, which will clarify the area of land actually available.

Raymond and Vera Tuchewicz (0221.001) - Concerned that any building development on this site would result in serious flooding to representor's garden and threat to house. The field adjoining the property (76 Merse Road) is a natural flood plain for the river and any construction in this area would surely cause flooding. The attached photographs are an indication of the extent of flooding experienced with "spring/flood" tides and also highlights the

extent to which the river floods within the field.

Scottish Wildlife Trust (0318.001) - Development is acceptable on the western half of the site, but development must not be permitted beyond the current building line onto the eastern half of the site where it projects onto the flood plain of the Dee. This area was represented by area KBT/09 in LDP 1 and was rejected. We are disappointed to see that this area has reappeared in LDP2. The Dee floodplain must be left clear as a green corridor to permit wildlife to move up and down the river system unhindered.

David McHale (0261.001) - Site H205 is a particularly ill-advised proposal. Given the very real potential for flooding, the fact that householders in the area can no longer obtain flood insurance protection, and that there is no demonstrable need for additional houses, this site should not be allocated. Similar arguments apply to the land at H1 and Park House H3. These properties are boggy all year round, are at risk of flooding and are clearly not suitable for housing development. They should not be retained in the new LDP2 but removed.

Kirkcudbright - KBT.H2 east of Tongland Road/Burnside Loaning

David McHale (0261.001) - Questions whether land at H2 Burnside Loaning is Common Good land and therefore available for development.

Kirkcudbright - KBT.H3 land at Parkhouse

Heather Nisbet (0164.001) - There is a significant water issue relative to this site. Most of it is waterlogged. It's swampy land. Representor refers to the following comments on the main issues report: A surface water flood hazard has been identified and should be discussed with FPA and Scottish Water. Drainage Impact Assessment, full topographical survey and site layout required. Depending on content, Flood Risk Assessment may also be required. Appropriate surface water management measures should be adopted. These comments do not appear to reflect the extent of the water logging and flooding on parts of the site at the moment - in its undeveloped stage. Concern whether any kind of development on this site would result in long term flooding issues on the developed site itself and knock on issues such as flooding for properties which border the site, including representor's property.

David McHale (0261.001) - There is a very real potential for flooding on this site. Householders in the area can no longer obtain flood insurance protection, and that there is no demonstrable need for additional houses, this site should not be allocated. These properties are boggy all year round, are at risk of flooding and are clearly not suitable for housing development. They should not be retained in the new LDP2 but removed.

Scottish Wildlife Trust (0318.001) - Mitigation measures are required because of its impact on the environment. Development is acceptable on this site provided that measures are taken to protect and preserve the woodland on the western edge of this site. We also welcome the fact that the southern boundary of the site does not project beyond the current building line. Development must not be permitted beyond this point where it would impact

the essential coastal wildlife corridor from St Mary's Isle to the coastal woods in KBT.H205.

Kirkcudbright - KBT.H202 Kirkcudbright Creamery

C Marriott (0192.001) - This site is an existing employment allocation and should be retained. Site KBT H4 was part of the former Creamery employment site and the recent change of use was granted against officers recommendations and disregarding the availability of site KBT H1 which has been zoned for residential development for many years.

Colin R Clark Hutchison (0185.001) - The site was originally part of KBT.H4 and designated for Business/Industrial use, now the proposal is for mixed use. Half of KBT.H4 has been built on with 36 houses, greatly reducing the area now for business/industrial use. Should mixed use be allowed for remainder of the site there will be very little scope for business and industry in Kirkcudbright. Should the proposal for mixed use be confirmed then at least half of the site must be retained for business and industry use as no expansion can take place at Dee Walk. Any development for housing should have a stipulation that the remainder of the site is raised before housing construction takes place and this be approved by SEPA.

Jennifer and Duncan Dickson (0227.001) - The old creamery site H202 has been industrial and would be more logical than a greenfield site.

Donald Shamash (0230.001) - Representor in objection to KBT.B&I1 suggests other sites would be more appropriate: the creamery site H202, space available at the old Johnston school, and there is a possible site behind Tesco. A better site than this would be an extension to your site KBT.H1.

David McHale (0261.001) - Business development in Kirkcudbright should be concentrated on Site H4, what is left of the old creamery site. There is sufficient space there near the centre of town, to accommodate small business workshops. No further housing development is required and the entire remainder of the site should concentrate on business opportunities. .

Kirkcudbright - KBT.H205 land at Long Acre

Hope-Dunbar Children's Estate (0009.006) - This site should be considered in conjunction with KBT.H3, as the better alternative to providing road connections to H205 should be across H3 to connect to a single roundabout on the A711 that will service both these fields/housing areas.

Ann-Marie Blanchard (0157.001) - There is regular sightings of deer, kites, birds of prey, pheasants and barn owl on this site. What is to become of these if houses are built on this site? The proposed site is also full of very small recently planted fir/pine trees, are these not allowed to reach maturity?

Jill Horabin (0186.001) - Oppose development on this site due to impact it could have on further flooding. Questions the site's potential inclusion when 5 years ago it was put forward and refused on possible flood risk grounds. Kirkcudbright is in a potentially vulnerable area at risk of flooding. With climate change this risk is set to rise. The river Dee is tidal and adjacent to the site.

Development of site will result in loss of habitation for bird, mammal and insect species. Red squirrels have been spotted here. Development would negatively impact newly planted and existing trees, perhaps resulting in their loss and the visual impact this would have.

Cherry Harrop (0201.001) - People living on and south of, Castledykes Road would all be adversely affected if KBT.H205 were to be developed for housing. Questions why council only send out Neighbour notification letters to those who live <20m from the proposed site- neighbours living >20m would also be greatly affected. Oppose development on grounds of

1. Road and Access- existing roads would not support further development and strain
2. Flooding-Site appears in Fluvial flood maps and a surface water flood hazard has been identified. Site is boggy and soil is poor, clays and silts.
3. Sewage and drains- existing sewers and drains are inefficient and inadequate, flood and back up during wet weather.
4. Housing-Shortage of affordable housing and suitable housing for elderly, disabled and those unable to use stairs. The site faces southwest and will face into prevailing winds.
5. Education (Oct 15)- Both primary and secondary schools are at capacity.
6. People, Environment, Flora & Fauna- Development would have negative impact on diversity of plant life and local wildlife habitats. The paths along the shore must be protected from development and preserved for people's enjoyment.

Conclusion- KBT.H3 is sufficient allocation for housing. No need to allocate more. Loss of greenfield land and limited capacity at the water treatment works.

David McHale (0261.001) - This site is a particularly ill-advised proposal. Given the very real potential for flooding, the fact that householders in the area can no longer obtain flood insurance protection, and that there is no demonstrable need for additional houses, this site should not be allocated.

Scottish Natural Heritage (0122.002) - This site is currently a small coniferous plantation which appears to play little role in landscape setting. As a long-term site recommend that site requirements include links to the adjacent Core Path which links Cow Green with Castledykes Road. Path and cycle route provision within the site should link to this existing network.

Scottish Wildlife Trust (0318.001) - Development should not be permitted because of its impact on the environment. The site contains semi natural woodland which is important for woodland birds and invertebrates. This site also supports woodland plants such as the Bluebell which is a Scottish BAP Species. The site also runs alongside the Dee Estuary which is important for a different set of birds, invertebrates and plants. This coastal strip must be protected from development.

Kirkcudbright - KBT.H206 land east of Silvercraigs

Hope-Dunbar Children's Estate (0009.006) - Include this site for housing in LDP2 to offer an elevated site and improve the mix of housing types

Kirkcudbright - KBT.H207 land east of Cannee Field

Hope-Dunbar Children's Estate (0009.006) - Allocate Site KBT.H207 for housing

Kirkcudbright - KBT.B&I201 land south of A755

C Marriott (0192.001) - Development of site is contrary to policy OP1 (c) Landscape.

C Marriott (0192.001); Jeremy Hidson (0196.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001) - Development of site raises road safety concerns in respect of increased traffic and designing a safe vehicular access for all vehicles and in particular HGVs.

Tom Macpherson (0182.001); Jeremy Hidson (0196.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001); Norman and Fiona Thomson (0231.001); Karen Shamash (0232.001); George Moore (0233.001) - Development of site would have adverse effect on local and residential amenity

Tom Macpherson (0182.001); Jeremy Hidson (0196.001); Malcolm J Risk (0218.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001); Norman and Fiona Thomson (0231.001); Karen Shamash (0232.001); George Moore (0233.001); Dumfries & Galloway Greens (0250.002); David McHale (0261.001) - Development of site would have negative impact on landscape and setting. Site falls within designated Regional Scenic Area.

Tom Macpherson (0182.001) - Concern use is incompatible with neighbouring housing

Tom Macpherson (0182.001); Jeremy Hidson (0196.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001) Dumfries & Galloway Greens (0250.002) - Development does not form natural extension to the settlement. It is separate from settlement boundary, isolated and would negatively impact the Stell.

Tom Macpherson (0182.001); C Marriott (0192.001); Jeremy Hidson (0196.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001); Norman and Fiona Thomson (0231.001); George Moore (0233.001); Dumfries & Galloway Greens (0250.002) - Loss of greenfield/agricultural land when other land in and around the town would be more suitable for small scale workshop units (old creamery site, Johnson School, garage complex in vicinity of the telephone exchange, site behind Tesco). H1 would be better alternative for B&I than B&I201.

Jeremy Hidson (0196.001); Donald Shamash (0230.001); Norman and Fiona Thomson (0231.001); George Moore (0233.001); David McHale (0261.001) - Development of site would have negative impact on landscape and attractiveness and tourism which contributes significantly to the local economy.

Malcolm J Risk (0218.002) - The sloping nature of a large part of the site would require effective measures to allow surface water drainage such that adjoining properties are not adversely affected.

Malcolm J Risk (0218.003) - The Stell was identified as a Small Buildings Group in 2005. As a result, any development at this site would fall outside the criteria defined by General Policy 16. When considered in conjunction with planned development area KBTH1 the Stell would effectively become a contiguous part of Kirkcudbright in contravention of General Policy 16 (d).

Donald Shamash (0230.001); Dumfries & Galloway Greens (0250.002) - There is a flood risk on this site.

(i) Donald Shamash (0230.001) - The whole plan gives the impression of having been cobbled together in a rush, without even taken the time to consult the landowners, and without due consideration to the many difficulties with the site.

(ii) Donald Shamash (0230.001) - The Kirkcudbright bridge currently has a weight restriction of 17T, and an Industrial Site will in every case mean increased traffic. Some of the heavier vehicles will inevitably take their chances and use the bridge, leading to additional stress on the bridge, and those that don't would use the C road along The Beeches, a road totally unsuitable for HGVs, with an unsatisfactory junction at the A75, and an awkward offset crossroads with the C road from Twynholm to Tongland.

Norman and Fiona Thomson (0231.001) - The suggested proposal, which includes a shopping development, will act to lure potential poundage away from the centre of Kirkcudbright and potentially destroy the current magnetism of this economically viable town, which also assists greatly in local employment.

George Moore (0233.001) - The proposal seems to have come together at the last minute, without even time to consult with the owners of the land (Mr & Mrs Reid) who are not in favour of the proposal.

Surely it would be better to spend time and money on an area which is likely to proceed rather than this proposal.

TD and ME Reid (0324.001) - Owner unwilling to release land for development

Kirkcudbright – Business & Industry New Site: KBT.B&I202 land north of Mersecroft

Tom Macpherson (0182.001); Donald Shamash (0230.001) - This site came forward as a representation to the Main Issues Report requesting inclusion in the Proposed Plan.

Council response and proposed modifications:

Castle Douglas - General

Ryden obo Wallets Marts (0292.001) – Comments noted. An assessment has been made of all the allocated sites to determine their effectiveness and the contribution they can make towards the housing land requirement. Where there is a shortfall or sites are considered to be ineffective an alternative site will be proposed. No modification(s) proposed.

Castle Douglas - CSD.H3 east of Ernespie Road

Historic Environment Scotland (0012.004); Ryden obo Wallets Marts (0292.001) - Comments noted. It is proposed to de-allocate this site. Development here would significantly alter the approach to the town and there are other more suitable sites available and that are proposed for development within Castle Douglas. The site is located north of Station Yard industrial estate and the potential for conflict between the two land uses would be difficult to mitigate. Recommend to remove site from the Proposed Plan.

Castle Douglas - CSD.H6 south of Jenny's Loaning

Ryden obo Wallets Marts (0292.001) - Since the publication of the MIR, further work has been done to identify the current owners of CSD.H5. The landowner has now been identified and that they intend to develop the site over the next few years. Their contact details have been passed onto the owners of this site and it is hoped discussions can now be made towards its delivery. The planning authority will help facilitate the delivery of this site as required. It is considered that concerns regarding access to the site will be overcome if both parties work together to deliver this long term site. Recommend to retain site in the Proposed Plan.

Castle Douglas - CSD.H7 Academy Street / Queen Street

Ecoplan Architectural (0011.003) – It is proposed to remove the remainder of the site as an allocation and leave as white land. Any future proposals will be assessed against the relevant policies in the Plan. Recommend to remove site from the Proposed Plan.

Castle Douglas - CSD.H10 land to south of Ernespie Lodge

John Petterson (0125.001); Scottish Natural Heritage (0122.002) - Comments noted. No modifications proposed.

Ryden obo Wallets Marts (0292.001) - The Council are not disputing the good location of the site in terms of accessibility to facilities in the town centre however concerns remain regarding impact on ancient woodland surrounding the site, and the woodland's role in respect of the nearby Listed Buildings and their setting. It is unclear how the development of the site may be delivered sensitively without an unacceptable degree of tree loss resulting in detriment to the setting of the Listed Buildings. In addition the access requirements for such a large number of units may result in additional tree loss or interference with individual features of interest including the stone walls around the boundary. The Council would need to be convinced that design and layout would not have a detrimental impact. It is considered there are other more suitable sites available that do not have as negative landscape impact. Recommend to remove site from Proposed Plan.

Castle Douglas - CSD.H11 land to south of Kilmichael, Abercromby Road

Robert Wright (0223.001) - The concerns raised in terms of road access have been considered in principle in the assessment of the site at the Main Issues Report stage. The Council's roads team were consulted and concluded a suitable access can be obtained. There are no right to roam access or core paths identified on this site. However, overarching policies in particular OP2: Design Quality of New Development would address concerns regarding access through the site and loss of privacy. The SEA and planning assessment acknowledges the potential impact on the listed building and an evaluation and/or mitigation will be required for this part of the site as part of any future development proposal. It also acknowledges that development of this site will inevitably alter the landform and require suitable landscaping and plant screening to better integrate with the surrounding landscape. Proposed to retain site in Proposed Plan and include in site guidance the need for evaluation and/or mitigation of potential impact of development on the nearby Listed Building.

Ryden obo Walleys Marts (0292.001) - Comments noted. No modifications proposed.

Castle Douglas - CSD.H201 land at Castle Douglas

John A MacColl (0048.031); John A MacColl (0048.029) - Scottish Planning Policy 2014 recognises that "rural areas provide a wide range of outdoor recreation opportunities, many of which are closely linked to the quality of the environment". It goes on to state that the LDP should identify and protect open space identified in the open space audit and strategy as valued and functional, or which are capable of being brought into use to meet local needs. Planning Advice Note 65 states that "all spaces regardless of ownership and accessibility (i.e public and private spaces) contribute to the amenity and character of an area and can be taken into account by councils when undertaking their open space audits and strategies". Furthermore, one of the main aims of the Dumfries and Galloway Open Space Strategy (2014- 2019) is to ensure that the majority of residents in the region have access to good quality open spaces. The result from the Open Space Audit found that Castle Douglas fell short of quantity standard and some accessibility gaps to the east and west of the town centre and to the north. Therefore it is considered important to protect existing open space and support the development of new open space allocations within new development opportunities in these areas of Castle Douglas. There are various different typologies of open space not limited to children's play areas and sport pitches. The site in question falls under 'Amenity greenspace' which is defined as "Landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities such as sunbathing, picnics or kickabouts". It is considered by the planning authority that the site provides an important visual buffer on the approach into Castle Douglas and its proximity to Carlingwark House contributes towards its sense of place. There are a range of other more suitable sites identified in Castle Douglas to meet housing land supply that would not have as great a negative impact to landscape and the town's setting. Note the offer of land to the west of the site however due to the typology of the protected open space as 'amenity greenspace', the land to the west would not provide the same function. No modification proposed.

Castle Douglas - CSD.H202 land adjacent to Cemetery, Whitepark Road

Andrew Campbell (0031.002) - The site was excluded from the MIR as a potential development site for a number of reasons; flood risk, impact to the environment and cultural heritage. The site's proximity to Threave & Carlingwark Loch SSSI raises concerns regarding the potential for development to negatively impact on the environment and disrupt habitat connectivity. It is also noted in the SEA and planning site assessment that significant cultural heritage interests would make the site difficult to develop including the setting of the cemetery and loch and the site's proximity to a number of archaeological areas relating to settlement and burial, in an area of known prehistoric activity.

The spatial strategy sets out that housing land requirement will be allocated to Dumfries and the District and Local Centres. It is proposed to increase this requirement with the addition of a generous margin of 20% to ensure enough land is allocated and the housing supply target can be met. CSD.H5 is dependent on CSD.H6 and both landowners are willing to release the land for development with the owners of CSD.H6 suggesting they intend to develop the land within the next few years. Both sites are still considered effective. There are other sites in Castle Douglas that can meet housing land targets that would not have as great an impact on the environment, cultural heritage or flood risk. No modification is proposed.

Castle Douglas - CSD.H203 land at the Stables

John A MacColl (0048.036); Scottish Natural Heritage (0122.002) - Comments noted.

Ryden obo Wallets Marts (0292.001) - Following on from the MIR, consultation with roads has now determined that an access to the south-west of the site can be achieved, removing that constraint from its potential development. Comments regarding Wallet Marts' potential to facilitate access from the north east of the site have led the Council to explore an alternative option. That is the proposal to include an enlarged version of this site with neighbouring Wallet Mart's owned land to the east, to allow for an additional access to be gained from Dunmuir Road. It is considered this would ensure there is enough land to meet the housing land requirement, particularly as a number of other sites in Castle Douglas considered less suitable for development are proposed to be removed. Recommend to include site in Proposed Plan.

Dalbeattie - General

Ken Kilcullen (0179.001) – Comments noted. The comments have been passed to the Councils Access and Countryside Team to progress. No modifications proposed.

Allan Maxwell (0235.001) - The purpose of the Main Issues Report is to set out the areas of key change that have occurred since the current LDP was adopted and discuss the Council's big ideas for future development. It also includes, where possible, one or more reasonable alternative sets of proposals. The document does not set any firm ideas on proposals but asks for views on the suggestions and options before the final plan is put in place. No modifications proposed.

John White (0254.001) - Sites at H1, H3 and H6 have been re-assessed and are considered to still have potential for development. The housing land requirement

for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to propose the inclusion of additional land to offer a choice of sites to accommodate future growth in local and district centres that have the potential to grow, particularly as DBT.H2 and DBT.H5 are built out and DBT.H4 is under construction. Comments regarding the name given to DBT.H202 are noted. No modification proposed.

Dalbeattie - DBT.H6 John Street / Barhill Road

Allan McLean Phin (0097.002); Woodland Trust (0152.001); Fiona McColl (0154.001); Raymond Mounsey (0214.001); Christine Benson (0252.001) - Since the publication of the MIR and the subsequent responses to the document, the boundary of the site has been re-drawn to exclude the land east of the lane to avoid negatively impacting upon the woodland, which is of woodland classification 2b LEPO thereby advocating its protection. It is considered the lane forms a natural boundary to the site and a buffer from Barhill Woods. Furthermore, site guidance will require the need for development to consider linkages to the wider green network including the woodland.

A portion of the site whereby the landowner no longer wished to be included has since changed ownership and the new landowners are willing for the site to remain in the housing allocation. It is proposed to retain the site boundary to include this land.

Regarding the former use of the site, it is acknowledged there is a need for site investigation. It is proposed to include a requirement for further soil tests and any remediation, if any, as part of any future planning application.

It is agreed that there is risk of flooding on this site. A Flood Risk Assessment (FRA) will be required as part of any future planning proposal. The Council commissioned a Flood Study for the Flood Prevention Scheme (FPS) in Dalbeattie that was completed in August 2016. The Dalbeattie FPS did not include works in this area. The Flood Risk Management Team state it would be unreasonable to task a developer to undertake an FRA that encompasses a larger area than the proposed development. Any works carried out by the developer within their site shouldn't increase flood risk elsewhere, any works undertaken to change features within the site (i.e. culvert works) should allow flows to follow their natural line. The requirement for FRA will be reflected in site guidance.

Recommend to include site in Proposed Plan.

M Aisley (0317.001) – Comments noted. No modifications proposed.

Dalbeattie - DBT.H202 land adjacent to Nursery Cottage

Margaret E Copp (0210.001); John White (0254.001) - This site was assessed at the Main Issues Report stage and determined as an alternative option for development. It is considered whilst the site may be suitable for development there are other more suitable sites to meet housing need. Recommend not to include site in Proposed Plan.

Dalbeattie - DBT.H204 Galla Court

Norman D Kennedy (0195.001) – As it has not been possible to confirm landownership, it is proposed not to include the site in the Proposed Plan.

Dalbeattie - DBT.H205 land to south of Craignair Road/A711

Mr and Mrs Lockhart (0155.001) - The SEA and planning assessment acknowledge that part of this site lies within the 1 in 200 year floodplain. It is proposed to include the site in the proposed plan, the site guidance will make reference to the need for a flood risk assessment and that development should not take place within the flood plain.

Scottish Natural Heritage (0122.002) - While development of the site would result in the loss of agricultural land it is not classified as best quality. Development of the new school campus and medical centre has altered the baseline character of this area. As such it is considered development of the site could be absorbed and would reflect the school development on the other side of the road so to round off the settlement boundary. OP1 c and OP2 would be key considerations for any future development proposal coming forward for this site. Recommend to include site in Proposed Plan.

Dalbeattie - Housing New Site: DBT.H206 land at Reedweel

Austin (Dalbeattie) obo Scott Family (0229.001) – The site lies to the rear of the new Dalbeattie High School and remote from the public road, bar a strip of land between the school site and the Reedweel farm access track. There would appear to be no scope to form any other links (pedestrian, cycle or vehicular) to public roads or the Dalbeattie settlement and development of this site would be as an overly-long cul-de-sac. Furthermore, where a development is proposed for over 100 dwellinghouses, an Emergency Vehicle Access would be required and there appears to be no scope to provide one. Recommend not to include site in Proposed Plan.

Dalbeattie - DBT.B&I1 land at Edingham Business Park

Historic Environment Scotland (0012.004) - It is proposed to carry the remainder of this site forward in the Proposed Plan. Existing site guidance makes reference to the need for further recording and evaluation as part of any future development proposal. Recommend to retain site in Proposed Plan.

Dalbeattie – Business and Industry New Site: DBT.B&I202 land north of Edingham Industrial Estate

William Matthew Taylor (0089.002) – This site extends up towards the A75 and includes important relics of the site’s former use as a munitions works. Development of a small portion of land to the south of the proposed site may be acceptable but would require archaeological evaluation and mitigation prior to any works. Site guidance will reflect this. Recommend to include a reduced version of site in Proposed Plan.

DBT.CF1 Craignair Road

Sportscotland (0008.003) - Comments noted. The playing fields associated with the school will be safeguarded as protected Open Space in the Proposed Plan.

Kirkcudbright - General

Hope-Dunbar Children's Estate (0009.006) - Concerns over the lack of allocated business and industry land available in Kirkcudbright are noted. The council have explored various options in the past but it has not been possible to allocate a B&I site for various reasons. KBT.B&I201 was suggested during the Call for sites exercise and was assessed as having potential for development. However, given issues with landownership it is not proposed to progress this site. Should an

appropriate business and industry proposal come forward in Kirkcudbright the Plan should be able to support such under Policy ED1(b) Business and Industrial Development on Unallocated Land. No modifications proposed.

David McHale (0261.001) - Whilst the housing supply targets for D&G have fallen overall, the housing targets for Stewartry has increased. The housing land requirement for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to include additional land to accommodate future growth in local and district centres that have the potential to grow. No modifications proposed.

Kirkcudbright - KBT.H1 Mersehouse/Mersecroft

Hope-Dunbar Children's Estate (0009.006); Raymond and Vera Tuchewicz (0221.001) - As part of the ongoing monitoring of allocated sites and their effectiveness, the Council issued a landowner questionnaire to confirm ownership and to ascertain willingness to release the site for development. The owners of the site were approached as part of this. Furthermore, a submission was received through the call for sites exercise from the landowner supporting the continued allocation of the site for housing. A Flood Risk Assessment must be performed as part of any planning application to ascertain the developable area. This will be reflected in site guidance. No modifications proposed,

Raymond and Vera Tuchewicz (0221.001); David McHale (0261.001) - SEPA have not objected to development here but the site guidance does acknowledge the need to investigate any potential flooding issues and this will be taken into account during any future planning application. A Drainage Impact Assessment and appropriate water management measures should be considered as part of this. No modifications proposed.

Scottish Wildlife Trust (0318.001) - Comments noted.

The portion of land to the east was submitted through the call for sites exercise and assessed as having potential for development. The extent of what land can be developed on will be determined by a flood risk assessment. It is therefore not proposed to amend the boundary. However, it is unlikely all the site will be developed which would leave a green corridor.

Kirkcudbright - KBT.H2 east of Tongland Road/Burnside Loaning

David McHale (0261.001) - The site was put forward by the landowner through the call for sites exercise. The landowner has demonstrated willingness to release the land and it is therefore considered available for development. No modifications proposed.

Kirkcudbright - KBT.H3 land at Parkhouse

Heather Nisbet (0164.001); David McHale (0261.001) - SEPA have not objected to development here but the site guidance does acknowledge the need to investigate any potential flooding issues and this will be taken into account during any future planning application. A Flood Risk Assessment is required. No modifications proposed.

Scottish Wildlife Trust (0318.001) - Comments regarding the southern boundary are noted. Existing site guidance makes reference to the woodland and requires

that a tree lined avenue to St Mary's Isle should be retained. No modifications proposed.

Kirkcudbright - KBT.H202 Kirkcudbright Creamery

C Marriott (0192.001); Colin R Clark Hutchison (0185.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001); David McHale (0261.001) - Comments noted. It is proposed to allocate this site for housing with an opportunity for live/ work housing units or other compatible small scale class 4 business units alongside housing. No modification proposed.

Kirkcudbright - KBT.H205 land at Long Acre

Hope-Dunbar Children's Estate (0009.006) - Comments noted.

It is agreed that road connections between H3 and H205 that offer links to the A711 are desirable. It is proposed to amend the site guidance so it makes reference to this.

Ann-Marie Blanchard (0157.001); Jill Horabin (0186.001); David McHale (0261.001) - The Scottish Environmental Protection Agency (SEPA) have not objected to development here but have requested a Flood Risk Assessment to investigate any potential flooding issues and this will be taken into account during any future applications. Site guidance will make reference to the need for a Flood Risk Assessment and that biodiversity of the site should be considered.

Cherry Harrop (0201.001) – It is set out in legislation <20m. We also put ads in the paper and notify community councils. The Council are not required to neighbour notify at the Main Issues Report stage, however in efforts to improve communication/ community engagement the Council considered it beneficial to notify those adjacent to the sites to frontload any issues early on in the process. Furthermore, drop in sessions were held in six locations across Dumfries and Galloway to offer everyone with an interest, to find out more about the future of development across the region. The concerns over flooding, the environment and effect on local infrastructure including capacity of local schools have been considered in principle and are set out in the SEA and Planning Assessment. None of these prevent development of the site for housing in principle. A more detailed assessment in relation to the actual ground conditions, flood risk and effect on infrastructure of any proposed housing development will be carried out in the consideration of any future planning application. It is therefore considered appropriate to retain the site as a housing allocation. No modifications proposed.

Scottish Natural Heritage (0122.002) - Comments noted.

Site guidance will be developed and require that links to adjacent Core Path which links Cow Green with Castledykes Road are included in any future development proposal.

Scottish Wildlife Trust (0318.001); Cherry Harrop (0201.001) - The housing land requirement for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to include additional land to accommodate future growth in local and district centres that have the potential to grow.

Kirkcudbright - KBT.H206 land east of Silvercraigs

Hope-Dunbar Children's Estate (0009.006) -

Although it may be possible to develop the southern part of the site to minimise the impact on the landscape, there is an issue in gaining road access into the site which is considered to make the site ineffective. No modifications proposed.

Kirkcudbright - KBT.H207 land east of Cannee Field

Hope-Dunbar Children's Estate (0009.006) -

The site adjacent to this site (Cannee Field) is in the process of being developed on a plot by plot basis. Development of the site would result in development “creeping” further up the hill on one of the key approaches to the town which would have a negative impact on the landscape.

There are other sites that are being proposed for development that would have less of an impact on the landscape and approach into the town. No modifications proposed.

Kirkcudbright - KBT.B&I201 land south of A755

C Marriott (0192.001); Tom Macpherson (0182.001); Jeremy Hidson (0196.001); Jennifer and Duncan Dickson (0227.001); Donald Shamash (0230.001); Norman and Fiona Thomson (0231.001); Karen Shamash (0232.001); George Moore (0233.001); Malcolm J Risk (0218.001); Malcolm J Risk (0218.002); Malcolm J Risk (0218.003); Dumfries & Galloway Greens (0250.002); David McHale (0261.001) -

The site was included in the MIR as it was necessary to consider another option for identifying B&I land in Kirkcudbright, a district centre, as there is currently no provision of employment opportunities and no capacity at Dee Walk. ‘Employment creation is an important material consideration for the LDP and crucial to this is supporting the availability of appropriate land for business and industry’ p.16. ‘SPP requires planning authorities to ensure that there is a range and choice of marketable sites and locations for businesses allocated in development plans’. The LDP has a responsibility to allocate new sites to accommodate new businesses or enable existing businesses to expand, and provide the opportunity for businesses to develop in the rural area.

Previous plans have looked at various options but have been unsuccessful.

Acknowledge that other brownfield infill opportunities may have to be considered.

It is considered that existing policies within the plan may have addressed and overcome many of the concerns raised regarding development of this site.

Following publication of the Main Issues Report, the landowner has been in contact with the planning team to advise they are unwilling to release the land for development. Recommended not to include site in Proposed Plan.

Donald Shamash (0230.001) - The MIR is one stage of the Local Development Plan preparation process and is informed by various key documents including Government Policy, monitoring work and in consultation with the public, and internal and external bodies. KBT.B&I201 came forward as part of the Call for sites exercise which provided an opportunity for people to submit sites they wished to be considered for inclusion in the LDP. This can be any party not necessarily the owner of the site. Whilst we make every effort to consult with landowners prior, it is not always possible for various reasons. The LDP process has a timetable for its production that we need to observe. All the sites were assessed and those that were considered as having potential for development were included in the MIR. The MIR allows anyone with an interest in the future of D&G a chance to comment on the options before the final plan is put in place.

TD and ME Reid (0324.001) – Comments noted.

Kirkcudbright – Business & Industry New Site: KBT.B&I202 land north of Mersecroft

Tom Macpherson (0182.001); Donald Shamash (0230.001) – This site came forward as a representation to the Main Issues Report and as an alternative to the proposed KBT.B&I201. The site has been assessed in the SEA and planning assessment and concluded that it does not have potential for business and industry development for a number of reasons. The main reason is the access to the site would need to be taken through proposed housing development. Industrial traffic through a housing site would not be preferred. Recommend not to include site in Proposed Plan.

Issue 16b	Stewartry HMA Local Centres
Main Issues Report reference:	Section 3 – Settlement Statements and Inset Maps: 3.6 Stewartry Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p> Historic Environment Scotland (0012.004) Janet Gibson (0041.006) Davidson & Robertson obo Andrew Sloan (0086.003) (0086.004) Scottish Natural Heritage (0122.002) RSPB Scotland (0133.019) C S Stevens (0151.001) Margaret Stryjewski (0161.001) Sally Costen (0171.001) Mr and Mrs D Harris (0175.001) Kathleen Patterson (0208.001) (0208.002) (0208.003) (0208.004) (0208.005) (0208.006) AB & A Mathews obo The Pamela Young Trust (0224.001) Thomas Phillips (0236.001) Richard and Katy Nash (0240.001) Judy Spinks (0243.001) (0243.002) (0243.008) Ellie Davidson (0247.003) Dumfries & Galloway Greens (0250.001) Jennie Ashmore (0255.001) Charles McAteer (0276.002) St John's Town of Dalry CC (0279.001) Sheila R Adams (0281.001) Jif Hyde (0282.001) Auchencairn CC (0286.001) (0286.002) (0286.003) Janet O'Donnell (0290.001) John Crosby (0291.001) Barry Smitham (0297.001) Suzette Harris (0298.001) Nigel Emslie (0301.001) CKD Galbraith obo Camm (0303.001) CKD Galbraith obo Lindsay (0303.002) Heather Emslie (0305.001) Nicholas and Nicolette Wise (0311.001) Scottish Wildlife Trust (0318.001) David Coombes (0323.001) Crossmichael & District CC (0329.001) Gatehouse of Fleet CC (0330.001) Lynne Barker (0326.001) </p>	

Summary of the representation(s):

Auchencairn – General

Judy Spinks (0243.001) - It is important to see the housing issue in Auchencairn in context. Auchencairn is essentially a village classified in the LDP as a local centre. This means it is regarded as important as a centre for employment and housing, with the aim of promoting economic growth, and supporting a local population with more housing.

Since the LDP 2014, time has moved on and change in the village is following the trend of Galloway as a retirement zone! The pub is closed, and other facilities less well supported. Without the next generation of young working people, the village will decline rapidly. Auchencairn needs employment opportunities. It needs to be made possible for young people to live and work here.

Any housing development needs direct community input to understand who will want to live here. Thought must be put in to provide the right type of housing linked to work opportunities.

Welcome new ideas in Design and Placemaking, but these will require the nuances of local knowledge. Also there is need of provision of housing for elderly people.

There are no shortage of ideas for innovative housing solutions if the community is involved in the planning process at the earliest point in development.

All these issues are backed up by the Community Empowerment Plan:

"Participation with Communities lies at the heart of community planning"

The PAS consultation in Sept 2016 was a welcome beginning. Quoting from this:

"5.12 Encourage more affordable housing and housing for an ageing population.

6.2 Create more opportunities for young people to work and play. 6.8 Encourage community groups to lead/own on local projects.

6.10 Make more of the already strong local communities and identity, to make change happen."

But real positive change will come about by consultation with developers and landowners at GRASS ROOTS level!

There is a lot of Social housing in Auchencairn provided by DGHP and Loreburn.

But this does not cater to another section of the working population who would prefer a mid market tenancy or possibly subsidised home ownership. The Affordable Housing supplementary guidance states that "55% of the Stewartry are unable to access the Market at all, due to higher property prices in these areas."

In the Stewartry the HNDA projects: A rise of 41% in the 75+ age group by 2029 A rise of 11% in the 30 -44 age group. With Ages 16 - 29, and 45-59 projected to go down. HNDA states those on middle incomes (£1798 per month) are looking at private renting. HNDA states 40% workers are in the lowest waged work.

In D&G Region Self employment was 19.5% in 2015, which is the highest in Scotland. These figures from the HNDA mean that while Auchencairn has a fair quantity of Social Housing provided by both DGHP and Loreburn; it also currently has Houses for sale which 55% of the population cannot afford. There is a clear gap in the affordable housing available at Midmarket rent, or cheaper houses to buy - Affordable Houses are needed for working people, if the village is to survive. Equally, specialist housing for elderly people is needed. This Mid Market provision should be prioritised.

Housing provision must also happen with more business development.

Concrete proposals for Auchencairn Housing sites H1, H2, H201:

1. Change the Housing Development Sites remit, to favour mixed use for Housing

and Small Businesses. (As per Kirkcudbright KBT.H202, MIR p97 3.6.17) This might be through a) providing a cluster (2-4) of small business units, or b) providing houses with business premises incorporated, (Auchencairn Initiative provided such a premises some years ago that became a successful child care business) or c) leaving space for self build business premises on individual house sites.

2. Can envision an affordable (mid market rent, or below) small scale development (possibly 6 -10 houses), mixed for elderly and young working people: 2 bedroomed, future proofed, single story units. (not dissimilar to the design of Dunmuir Park in Castle Douglas). There should be Community input into who tenants these houses.

3. The Design and layout of any development should give priority to pedestrianised housing, with roads and parking around the outside of any development.

4. Gardens and shared landscaped green space along with Green Walkways, cycle paths and Community Open Space should abut the gardens of existing properties on Main Street. This would mirror the current "triangular" arrangement of houses on Main Street and Church Road, which both have gardens to the rear, giving all residents a feeling of space around their property.

5. The development of any Open Space, should be in keeping with Auchencairn's perma culture link park and playground. Suburban landscaping would not be appropriate. Street lighting could be at least half of what has been the usual standard, as is being promoted in other areas in the UK, to lessen light pollution, and maintain as much as a rural feel as possible.

6. Single storey houses set in small groups (4-6) would be best, and enable all houses to have a sunny setting, solar gain and views over the countryside. Thoughtful layout and single storey height could minimise the impact on the outlook of current residents, giving a feeling of space. Respecting Health and Well being is shown to improve in communities where residents enjoy their natural surroundings from within as well as without their houses. Auchencairn is a small rural village set in a beautiful landscape, it's housing needs to reflect this for everyone

7. New technologies that go for zero carbon, and cheaper building solutions could create modern and beautiful houses that complement existing properties. The village is actually an organic growth of styles that have varied with the different decades. In the 21st century we should find a balance between new and historic design. Single storey houses on Spout Row, could be the starting point for thinking of 'future proofed' homes for life.

9. Support certain issues raised within D&G LANDSCAPE ASSESSMENT (1998): Page 48 Section 6.2.7 - Some past housing designs have been imported from other settings and are inappropriate in D&G. Assessment is suggested to review how local industries could satisfy demand to produce more suitable buildings. Also larger scale housing developments use a few preconceived designs and apply these to any site. These are often inappropriate urban design. It is necessary to consider appropriate designs for the countryside, looking at - scale and density of development, the structure and layout, the massing of buildings, the patterns and uses of open space, and the development and maintenance of a landscape framework.

Page 50 Section 6.3.2 In 1998 most design standard was poor, and many sub urban style bungalows were built, that spread urban influence through the Region's landscapes.

Page 52 Section 6.3.6 says terraced cottage/house development instead of detached houses should be promoted.

Page 53 Section 6.3.6 Says it is essential to avoid suburban boundary concepts in the countryside. Against 2 metre high fencing around gardens and edges of new housing sites giving an urban feel.

In Auchencairn this fencing looks inappropriate.

(Paragraph 8 & 10 moved to AUC.H201)

Judy Spinks (0243.002) - Notice that the allocations in the District Centres are considered to meet future demand. If someone wished to establish a business/industry site in or near Auchencairn, this should be welcomed (LDP 2014 p30, ED1 section 4.3 b "Business & Industry on unallocated land")
Palnackie 3 miles down the road has a transport business. Auchencairn must attract Business as a Local Centre, in order to grow and actually need the houses in the new housing allocations.

John Crosby (0291.001) - The thrust of this submission is about employment in the context of housing.

Both locally and nationally the future of small communities, such as Auchencairn, have for many years been in a state of change and of economic and cultural contraction. If left unaddressed to the power of market forces, the future of the Stewartry and its prospects as a national park amounts to a beautiful but dead place, culturally divided between those living on the housing schemes, the retired and the farmers. The majority of working people who don't fall into those categories are obliged to commute, some of whom travel considerable distances. Auchencairn is now at crisis point. It has reached a time to evoke special measures in order to allow young access to employment and *truly* affordable housing.

The acceleration of that change in Auchencairn since the previous D&G Council LDP in 2014 is evidenced by the closure of the pub, the possibility of the imminent closure of the shop, and the garage business being put up for sale.

Simultaneously Tesco home deliveries gather pace and the banks are closing in local towns.

For some time there have been no trades people in the village nor is there a major employer. The number of retired people is more every year. The price of houses to buy is beyond the capacity of local wage earners. The cheapest property for sale is currently half of the pub at £95,000. The next cheapest is £135,000 and £150,000, all of which are advertised as being in need of conversion/renovation.

Annexed to the struggling village shop [built by The Auchencairn Initiative in 2008] are business premises and accommodation for the proprietor of a child nursery.

This enterprise employs a number of people from out with the village, also the youngest person of working age from the village, aged 16

This appears to demonstrate that, given the opportunity, such initiatives can address what Auchencairn needs. It should be noted that the next youngest person employed in the village who is from the village is 45 years old!!!

The majority of young people leave the village to either take employment elsewhere or for further education. Their vitality is used elsewhere as there is no opportunity where they grew up. The exception to this is the farming population whose economic future is secure and bound to the locality.

A number of local people who can afford to do so return to the village post their

working lives.

Balliol Court, a recent 19 house social rent initiative by Loreburn Housing Assoc. has to some degree had a successful outcome for local people and the village. Whilst some local people were declined housing, there has however been a large turnover of inhabitants due to allocation based solely due to their status on the housing list, and who leave due to rural isolation and lack of transport and employment.

Employment and incentives for self-employment in combination with genuinely affordable housing are the key issues for the future of the village and for the young people of Auchencairn to remain in their community. The political will to do this has to exist or Auchencairn will become, like so many other villages in the Stewartry, a commuter zone for the few and retirement zone for the many with no services, no school and no culture.

Make Auchencairn the bright future pilot scheme for a transferrable model to be rolled out across the Stewartry and beyond.

Heather Emslie (0305.001) - Concerned about the excessive scale of housing development currently proposed for a village like Auchencairn with its increasingly limited services, infrastructure and employment opportunities. It would seem that scant regard has so far been paid to the actual needs and, interests of the village and of its present and future residents. In addition, the MIR and associated documents seriously understate the landscape, infrastructure, travel and other issues which affect the various housing sites proposed.

A full review of the current development proposals for Auchencairn is therefore essential. Urge the Council to cooperate with the Auchencairn community in identifying and adopting a mutually acceptable solution

Auchencairn CC (0286.001) - This submission should be read along with accompanying forms ACC 1B. and ACC 1C. Following an open meeting on April the 6th in the village hall this is a summary statement.

As a general comment, whilst the opportunity to comment on LDP2 and the laudable aims of the MIR are welcomed, disappointed that they have been largely ignored in the allocation methodology used and the current housing proposals for the village which are disproportionate. Strongly urge the Council to reconsider its proposals and work with the Community to identify feasible housing and business solutions that would regenerate the village.

The LDP2 was discussed at the meeting and one of the outcomes was that further investigation was required into the likely effect on Auchencairn of all aspects contained in LDP2. The main areas of concern and note are as follows:

1. Employment opportunities in the village and immediate surrounding area.
2. Retaining young people in the village by offering mixed housing and business opportunities.
3. Provision of suitable housing for the elderly
4. The nature of the housing in terms of design, 'zero carbon', green spaces, affordability, and community involvement in related development
5. Whether the village services could support the development of a 2.71 ha site.
6. The designation of Auchencairn as a 'Local Centre' may no longer be appropriate given the increasingly limited nature of services and infrastructure available. Designation of Auchencairn as a 'Village' may be more appropriate and allow for a development plan that incorporates realistic housing and business opportunities

7. Support the principle of 'Design and Placemaking'
8. The formula used to allocate land for building appears to be inappropriate for this Local Centre as the three sites could increase the population by some 50%
9. That the distinctive character and surrounding landscape of the village – its key draw for current residents and visitors - would change considerably should the LDP2 be implemented as proposed. Therefore, further detailed consideration of all three allocated sites is needed to avoid inappropriate development.
10. The transport links are not in place to support these developments.

Auchencairn CC (0286.002) - If Auchencairn is to remain a Local Centre, it would need support from both planning and support services, as the range of services and facilities is reducing fast. Planning has just granted change of use of the village pub to housing in March 2017 (a reduction in facilities). The closure of the pub has had a significant adverse effect on the village shop/PO by reducing visitor number leaving the shop vulnerable to closure. In a survey conducted in the autumn of 2016, several local business owners, e.g. B&B, commented that the closure of The Smugglers has had a marked adverse effect on their business. Auchencairn has difficult connections to the major centres of Castle Douglas, Dalbeattie and Kirkcudbright as there are very limited bus routes. Car ownership is really essential to live in this Local Centre. Consideration must be given to transport links when the housing type of the developments are planned. We also note in the ER on page 74/75 Auchencairn is referred to as a 'town'. Therefore we support the changes in question 22.

The above concerns militate strongly against development of the scale currently proposed for Auchencairn in the MIR.

Auchencairn CC (0286.003) - Further to our comments on the lack of coherence between the aims of the LDP2 and the methodology used, disappointed by the lack of consideration of the realistic impact of the proposals. The loss of greenfield land is not a 'minor' negative impact, and it is difficult to ascertain how the sites being within walking distance to dwindling local amenities can offset this loss – this appears to be the case given how the Environmental Report is worded. Would also welcome further consideration of the effect of the proposed development on surface water runoff and the burn and whether the measures to mitigate the potential loss in biodiversity are faithful for the sites proposed. Soil erosion is a major concern for the Church Road site and this should result in a negative SEA score.

Note that the comments on the SEA checklist 'Sensitive edge of settlement site within an RSA and overlooking an NSA. The site has a clear change in slope at a line running north-south from the eastern end of the school grounds. The more level upper western section is highly visible within the wider landscape and has a strong rural character which frames the setting of the school. Development of this area would detract from local landscape character and sense of place and would be highly visible from nearby summits and from across the valley/bay. School Rd is narrow and quiet and makes a significant contribution to sense of place; creating access to a large development site would fundamentally alter the setting of the school and local environment.' However, disagree that these concerns can be addressed by developing only part of the site.

It is also unrealistic to suppose that active travel would be encouraged when the Community has and is suffering from a loss of amenities which the SEA's total failure to appreciate and allow for, with Auchencairn being referred to as a town.

Carbon emissions would be increased significantly as a result of this development.

Formulaic assertions on the 'minor SEA concerns' have not taken the significant issues of the impact on soil and carbon into consideration. Note the criteria used to assess the impact on soil but have concerns over the loss of soil fauna and diversity with the proposals.

Disagree that the SEA Score should be set at '0' for the Main Street site before a flood risk assessment and the effectiveness of any mitigation measures can be considered.

Would also wish to note that in 'The Plan' of the Environmental Report page 4 Due to the low level of building completions in Dumfries the shortfall has been reallocated. We feel this policy needs reviewing as Auchencairn does not have the services to accommodate the people which could be up to a 50% increase in the village population.

These various concerns are thought to militate strongly against development of the scale currently proposed in the MIR.

Janet O'Donnell (0290.001) - It would make sense to have some facility for small business along with the housing as people will need to work if they are to move to the area. A small scale affordable housing development (maybe 10) for a mix of people both young and old and with rental opportunity.

Any housing will impact the village basically forever, therefore both the design of the sites and housing plans and the design of the housing itself is of the greatest importance. Houses should be placed, as far as possible, not to obstruct views from existing properties and from each other. They should also be built to take advantage of the beautiful landscape in the area making living in them an uplifting experience.

Houses that are built to accommodate people throughout their lives (one storey, open plan, disabled access) make sense. These should be carbon neutral - excellent insulation, solar powered and surrounded with sufficient green space.

Charles McAteer (0276.002) - 1. Auchencairn no longer meets the criteria for a local centre and the planning envisaged for the village takes no account of this. Local facilities are declining with the pub having closed and the shop/post office in danger of closing too.

2. Public transport links to the village are very limited.

3. Houses in all price ranges can and do remain on the market for years unsold suggesting that there is not a great demand locally or from further afield for residential property in the village. There is also a case for careful examination of allocation of and turnover in existing social housing provision in the village.

6. Auchencairn requires a more visionary approach to the provision of housing and employment than is set out by simply designating land for building houses.

7. This could be achieved by a more imaginative joint working with the community.

8. It can be argued, with a basis in evidence, that allocation of land as potential development sites is already having an adverse effect on selling some existing properties and consequently on the village. Planning blight.

9. It is noted that should there be any housing development at all, it should take into account the character of the village, should take account of the environment and ecology of the village and surrounding area and should sit appropriately in the landscape. It should also take into account the size of the village and its

limited facilities.

10. In conclusion, there is absolutely no need for the site AUC.H201 to be designated as a development site for housing. If there are to be any developments on sites AUC.H1 and AUC.H2 they should abide completely with considerations of the environment, ecology, design, place and the needs of our particular community.

Jif Hyde (0282.001) - In the local plan Auchencairn has been designated a 'local centre'. If it is to thrive as such then there needs to be employment opportunities and places where people can establish and run businesses. There is a very real danger of Auchencairn becoming a retirement village. Auchencairn needs to be attractive to, and affordable for young people. Housing allocation should be changed to 'mixed use for housing and small business'. A thriving local employment would be fantastic. The community should be involved early on in decisions about any houses to be built, and the design and placement of them. In order for Auchencairn to thrive and go forward as a community [rather than be somewhere for commuters to live] need proper and full community involvement right from the beginning.

Nigel Emslie (0301.001) - It is disappointing to find such material deficiencies in the MIR and associated documents. Something has gone seriously wrong here. The true needs and interests of the village have been largely ignored, and a full re-assessment of the current development proposals should now be seen as a priority. Auchencairn would, it is thought, benefit from some carefully controlled, small-scale housing provision, both market and affordable, to help regenerate the village and perhaps also enable the children of village families to return after periods working or studying elsewhere. The Council is respectfully urged to cooperate with the village community in identifying and adopting a mutually acceptable solution.

Auchencairn – AUC.H1 rear of Main Street

Ellie Davidson (0247.003) - Building on this site will have the most impact on the landscape of the village and the lives of the residents of main street and church road and church place. Many houses having up until now fine views of the fields and hills at the back of the houses. These views are enjoyed by all villagers as they walk up main street or church road. Building a small number of single story, low impact housing towards the bottom (east) corner of the site would make least impact. Pedestrian access via bakery street would provide an easier, less uphill walk for elderly residents. It is not just loss of view though that is a concern for existing residents but light pollution. At present there are magnificent dark skies at the back of the houses on main street and church place. In addition of course there is noise pollution and loss of privacy.

Auchencairn CC (0286.003) - Disagree that the SEA Score should be set at '0' for the Main Street site before a flood risk assessment and the effectiveness of any mitigation measures can be considered.

Judy Spinks (0243.001) - Some houses backing onto this site from Main Street have experienced flooding in their gardens after heavy rain. There are springs that erupt and pour down the site. The "spout" of water on "spout row" is a historical feature of the village. The supply to this must not be compromised by

any drainage works on H1.

Housing for elderly people might go well at the lower end of the site, particularly if there can be pedestrian access to Bakery street. Without the hill to climb, this would mean the elderly would be in the centre of the village near community facilities.

Welcome the entry in the Open Space Supplementary Guidance that suggests in the Settlement Account for Auchencairn, that public Open Space be part of this site with links to other Green Spaces in the village. This Open Space would be best as "natural green space" to keep a rural feel to the development, and the present land. It would be best sited along the rear of the gardens of properties on Main Street.

Judy Spinks (0243.008) - Given the rural setting, consider it possible and vital to have quality Open 'natural green space' in that Housing allocation H1. If at all possible, this would connect through to the Link Park; and certainly provide pathways onto existing streets. Auchencairn is deemed to have 'enough' open space, but this is concentrated at one end of the village, and the new housing sites need to be rural in nature and will require Open Space, to prevent an urban feel to the community.

Jennie Ashmore (0255.001) - (Representor wants comments made to Auc.H201 to be similarly applied to this site) and to include this comment on local habitats. In the area which would be used for access for this proposed development are several very useful trees which are populated by birds, especially as they use the habitat for nesting. One old hawthorn is particularly outstanding, it is large, mature and very beautiful. The ivy grows into the tree and provides a perfect habitat for a number of birds.

Charles McAteer (0276.002) - 4. Two sites have already been allocated for development in the village, AUC.H1 and AUC.H2. These are likely to satisfy any future demand for new housing, if any, for the foreseeable future. 10. If there are to be any developments on sites AUC.H1 and AUC.H2 they should abide completely with considerations of the environment, ecology, design, place and the needs of our particular community.

CKD Galbraith obo Camm (0303.001) - The landowner fully supports the continued allocation of this site for residential development. The adjacent landowner AUC.H201 would be willing to co-operate on joint development of both sites, and there is the potential for access to these sites to be provided through the old church site. Furthermore, based on recent investigation into the housing development market of Auchencairn, we think that the allocation of this site would catalyse and assist in the delivery of housing in Auchencairn. The combination of this site and AUC.H201 would perhaps make a more viable proposal for housing developers. The landowner understands that there are concerns regarding the visual impact which development may have on existing properties - this can and should be taken into account in the size, layout, and design of any development.

Auchencairn – AUC.H2 Church Road

Judy Spinks (0243.001) - Access to this site is on a bad corner, and extending the site diagonally from the existing dwellings to a little further south on the A711

could be beneficial to road safety. This might also make additional places for housing/small business, without altering the sense of place or impact on the well-being of existing residents. (Note the landscape site assessment describes 'hedges' along the roadside. This is in fact a stone dyke, with just a few scrubby trees and brambles!)

Ellie Davidson (0247.003) - Building on this site will have the least impact on existing residents (save one or two). A small number of low impact houses with careful consideration as to best access could easily be accepted by the village. Both AUC. H201 and particularly AUC. H2 have issues with drainage. There are several springs and the garden of 45 main street regularly floods with water running down the access path between 45 and 43 main street and onto the street itself.

Jennie Ashmore (0255.001) - This is an ideal place for any housing development, and should be considered as a potential site. The impact of the proposal in all aspects, would be low.

Charles McAteer (0276.002) - 4. Two sites have already been allocated for development in the village, AUC.H1 and AUC.H2. These are likely to satisfy any future demand for new housing, if any, for the foreseeable future.
10. If there are to be any developments on sites AUC.H1 and AUC.H2 they should abide completely with considerations of the environment, ecology, design, place and the needs of our particular community.

Jif Hyde (0282.001) - Auchencairn has sufficient large and expensive housing. It would be good if this area was specifically allocated as for low/mid-priced property.

Auchencairn CC (0286.003) - Welcome further consideration of the effect of the proposed development on surface water runoff and the burn and whether the measures to mitigate the potential loss in biodiversity are faithful for the sites proposed. Soil erosion is a major concern for the Church Road site and this should result in a negative SEA score.

Janet O'Donnell (0290.001) - A small development on this site or extending Site H2 seems more in keeping with the area.

Auchencairn – AUC.H201 land to north of Primary School

Ellie Davidson (0247.003) - Building on this site will have a big impact on the landscape of the village overall and on the until now unrivalled view from the primary school. It is a very exposed site re the prevailing winds. On walking this site conclude that again the least impact would be from a small number of low impact single story houses down in the bottom (East) corner of this site where it is more sheltered and the residents would be closer to the centre of the village. Both AUC. H201 and particularly AUC. H2 have issues with drainage. There are several springs and the garden of 45 Main Street regularly floods with water running down the access path between 45 and 43 main street and onto the street itself.

Charles McAteer (0276.002) - 5. The Call for Site AUC.H201, if approved, would

add a massive area for residential property in relation to the size of the village and appears to be completely unnecessary in terms of demand and in terms of the village's limited facilities and public transport provision. 10. In conclusion, there is absolutely no need for the site AUC.H201 to be designated as a development site for housing.

Jif Hyde (0282.001) - Auchencairn H201 is far too big. A reduced area of some of the western part of H201 should be available for development.

Only the lower part of the side should be developed as higher up near the school would be far too visually intrusive.

There should be allocation for perhaps 10 houses in total for Auc.H1 and the western part of Auc.H201 together. Auchencairn has a sufficient amount of social housing and definitely doesn't need more expensive large houses. What are needed are small scale, affordable, mid-market rent houses suitable for young folk. There is very little locally to rent at a reasonable amount.

Houses should fit well into the landscape – so single storey (perhaps one & a half) and not on the higher western part of H201. (Developments such as those in Springholm and Crossmichael would be completely inappropriate and unwanted – mini-estates regardless of the existing settlement. Lets have some good design that fits in with what is already there.)

Any houses should be sited so that the outlook from the houses for inhabitants is good and pleasing. As well looking good from the outside the experience of inhabitants should be considered too, any houses built should have a sunny aspect and a view.

Concerned that houses should be built to a high eco-standard with good insulation and incorporating energy generation, and that Council practice should be to make sure such standards are adhered to (in contrast to houses built in Balliol Court).

Green space must be maintained and linking paths a priority.

Auchencairn CC (0286.003) - The site has a clear change in slope at a line running north-south from the eastern end of the school grounds. The more level upper western section is highly visible within the wider landscape and has a strong rural character which frames the setting of the school. Development of this area would detract from local landscape character and sense of place and would be highly visible from nearby summits and from across the valley/bay. School Rd is narrow and quiet and makes a significant contribution to sense of place; creating access to a large development site would fundamentally alter the setting of the school and local environment.' However, disagree that these concerns can be addressed by developing only part of the site.

Janet O'Donnell (0290.001) - This site is very large site and, if fully housed with the numbers suggested, would require major road works which would affect the existing villagers particularly Main Street and the small, country road by the school. A small development on this site or extending Site H2 seems more in keeping with the area.

Scottish Natural Heritage (0122.002) - The potential allocation at AUC.H201 has been assessed as having some potential but the allocation may be reduced in size due to landscape impacts. Agree that allocation of the site as shown in the MIR could lead to landscape impacts. It may be possible to mitigate these impacts

but any decision on retaining the current or a reduced allocation should be based on landscape and visual impact assessment as a means of providing a robust assessment of landscape change.

Judy Spinks (0243.001) 8. A large suburban development in the Regional Scenic Area is totally inappropriate. One big development created by joining all of H201 & H1 is what people fear. If a joint access to both sites is to be from the gap at the top of Main Street, as proposed, there will be an increase in traffic, and road infrastructure. If the site is large, this road infrastructure will blight the village! Propose the site allocation remains separate, so that 2 small distinct developments could take place. This would give visual variety, as well as make it possible for a more desirable incremental development. This could also create a possibility of a community land buy out of one section, that would give the village control of a portion of housing, as has happened in other parts of Scotland, with help from Community Housing Trusts.

Strongly support development of only part of H201, eg, 10 houses would be appropriate to keep the rural sense of the village. This would reasonably meet the housing land requirement, in conjunction with sites H1 & H2. Enough space for the setting of houses, possible small business and community Open Space, needs to be allocated.

This small site might be at the western end of the proposed site, immediately behind the school and accessed from the road U67. As a small site, the development may not substantially alter the environment and sense of place, as noted in the Landscape Site Assessment. If the access road on U67 were not for a large development, it may not require such a major junction and size of road? Alternatively the access from Main Street could lead onto a smaller site, at the eastern end of the proposed H201. This smaller portion of land could be allocated adjoining Site H1 and bounded by a line north - south, at Church Place, (a little further east than the school boundary, which was proposed in the Landscape Site Assessment.) Also, Community Open Space to the rear of the houses on Church Place would decrease the impact on sense of place of existing houses.

Jennie Ashmore (0255.001) - This is too large a development for the Village and if it went ahead, would destroy the unique and rural nature of the area. This would impact on tourism and significantly reduce the attraction of this area to visitors. 2. Light pollution- dark skies are valued by local people. A large development would destroy this. 3. Greenspaces- where the access is proposed at top of village, there are two small green spaces (one with a memorial), a change in road system would destroy these. 4. Employment- work in the area is difficult to find with many self-employed. Possibly studio/workshop accommodation would have to be included in any plans. 5. Traffic- an increase in traffic would impact on current road system- fast drivers already divert through main st to save time. Access via Main St and the school would destroy rural environment. 6. Development here would change from village to suburbia. 7. If development were to go ahead housing would need to be designed to make as little impact on landscape and provide accommodation for younger generation and elderly- not expensive retirement homes for the well-off.)

CKD Galbraith obo Lindsay (0303.002) - Support the allocation of this site for residential development. There have been issues in the past relating to access, but the adjacent landowner 0073.005 (AUC.H1) would be willing to co-operate on

joint development of both sites, and there is the potential for access to be provided through the old church site (owned by the landowner of AUC.H1.) Furthermore, based on insight into the housing development market of Auchencairn, consider the allocation of this site would catalyse and assist in the delivery of housing on the adjacent AUC.H1, as it is proven that at this time it is too small for commercial housing developers who have considered developing the site on its own.

The landowner of site AUC.H201 also owns adjacent land, so landscape improvement and screening can be easily be achieved. The landowner also understands the concern regarding the visual impact which development may have on existing properties -this can and should be taken into account in the size, layout, and design of any development.

Nigel Emslie (0301.001) - 9. Auchencairn may provide a clear illustration of the MIR's failure to live up to its stated aspirational aims and objectives. Beyond two small sites previously identified as AUC.H1 and H2, and covering respectively 0.91 and 0.42 ha, the village Inset Map also shows a far larger 'Call For' site (AUC.H201) extending to 2.71 ha directly behind the primary school and the upper part of Main Street. There are several important objections to these proposals:-

a) The 'Call For' sites summary and table contain no reference to Auchencairn, nor do they reveal who proposed the additional site in the first place.

b) The 'Call For' site at Auchencairn is far larger than equivalent sites identified for the vast majority of Local Centres across Dumfries & Galloway. Indeed proposals for many communities show no such sites at all. Within the Stewartry HMA, for example, Carsphairn, Gatehouse of Fleet, New Galloway, Palnackie and Springholm appear to have none; only small areas are shown for Crossmichael and St.John's Town of Dalry; and Twynholm alone seems to have attracted 'Call For' provision comparable to Auchencairn's. How can such discrepancies be explained? Could it be that the presence or absence of 'Call For' sites is wholly fortuitous, depending on whether some anonymous party saw fit to put them forward for inclusion in the LDP? If so, the proposed allocations would seem to be arbitrary and indefensible.

c) Auchencairn's 'Call For' site would, if developed, approximately quadruple the housing allocation behind Main Street which was deemed appropriate as recently as 2014. If sites AUC.H1 and H2 would together permit the building of, say, 15 houses, then the addition of AUC.H201 could be expected to accommodate at least 30 more. Assuming an average occupancy of even 2 persons per house, a total of 45 new houses would translate into a massive 50% increase in the village population, adding 90 additional residents to the current number which stands below 200. The impact of such a population explosion would be intolerable, especially if brought about within a 5- or even 10-year timescale, and more especially if development failed to reflect an appropriate mix of housing provision compatible with the character, appearance and identity of Auchencairn. The limited infrastructure, services and facilities of the village, if they could cope at all, would be placed under severe strain. The identity of a close-knit community would be gravely disturbed, as would any recognisable 'sense of place'. As an illustrative comparison, a similar 50% population increase for the Dumfries HMA beyond a current figure of, say, 75,000 would require the construction of some 18,750 houses---nearly 6 times the allocation discussed in the MIR!

d) Although Auchencairn is an attractive village with distinctive character and an aspiration to conservation status, it unfortunately suffers from increasingly limited services, facilities and opportunities for employment. It is situated some 8/12 miles from any of the District Centres in the Stewartry, with limited public transport links, so car ownership and travel to and from better-served locations are virtually indispensable for village residents. Conversely, for anyone without access to a car, travel difficulties may be severe. The village pub is all but a distant memory following a decision by the planning committee in March 2017 to reverse its own very recent refusal of an application for change of use to dwellinghouses. The future of the shop and Post Office is also now precarious, and local employment opportunities are few and far between. No wonder, then, that the turnover of social tenants within the village is high, with many making no secret of their dissatisfaction and desire to move to what they perceive to be more suitable locations such as Castle Douglas, Dalbeattie, Kirkcudbright or even Dumfries. Can any of these considerations have been taken into account when AUC.H201 was proposed for inclusion in the LDP? They certainly do not seem to figure in the consequent assessment on planning and strategic environmental grounds, and of course a number of them post-date the previous allocation of sites AUC.H1 and H2.

e) Given that the foregoing material changes and limitations have occurred in the period since Auchencairn was first designated as a Local Centre, it must now be questioned whether Local Centre, as opposed to Village, status is still appropriate for Auchencairn today. On any view it is submitted that the village requires a much more modest and sensitive approach to proposed development than its current formal status as a Local Centre might appear to suggest.

f) It is acknowledged, of course, that significant adverse landscape issues are already identified for AUC.H201 in the ER, as echoed in the LDP Planning and Strategic Environmental Assessment, and that the extent of any allocation in LDP2 might well be restricted. However, many of the concerns set out above would still apply to a reduced area additional to existing sites AUC.H1 and H2. In any event the MIR and associated documents materially understate the landscape, infrastructure and other issues affecting AUC.H201 and the other sites. The ER at pages 74/75 is a particular offender in the extent of its failure to appreciate local infrastructure and travel problems, with Auchencairn astonishingly being referred to as a "town"!

g) Whatever housing development provision might come to be included for Auchencairn in LDP2, it would be essential for planners to insist on high quality design and construction, proper access and infrastructure arrangements, and real compatibility with the scale, character, appearance and identity of the village as it currently stands. A cautious, incremental approach to development would also be appropriate. All of these requirements should of course find explicit reflection in the forthcoming LDP2.

Crossmichael - CMI.H1 Templand

Thomas Phillips (0236.001) - concern about extra traffic using the entrance to Templand. This is not a one off situation. There are often grain lorries, tractors, and pedestrians mixed together. There are often cattle being driven down the adjacent lane. This is a recipe for an accident. If an emergency happened ie. a fire, which needed all off the emergency services DR. fire engine and ambulance. There is only one entrance to this estate.

Please also note there is only one footpath. There is no cattle grid at the entrance to this estate, on numerous occasions cattle have escaped and ran into the estate.

The traffic situation was badly considered from the very start of this estate, for the reasons mentioned.

The boundary of this site is inaccurate. It shows the proposed site going up to the representors fence. It should have shown the site up to the post and wire fence. I own the strip of land between the post and wire fence. This strip of land extends down into my front garden.

There is a large culvert running across the field. It's not shown on the site plan. It is a few metres from the post and wire fence. It runs between the two houses across the road from the representors property. That gap can be seen clearly on the site plan.

The strip of land from the entrance to the estate adjacent to the farmers field belongs to the residents of Templand. The residents association cut this strip of land and pay for this service. There would be considerable opposition to any infrastructure cutting through this strip.

The site is subject to flash flooding. The representor and neighbouring gardens have had to be extensively drained after heavy rainfall as water runs off the slopes.

Crossmichael - CMI.H201 north of Etive Mhor

Sally Costen (0171.001) - Development would result in loss of view. There is a flood risk on this site, winter 15/16 was significant.

RSPB Scotland (0133.019) - Note that site allocation North of Etive Mhor CM1.H201 is adjacent to the Loch Ken and River Dee Marshes SPA. Support the statement that highlights the potential requirement for an Appropriate Assessment to be carried out for development within this area to ensure that there is no impact to SPA features.

Scottish Natural Heritage (0122.002) - Paragraph 3.6.22 of the MIR notes that if allocated, CMI.H201 "may require an appropriate assessment to be carried out given its proximity to the Loch Ken – River Dee Marshes Special Protection Area". Welcome this early recognition of the need for assessment, however, as a point of clarification; the site should be subject to Habitats Regulations Appraisal (HRA). Appropriate assessment is a stage in the overall HRA process and it is not necessary to proceed to that stage in all cases. We will advise further once your HRA is under way.

Scottish Wildlife Trust (0318.001) - This proposed development site is an unwelcome projection towards Loch Ken, which is an international RAMSAR site for wildfowl. Great care must be taken to preserve the line of trees immediately SW of the site as a barrier between the site and the environs of Loch Ken.

Crossmichael - CMI.H202 north of Crossmichael

Crossmichael & District CC (0329.001) - Object to this site as allocation for housing. Land should be left available for the future expansion of the cemetery.

Historic Environment Scotland (0012.004) - This site is located in the vicinity

of the Crossmichael Parish Church and Churchyard (Category A listed building). Development within this allocation should take into account the setting of these listed buildings. We do not consider, however, that development in this allocation would have a significant adverse impact on the setting of these structures.

Crossmichael - CMI.H203 land east of Main Street

Crossmichael & District CC (0329.001) - Allocate H203 for housing. A new access to the site via the A713 north of the War memorial would help ease traffic congestion to the primary school. In addition to the access, could be a parking area adjacent to the War memorial.

Gatehouse of Fleet - GOF.H2 former Woodside Garage

Mr and Mrs D Harris (0175.001) - There was the opportunity to build a row of small houses and flats on site. But the Community Council (CC) objected. The residents of GOF wanted the builder to go ahead, a public meeting was called and the CC were told in no uncertain terms that these houses were a positive move for GOF. The planners said no supported by the CC. The DPEA reporter, report was that the housing was too dense, for a conservation town. The site was sold back to the original owner and now stands at the entrance to GOF derelict!!! With 10 conditions needed to allow building to proceed. No building has taken place in GOF on the original sites H1&H2 suggested in 2014 LDP

Kathleen Patterson (0208.001) - (ER) TOPIC SCORE shows Neutral Impact for Water which takes account of a Flood Risk Assessment where surface water management measures are assumed to be adopted. This should be highlighted as “significantly negative” for the following reasons:

Given the overriding principle that “Avoidance is the most sustainable form of flood management” (INV2) and planners should avoid development on areas of significant flood risk (OP1), my concern is that the “mitigation” score on this report is overestimated and that actually there remains a significant risk of development taking place without the appropriate assessments by the developer in relation to surface water management or the appropriate scrutiny of the risk being applied. This is especially the case if the proposed “Plot Passport” for these sites is adopted by the council.

There is a clear requirement currently for any developer to provide a solution to water management issues that currently exist that is sustainable to both any proposed new houses and to the existing downstream neighbouring properties. The existing controls, while positive, may not be fully effective in the new LDP or carry the same weighting and therefore the SEA score should reflect that irrespective of any controls, there is still a significant and negative impact on water management as a result of any development for housing.

This is demonstrated clearly in recent years, where despite outline planning consent on the site, no suitable solution to water management on the site has been identified or approved. This indicates to me the site water management solution is difficult/impossible to develop. Therefore I believe there will always be a significant negative impact on water management for any new development and for any existing downstream houses if this site were to be developed in the future. This assessment is pivotal in any development consideration of the site and if not considered with the appropriate gravity and scrutiny, a future planning decision

could be made that results in flooding events and damage to property in perpetuity.

Kathleen Patterson (0208.002) - (ER) PLANNING /EFFECTIVENESS ISSUES: Successful development of site GOF.H2 is difficult and complex bearing in mind the accepted overriding principle that “Avoidance is the most sustainable form of flood management” (INV2) and the guidance that “planners should avoid development on areas of significant flood risk” (OP1). To give due consideration of the technical flood risk mitigation measures on and around this proposed housing development means that in practice, the site is extremely unlikely to be delivered for housing development within the LDP timeframe and that this should be highlighted in the assessment on page 6.

This is demonstrated clearly in recent years, since outline planning consent was granted on the site. During this period, no suitable solution to water management on the site has been identified or approved. This clearly indicates the site water management solution is difficult/impossible to develop with housing as the identified future land use.

This should also be reflected on page 7 within the OVERALL SEA and OVERALL PLANNING COMMENTS.

ASSESSMENT OMISSION: The serious flood risk negative impacts on the development and neighbours as referred to on page 3 of the assessment, should be highlighted within the OVERALL SEA COMMENT on page 7.

I believe there will always be a significant negative impact on water management for any new development and for any existing downstream houses if this site were to be developed in the future

Why these adjustments to the assessment are required:

This assessment is pivotal in any development consideration of the site and if not brought to the planning committees attention, a future planning decision could be made that results in flooding events and damage to property in perpetuity.

Kathleen Patterson (0208.003) - Marginal sites that have been already identified to be within the “Vulnerable Flood Risk areas” as GOF.H2 (SEPA Flood Maps) and have been given outline permission on a previous plan and then it is discovered that the site has not been developable because of the difficulties adequately addressing the challenges of Flood Risk assessment mitigation measures or it is technically complex or prohibitably expensive or simply not practical then that site should be removed from the next plan as it is already clear that development is unlikely to place or be effective. This would apply to GOF.H2, (pg 99, 3.6.23)

In summary, if the site has been unsuccessful in a previous plan then it is very unlikely to be effective in this plan unless there has been a clear step change of circumstances or relaxation of legislation.

I believe entering these sites into the plan is wasteful in time and resources, especially those of technical experts and officials. This is particularly concerning when funds are in short supply.

Increasing generosity only serves to drive this practice and it is not helpful to the process because it raises unrealistic expectations of developers, increases speculation but most importantly, it dilutes a finite technical resource which could be better used to more critically evaluate and offer technical guidance on the more effective development sites.

In this case, I would argue that “Less allows More Effective and Sustainable development”.

Kathleen Patterson (0208.004) - Q31 – Do you agree with the preferred approach set out to the sites and settlements in the Stewartry HMA?

Do not agree with the preferred approach because the site is neither effective, nor sustainable (OP1f) and should be excluded from the Stewartry HMA plan for local centre, Gatehouse of Fleet.

This site which is a risk during flooding events, falls within the SEPA Flood Maps of “Potentially Vulnerable Areas” (Flood Risk Management (Scotland) Act 2009) and is very difficult to develop without adverse consequences.

A better lower risk alternative would be to change the designated future use of the site to amenity and replace this site in the LDP with either of two sites currently considered unsuitable (page 56 of Report on Unsuitable Sites). Both these sites currently described as unsuitable are both more suited to development than GOF.H2 as they are well positioned from a scenic viewpoint and most importantly they are free from flooding risk.

Site GOF.B&I 201 may not have a detailed plan but the site is very effective as it has a low development cost position, is flood risk free and does not detract from the scenic beauty of the area.

Site GOF.H201 is well hidden from view, again low cost to develop and flood free. Both these sites offer greater capacity than site GOF1 and do not involve high risk, technically complex flood risk mitigation works as demanded by the Flood Risk Assessment (FRA) in order to overcome the significant Flood Risks (IN7 & IN8).

I therefore argue that both sites GOF.B&I 201 and GOF.H201 are almost certainly more effective sites than GOF.H2

This highlights a difficulty in the MIR approach and some further evaluation is required to compare the MIR proposed sites and sites identified in the Unsuitable Sites Report with a view to lowering risk when identifying before finalisation of the LDP and this future lowest risk solution/vision for the local centre should overriding other considerations.

For example; It is perfectly understandable that a brownfield site is chosen for development over a greenfield site (Op1f). However when the brownfield site is not effective, it should be excluded and re designated for another use and an alternative effective site identified.

I would advocate returning GOF.H2 to its original state, a visually pleasing environmental feature such as a wildlife village pond, and concentrate on bringing into the plan the next preferred and more effective site (GOF.H201). This has the added value of being larger and bringing the council closer to its target of 206 houses in the Stewartry, local centres.

Kathleen Patterson (0208.005) - Q31 – Do you agree with the preferred approach set out to the sites and settlements in the Stewartry HMA?

(MIR) Do not agree with the preferred approach because the site GOF.H2 is neither effective, nor sustainable and should be excluded from the Stewartry HMA plan for local centre, Gatehouse of Fleet.

Before the site was partially developed as a garage, this site was a pond for a mill water attenuation and control system and as such it has always contained water and been prone to flooding. Interfering with this water system has previously led to flooding elsewhere on the watercourse because of the reduction in its

attenuation capacity.

This is particularly relevant to the properties immediately downstream of the site, that have experienced severe flood damage in recent years, This includes respondent's home, Mile End Cottage, under which the watercourse flows as it leaves the proposed development site.

Without this natural attenuation capacity (which would be lost with development), the neighbours of the site and any future properties on the site would be faced with a significantly increased risk of flood damage.

To develop this site would clearly be a bold challenge to the Flood Risk management Act 2009 and ignore the planning advice given in IN 7, where it states "Avoidance is the most sustainable form of flood management". In addition, OP1f states that for development plans to be sustainable, they should be avoiding areas of significant flood risk.

This site has extremely complex issues and the risk during development of getting it technically wrong are high and could easily result in an enduring burden for the council and home owners.

The site is neither effective nor sustainable and should be removed from the Stewartry HMA (3.6.23) and its potential use re designated

Kathleen Patterson (0208.006) - (MIR) Concerned about the approach in MIR - two of the three proposed sites in local centre Gatehouse of Fleet that have been in a previous plan and yet they have not been delivered.

Suggest sites which have been given outline permission on a previous plan and then it is discovered that the site has not been developable should not be re-admitted to the next LDP before they undergo rigorous investigation and assessment of the likelihood of deliver in the next plan. This would avoid the potential for sites to become derelict and an eyesore in such a scenic environment.

Non development can be for many reason but my particular interest is in GOF.H2 because of the difficulties in adequately addressing the challenges of Flood Risk assessment mitigation measures which are technically complex and with potentially high risk consequences if not fully effective.

In summary, if the site has been unsuccessful in a previous plan (for good technical and flood risk reasons as identified in IN7, IN8 and OP1f and aligned to the Flood Risk Management (Scotland) Act of 2009) then it is very unlikely for the site to be effective in this next plan unless there has been a clear step change of circumstances or relaxation of legislation. This would suggest that site GOF.H2 should be removed from the LDP.

Therefore entering this site into the plan for Housing development is wasteful in time and resources, especially those of technical experts and officials. This is particularly concerning at this time of austerity when funds and resources are so scarce.

Raising unrealistic expectations of developers in this way, dilutes a finite technical resource which could be better used to more critically evaluate and offer technical guidance on the more effective development sites with a higher chance of delivery.

Dumfries & Galloway Greens (0250.001) - GOF H1 &H2: Glad to see these sites at the core of the plan, however, I think the time has come for the council to consider compulsory purchase of the H2 site. The current owner does not appear to wish to develop the site, retaining it as a financial asset which greatly detracts

from the appearance of the town. The owner has shown little desire to work with the community on plans to improve the appearance of the site and it is clear an impasse has been reached.

Scottish Wildlife Trust (0318.001) - Development is on a brownfield site with low biological interest other than otters using the lade. Development plans must ensure that movement of otters is not restricted, nor alter the flow of water through the lade.

Gatehouse of Fleet - GOF.H203 north of Baker's Dozen

Mr and Mrs D Harris (0175.001) - Where is the need for more houses? This would constitute rural sprawl and put pressure on the infrastructure. Infrastructure and services are not adequate. Roads need upgrading. Bus services have been cut, and are now inadequate. Residents must have transport.

There is no dentist or optician and the Drs Surgery has vacancies for DR's which have not been filled. No jobs and no chance of business development. Very few Shops,

This land was put forward at the last LDP and subsequently removed from the LDP as there is substantial flooding, the hill above drains onto the field, evidence was provided by several residents and photos supplied of the field flooded in seven area's and swans swimming on it. The land is mostly swamp and Bog Rush grows in abundance. A neighbours garden has been flooded after rain. A local builder knows of a gas main through the field. Why has it been put forward again? A caveat was placed on the land by Mrs Murray Ushers MBE in perpetuity to be held by the NT. Surely this means forever. Mrs Murray Usher was honoured with an MBE for services to conservation, in this town and surrounding area.

The last Lorburn build included no garages for residents to use and the streets are packed with vehicles which are a danger to children playing.

David Coombes (0323.001) - (Summarised)

1. Development would adversely impact and result in loss of wildlife habitats. Elephant Hawk Moth caterpillars found here.
2. Development would result in loss of prime agricultural land.
3. The site was historically used for clay extraction- legacy issues may include dangerous voids and expensive remediation.
4. Questions capacity of sewer system to cope with further development. Gas main pipe runs through the site.
5. Site is located on land placed under conservation area caveat by Mrs Murray Usher held by the National Trust for Scotland- oppose development of this site.
6. Concern in respect of junction visibility and road safety due to parked cars along the B796.
7. Development would have adverse impact on landscape, cultural and visual amenity.
8. Questions landowner's willingness and/or desire to development site and why the council would 'spend ratepayers money on this report without first finding out if the landowner is willing to sell?'

Suzette Harris (0298.001) - This land was used as a Clay pit for the local brick works and is now considered unfit for the purpose of building due to flooding. There are several pits filled with water.

Gatehouse of Fleet CC (0330.001) - This site is potentially quite unsuitable for housing. It is the site of a claypit where clay was extracted for brickmaking and the remaining clay forms an impervious layer over the top of the site. Consequently, standing water is a problem and can accumulate to a depth of several feet. When this occurs especially after prolonged periods of heavy rain, surface water also extends into adjacent gardens and causes flooding. Extensive remedial works would therefore be required in the event that this site was developed for housing.

In addition, there is a substantial gas main running across the site which serves properties in Ramsay Wood and consequently there would presumably need to be an extensive "exclusion zone" either side of the pipe route which would preclude any development here.

Scottish Natural Heritage (0122.002) - Potential allocation GOF.H203 is within the Fleet Valley National Scenic Area (NSA). While the MIR has acknowledged the Conservation Agreement that applies to land surrounding the town, there is no acknowledgement of the NSA or the potential for development to affect the Special Qualities of the NSA. Reference to the Fleet Valley NSA Management Strategy as guidance for development should be considered.

New Galloway - General

C S Stevens (0151.001) - Unable to comprehend proposals to build in Dalry and New Galloway. There are no jobs in the area and no bus services, or at least very limited. The council have a policy of Dumping people in the country side where there are no jobs and no facilities.

New Galloway - NGA.H1 west of Kirk Road

Richard and Katy Nash (0240.001) - The Land Certificate issued by Register of Scotland to the representors property include rights over the land included in NGA.H1. Having bought Kirkbrae in December 2015, these title deeds include a deed of servitude recorded since 1935 of a "*heritable and irredeemable servitude right and tolerance over [the lands] for the collecting and storing of water flowing from the springs under or immediately around the tank [included on the title plan] and of the said water and springs themselves, and of a line of pipe from said tank to Kirkbrae, New Galloway for the purpose and use of conveying water from the said tank along the intended line indicated on the said Title Plan: with full power and liberty to enter the ground.*". Any proposed housing development will need to consider these rights associated with Kirkbrae before proceeding with the proposal and unclear that these rights have been considered in LDP2. The natural spring water emerging from the lands included in NGA.H1 is the source of a small burn named the "Cat Strand". This becomes an open water flow on the boundary of Kirkbrae, flowing through the property of Kirkbrae and under Braeside before emerging once again at the local shop and CatStrand venue (named after the strand over which it is built) on the High Street. Building works upon NGA.H1 may reduce and disrupt this water flow that not only will impact on the strand flowing through our garden, but also will impact on our SEPA approved septic tank. Conversely, a potential development on this site may add to the water flow with added ground water from housing, roads and runoffs, that will flood our grounds and scour the earth away that will inevitably flood the CatStrand venue, as it has been in 2 years from the last 5, and other local properties close by along the High Street. This

flooding event would also impact on our SEPA approved septic tank. Given local flooding in recent years, we would not like to see a housing development built on agricultural land and that is naturally managing the release of water where any impact to this will greatly increase flood risks locally. The headline vision within the LDP2 has the objectives to create the new jobs that will be created in the Gretna, Lockerbie and Annan regeneration corridor. Creating a development site in New Galloway does not facilitate this vision. Without jobs in the Glenkens/Stewartry area, additional housing will be superfluous and would like to see greater job opportunities in the area before facilitating additional housing. There is no shortage of housing currently available in New Galloway and the surrounding area. Within the Glenkens, there are many houses up for sale including building plots. Without the demand for the housing, is a proposal site for housing development necessary? This is emphasised by the new housing at Glenlee Heights, Mulloch View in St. John's Town of Dalry where some of the new build housing remains empty and unsold nearly 3 years after being built. Again, there appears to be no demand for housing until greater progress is made to create jobs in the area. It is mentioned in the plan that a minimum percentage of new houses should be affordable. Whilst we would question the need given the number of houses for sale in New Galloway, most of which are priced much below market rate and some being very affordable, we would like to encourage that any affordable housing built is given exclusively to those currently living or working within the Glenkens. This will help support local families and those who have lived in the area all their lives to stay committed to the area. Should this proposed development site proceed, encourage that new builds are built in keeping with both the landscape and character of the town. New Galloway is a gateway to the Galloway Forest Park and the internationally recognised Dark Sky's that is a lovely tourist site. The land proposed is near to a conservation area and could risk impacting upon the town's heritage and acclaims. As an example of poor development, the new housing in Glenlee Heights, Mulloch View, St. Johns Town of Dalry is a striking and garish contrast to the rest of Dalry. a more sympathetic and character build is a condition of development. From a distance, the character of this elevated site could have a serious visual impact on the area. Unaware of any public sewage facility in this area, not least as Kirkbrae does not have any. There would no doubt be a requirement for significant infrastructure and cost to enable this that may make the development site uneconomical given the economic climate over the last 8 years. There may also be an impact to the existing sewage site that we understand struggles to cope. Access to the land from the gate opposite Overton Cottage is not appropriate for the 30 housing units proposed, being based on the corner of blind bends in the very narrow road. Increased volume of traffic will be a danger to pedestrians, cyclists, farm traffic and other vehicular road users. The A762 Kirk Road is not wide enough to support any great increase in traffic. There are already minor accidents on this road with wing mirrors damaged and cars forced into the side hedgerows. Site is based on a steep hill of sufficient distance from the town centre that will suggest many located on the site are likely to drive to the New Galloway centre. This will limit the positives believed in Environmental Report and negatively impact on residents and businesses based in the High Street. Site is currently used for sheep farming and there will be a loss of agricultural land. Object to NGA.H1 being proposed for housing development. Until jobs are created, cannot see the demand or justification for additional housing in New Galloway

at this time.

Lynne Barker (0326.001) - object to the proposed development at NGA.H1, West of Kirk Road on the grounds the existing sewerage system is at capacity and often overflows into Loch Ken additional housing will exacerbate the situation.

St Johns Town of Dalry - General

C S Stevens (0151.001) - Unable to comprehend proposals to build in Dalry and New Galloway. There are no jobs in the area and no bus services, or at least very limited. The council have a policy of Dumping people in the country side where there are no jobs and no facilities.

St John's Town of Dalry CC (0279.001) - In order to keep future development proportional to size of village, allocated sites should be released in small increments. Due to lack of employment opportunities in this area, and now that most properties in Dalry have highspeed broadband, could planners please note the potential for houses to be built with office facilities for home working.

St Johns Town of Dalry - DLR.H1 Whinnymuir

St John's Town of Dalry CC (0279.001) - Concern of potential pluvial flooding emanating from this site. Oppose further housing development at this site. Support de-allocation for housing on the remainder of this site.

St Johns Town of Dalry - DLR.H2 south of Whinnymuir

AB & A Mathews obo The Pamela Young Trust (0224.001); Barry Smitham (0297.001) - This site was allocated in the current LDP but since then the DLR.H1 site has been developed. Some of these houses were built on what used to act as a natural SuDS area and this, combined with large amounts of hard landscaping, means the watercourse and new SuDS area are often at full capacity. They were unable to cope with the quantity of rainfall runoff on 30 December 2015 which resulted in a property at Burn Court on Main Street becoming flooded (this has never happened before in living memory). Concerned that further development and hard landscaping in the DLR.H2 site, which shares the same watercourse as DLR.H1, will result in an even greater risk of pluvial flooding to other properties further down the watercourse.

St Johns Town of Dalry - DLR.H202 east of St John's Way

St John's Town of Dalry CC (0279.001); Nicholas and Nicolette Wise (0311.001); Sheila R Adams (0281.001) - Concern raised regarding access to the site for both vehicles and pedestrians. The road is narrow and will require widening and provision of a pavement. Development will require a sizeable portion of the representors garden.

Sheila R Adams (0281.001) - Site topography will make development difficult and expensive. There is a flood risk with this site. Questions the need for more housing when no or little employment opportunities in the area.

Twynholm - TWY.H1 rear of Main Street

Janet Gibson (0041.006) - The two previously allocated sites for Twynholm are appropriate.

Twynholm - TWY.H2 Manse Road

Janet Gibson (0041.006) - The two previously allocated sites for Twynholm are appropriate.

Twynholm - TWY.H201 The Doon

Davidson & Robertson obo Andrew Sloan (0086.003) - Submitted an amended potential development site in the latest call for sites. This was developed in response to the comments made on the original site submission made to the last LDP. The main issues report (MIR) does now show a number of areas submitted to be included, however the MIR plan (attached - plan 2 – annotated to show the plan submitted) does not match the site plan (attached – plan 1 Potential Development Sites at Redfield farm) submitted as part of the amendment.

Margaret Stryjewski (0161.001) - Strongly object to this proposed development adjacent to the Doon. The Doon Site is not a suitable site for the development of houses, firstly the road up to the Doon have become very congested over the years. The road is very narrow and vehicles often have to park on the pavement to allow other people access into their 'off road' parking spaces. The proposed site would cause an issue with gaining road access into the site. The moat at the Doon Woods should be protected as an historical site, the Doon woods acts as a landmark from which offers views of the countryside for miles around hence the Moat. Proposed housing would have a detrimental impact on the whole feature of the landscape, no matter where in the field it was placed. The site is also classed as 'prime agricultural land' and a 'greenfield site' this would be lost if housing were to go ahead. The field to the right of the houses already there has a right of way which people use to cross the burn over to Arden Road the church and the school. This right of way has been used continually for years. The proposed housing also would be very near to a steep sided burn which would be difficult to safely screen off and will restrict what can be built here. Building houses next to the burn will cause it to erode quicker. The council already has two confirmed sites and for the size of the village surely this is enough, a house in the Doon, any more housing would have an adverse impact on the status of Twynholm as a village. The extra traffic from builders, supply lorries etc. etc. will have a huge impact on the residents of the Doon. There would be a significant increase of noise and the residents' safety will be impacted by the increase in traffic. The owner of the field already feels there is a huge problem with people tramping the fields, dogs roaming and frightening the cattle, also people allegedly leaving gates open. Question why this site has been put forward. Extra housing will add to the alleged problem. The field that forms the boundary round the houses in the Doon is very wet and if the wee gully that runs from the top of the field to the bottom to join the burn if not kept clear can result in flooding the gardens at the top that border the field. The village setting and appearance that is enhanced by the tree and shrubs lining the burn from the top to the bottom of the field and the nice big open landscape will be severely affected. The increase of housing in the village will have an impact on the school which respondent believes is full at the moment. It already has to deal with the overflow from the Primary school at Kirkcudbright which is struggling to meet demand.

Janet Gibson (0041.006) - This site is inappropriate. Unfortunately the suggested site H202 (*Correction- representor is referring to H201*) is important for the

archaeological features close by. Increased dense housing, as already occurs at the Doon, would make future appreciation of the ancient history of Twynholm more difficult. What is required is more archaeological investigation of the hill forts and mottes of Galloway. More than Trusty's Hill deserves inspection. Twynholm parish is recorded as having examples of more types of archaeological features than the rest of Galloway.

Scottish Natural Heritage (0122.002) - Paragraph 3.6.27 of the MIR notes that the prehistoric hill-fort to the north-west of this site is a restriction on the extent of site TWY.H201 that could be developed. The hill- fort also plays an important role in landscape setting and character of the settlement and the approach on surrounding roads. We support the preferred approach of carrying forward the existing allocations and question the capacity for development at this site given the identified constraints.

Twynholm - TWY.H202 Main Street

Janet Gibson (0041.006) - This site is unsuitable because it is so close to the A75. Looking ahead, future widening of the main road to dual carriage way should be considered first. The deadening of noise provided by trees would be essential. Woodland would be an appropriate use for the land.

Twynholm – Housing New Site: TWY.H203 part of and eastern extension to The Doon

Davidson & Robertson obo Andrew Sloan (0086.003) – This site was submitted as a representation to the Main Issues Report as a potential housing site.

Twynholm – Housing New Site: TWY.H204 land west of Main Street

Davidson & Robertson obo Andrew Sloan (0086.004) – This site was submitted as a representation to the Main Issues Report as a potential housing site.

Council response and proposed modifications:

Auchencairn – General

Judy Spinks (0243.001); Judy Spinks (0243.002); John Crosby (0291.001); Heather Emslie (0305.001); Auchencairn CC (0286.001); Auchencairn CC (0286.002); Auchencairn CC (0286.003); Janet O'Donnell (0290.001); Charles McAteer (0276.002); Jif Hyde (0282.001); Nigel Emslie (0301.001)

The assessment process for designating settlements as either: a District, Local Centre or Village was set out in the Settlement Hierarchy technical paper, published alongside the Main Issues Report. This is seen as a fair and consistent way of designating settlements in the hierarchy as the same methodology was applied across the region. The designation of a settlement as a village would not prohibit future development. The difference would be that local centres will have allocated sites where there is certainty over where development is due to take place, whilst development proposals in villages may come forward on an ad-hoc basis whenever and wherever opportunities arise. A settlement facilities survey was carried out August 2017 for Auchencairn and recorded three community facilities at that present time. As such, according to the methodology, it remains classified as a Local Centre. Futhermore, whilst the number of facilities is one of

the criteria for determining a settlements' position in the hierarchy, another important factor is the commutable distance to a main employment centre. Auchencairn is assessed as being within 45 minutes travel time of a main employment centre and factoring in the rural nature this remains an acceptable commuter journey within the region.

The Local Development Plan has not undertaken a public transport appraisal as it cannot influence provision of services – for example services to certain locations (often run on a commercial basis) may cease or change and this is beyond the control of the planning system. Transport services are covered within the Regional and Local Transport Strategies as referenced in paragraph 1.9 of the Local Development Plan.

The Council have not commissioned individual housing need surveys for specific settlements as part of the Local Development Plan process. The Plan's housing land requirement identifies housing targets across each Housing Market Area not for individual settlements. This process for identifying housing targets is outlined in the Housing Land Requirement Technical Paper. These targets were based on the Housing Need and Demand Assessment which was deemed to be robust and credible for the Scottish Government. The Local Development Plan has subsequently allocated housing through the spatial strategy which directs the majority of housing to the Regional Capital (Dumfries), District and Local Centres i.e. the settlements with the greatest amount of existing facilities and amenities. Auchencairn is a Local Centre and has therefore received a share of the overall Housing Market Area's housing allocation. However, based on a number of respondents requesting the need for affordable housing, it is proposed to amend the planning objectives for Auchencairn so they support proposals for affordable housing.

The Council are supportive of community involvement and the pre-MIR engagement process placed more emphasis on providing opportunities for people to get involved early in the planning process. There have been many opportunities for the public to get involved with the planning process. Those opportunities included 2 call for sites and comments exercises, six community based workshops using the Place Standard Tool and a workshop with planning agents. Invitations to the community placemaking events were sent out to those who registered an interest in LDP2, community councils and those who made a submission through the Call for Sites and comments exercises.

Comments regarding employment opportunities in Auchencairn are noted and it is considered the amended working of policy ED2 is supportive of the creation or expansion of existing businesses in the rural area where there is demand for such.

The trend of increasingly older populations across the settlements in Dumfries and Galloway is commonplace for many rural areas nationwide. The spatial strategy of allocating housing sites, of varying sizes to Local and District centres, is to offer a level of certainty for development prospects and to allow for a mixture of housing types to be developed, in order to enable that settlement to grow and support the existing population and facilities.

Auchencairn – AUC.H1 rear of Main Street

Ellie Davidson (0247.003) - Concerns raised regarding design and siting are acknowledged and covered in site guidance. Any future development application would need to take these into consideration as part of their proposal.

A comment regarding providing pedestrian access via Bakery Street will be included in site guidance to allow another means of access and improve the overall permeability of the site.

It is proposed to amend the existing Dark Skies policy so that it requires all development proposals across the region to adopt good lighting principles.

Auchencairn CC (0286.003) – Comments noted, however SEA scores are post-mitigation and it is acknowledged a basic Flood Risk Assessment is required for the site. No modifications proposed.

Judy Spinks (0243.001) – The SEA and Planning assessment acknowledges adjacent watercourse and historic well on site. Site guidance stipulates flood risk will need to be investigated to take account of the well and any pluvial flooding which may occur.

A comment regarding providing pedestrian access via Bakery Street will be included in site guidance to allow another means of access and improve the overall permeability of the site.

Comments regarding Open Space are noted.

Judy Spinks (0243.008) - Any development proposal coming forward should seek to improve access to existing areas of open space and will be assessed against the relevant development plan policies and Supplementary Guidance.

Jennie Ashmore (0255.001) - Concerns regarding loss of trees on the site are noted, development proposals would be assessed against policy NE7: Trees and Development. Regarding AUC.H1 the site guidance states that existing trees and field boundaries should be retained as far as possible.

Charles McAteer (0276.002) –

Comments noted. Overarching policies OP1 and OP2 are key considerations for any development proposal coming forward. No modifications proposed.

CKD Galbraith obo Camm (0303.001) - Comments noted. No modifications proposed.

Auchencairn – AUC.H2 Church Road

Judy Spinks (0243.001) – The Council's Roads Officers have confirmed that a satisfactory access into the site can be achieved without needing to alter the site boundary. Comments regarding the site boundary are noted. No modifications proposed.

Ellie Davidson (0247.003) - Comments noted. No modifications proposed.

Jennie Ashmore (0255.001) - Comments noted. The site is allocated for housing in the adopted LDP and it is proposed to carry this allocation forward into LDP2. No modifications proposed.

Charles McAteer (0276.002) - Comments noted. Overarching policies OP1 and

OP2 are key considerations for any development proposal coming forward. No modifications proposed.

Jif Hyde (0282.001) – The site is a small site for 5 units and should likely result in housing of a more affordable type. Planning objectives for Auchencairn will be updated include a requirement for affordable housing.

Auchencairn CC (0286.003) – Concerns raised have been considered as part of the process of identifying a package of sites in consultation with SNH and SEPA. No objections from either party for this site. Development proposals coming forward for this site would be assessed against relevant development plan policies and supplementary guidance. No modifications proposed.

Janet O'Donnell (0290.001) - Comments noted. No modifications proposed.

Auchencairn – AUC.H201 land to north of Primary School

Ellie Davidson (0247.003); Charles McAteer (0276.002); Jif Hyde (0282.001); Auchencairn CC (0286.003); Janet O'Donnell (0290.001); Scottish Natural Heritage (0122.002); Judy Spinks (0243.001); Jennie Ashmore (0255.001); CKD Galbraith obo Lindsay (0303.002); Nigel Emslie (0301.001)- Acknowledge the site included in the MIR was large. The housing land requirement for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to consider including additional land to accommodate future growth in local and district centres that have the potential to grow.

The SEA and Planning site assessment acknowledges that the site is sensitive in landscape terms, but considering the increased housing land requirement, it is considered there is both positive and negative aspects to the development of this site and that efforts can be made to minimise landscape impacts through reducing the site, containing development to the lower eastern portion, and through layout and design to allow better integration with the existing settlement.

Proposed to retain site but reduce the overall size and limit development to the eastern section to take account of landscape impact issues. Propose to keep H201 a separate allocation from H1 but ensure pedestrian and cycle links are both provided.

It is proposed to amend the existing Dark Skies policy so that it requires all development proposals across the region to adopt good lighting principles.

The overarching principle of the LDP is that all development proposals should support sustainable development. Development proposals coming forward will be assessed against the relevant policies including the overarching policies OP1 and OP2. Comments regarding drainage issues are noted. A drainage assessment may be required as part of any development proposal coming forward for the site. This requirement will be included in the site guidance.

Crossmichael - CMI.H1 Templand

Thomas Phillips (0236.001) - It is considered that the small scale nature of the development should not increase traffic significantly. Furthermore the site is located at the entrance to Templand and is therefore unlikely to worsen the perceived situation. The site should be easily absorbed and accommodated into the adjacent development. The site boundary will be amended to exclude land referred. SEPA have not objected to development here but the site guidance does acknowledge the need to investigate any potential flooding issues and this will be

taken into account during any future planning application. A Drainage Impact Assessment and appropriate water management measures should be considered as part of this.

Crossmichael - CMI.H201 north of Etive Mhor

Sally Costen (0171.001); Scottish Natural Heritage (0122.002); RSPB Scotland (0133.019); Scottish Wildlife Trust (0318.001) – Comments noted. It is proposed to take forward two other small housing sites in Crossmichael, with fewer constraints to development, into the Proposed Plan. This site is therefore not required at this stage to meet housing need. Recommend not to include site in Proposed Plan.

Crossmichael - CMI.H202 north of Crossmichael

Crossmichael & District CC (0329.001) - The Council is in the process of developing its strategy for burial grounds and has not identified a shortage within Crossmichael. There is sufficient land within Crossmichael burial grounds for approximately the next 20 years or more. It is considered there is potential for a small number of dwellings here and it is therefore proposed to amend the boundary of this site to allow a small number of units fronting along the roadside. Recommend to include site in Proposed Plan.

Historic Environment Scotland (0012.004) – Reference will be made in site guidance that any development proposal should take into account the setting of the Crossmichael Parish Church and Churchyard (Category A listed building).

Crossmichael - CMI.H203 land east of Main Street

Crossmichael & District CC (0329.001) – It is considered that the development of this site on the main approach to Crossmichael would have a detrimental impact on the setting of the settlement, which it would not be possible to mitigate against. Recommend not to include site in Proposed Plan.

Gatehouse of Fleet - GOF.H2 former Woodside Garage

Mr and Mrs D Harris (0175.001); Kathleen Patterson (0208.001); Kathleen Patterson (0208.002); Kathleen Patterson (0208.003); Kathleen Patterson (0208.004); Kathleen Patterson (0208.005); Kathleen Patterson (0208.006);

Dumfries & Galloway Greens (0250.001)- Development of this site was granted permission in June 2014 by a Reporter appointed by the Scottish Ministers subject to 10 conditions, in particular condition 2 which requires that prior to the commencement of works on site full details of the proposed management scheme and surface water drainage system serving the site including diverted water courses, culverts, flood compensatory storage areas, containing walls and areas of open space within the development, including arrangements for their maintenance throughout the lifetime of the development, shall be submitted to and approved by the planning authority in consultation with SEPA. (Reason: To ensure that the development is not at significant risk of flooding or significantly increases the likelihood of flooding elsewhere). SEPA have received and reviewed subsequent information regarding flood prevention and are now satisfied that Condition 2 of the Appeal Decision Notice (PPA-170-2088) has been met. No modification proposed.

Scottish Wildlife Trust (0318.001) - European Protected Species (otters) may occur on or close to this site. Developers will be required to provide sufficient

information to enable the Council to conclude that there will be no likely significant effect on these species as a result of the development. This will be reflected in site guidance. Recommend to include site in Proposed Plan and amend site guidance as stated.

Gatehouse of Fleet - GOF.H203 north of Baker's Dozen

Mr and Mrs D Harris (0175.001); David Coombes (0323.001); Suzette Harris (0298.001); Gatehouse of Fleet CC (0330.001); Scottish Natural Heritage

(0122.002) - The site was excluded last time as it was considered that H1 and H2 allocations would be sufficient to meet the housing land requirement at that time. Both sites allocated for housing in the adopted LDP 2014 have planning permission leaving no further sites allocated for future development in Gatehouse of Fleet. The potential for development in Gatehouse of Fleet is constrained by a number of factors including its topography and landscape, and also by a conservation agreement surrounding the town.

The SEA and planning assessment concluded that this site may have potential for development. However, there are several constraints to this site being brought forward. The majority of which may be possible to mitigate against. It is recommended at this time not to include this site in the Proposed Plan but to continue investigation of its potential in the future LDP.

Recommend not to include site in Proposed Plan.

New Galloway - General

C S Stevens (0151.001) - The housing land requirement for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to include additional land to accommodate future growth in local and district centres that had the potential to grow.

Housing development has been allocated in Local Centres in order to support the existing community and local services and to encourage a wider diversity of population (especially younger people and those of working age). No modifications proposed.

New Galloway - NGA.H1 west of Kirk Road

Richard and Katy Nash (0240.001) – Acknowledge comments regarding the servitude right over lands included in this site. It would be up to the developer to take the servitude right into account when planning the development. Reference will be made to this requirement in site guidance.

The SEA and site assessment acknowledges that a body of water flows through the site. SEPA have not objected to development here but require a Flood Risk Assessment to identify the developable area. Site guidance makes reference to the need for this.

The Greta, Lockerbie and Annan regeneration corridor is being promoted as a strategic inward investment area. The LDP vision as a whole is to build the local economy across Dumfries and Galloway region including villages, local centres and district centres. It is proposed to amend wording of policy ED2 Business Development and Diversification in the Rural Area to be supportive of proposals which expand existing businesses or create new ones in the rural area.

The housing land requirement for the Stewartry HMA is significantly higher than the adopted plan. It was therefore considered necessary to include additional land to accommodate future growth in local and district centres that have the potential to grow.

Housing development has been allocated in Local Centres in order to support the existing community and local services and to encourage a wider diversity of population (especially younger people and those of working age).

The number of houses for sale is not an indicator of demand, especially if there are issues of affordability i.e. if the houses for sale are not considered affordable or are not of the appropriate type to meet local needs. By allocating housing sites of varying sizes in local and district centres the intention is to encourage a mix of housing types to be built including affordable housing.

The overarching principle of the LDP is that all development proposals should support sustainable development. Development proposals coming forward will be assessed against the relevant policies in the LDP including the overarching policies OP1 and OP2.

Lynne Barker (0326.001); Richard and Katy Nash (0240.001) - The SEA and planning site assessment acknowledge there is limited capacity for both waste water and water supply at the respective treatment works. The developer will need to discuss build out rates further with Scottish Water. No modification proposed.

St Johns Town of Dalry - General

C S Stevens (0151.001) - Comments are noted. Housing development has been allocated in Local Centres in order to support the existing community and local services and to encourage a wider diversity of population (especially younger people and those of working age). No modifications proposed.

St John's Town of Dalry CC (0279.001) - Comments noted. Existing policies in the Local Development Plan are supportive of this type of development. Proposals would be considered on their own merits. No modification proposed.

St Johns Town of Dalry - DLR.H1 Whinnymuir

St John's Town of Dalry CC (0279.001) - Whilst it is proposed to not carry the remainder of the H1 allocation forward into LDP2, the area to the south of the site will remain in the settlement boundary as white land which means it could be developed at a later date and would be subject to the relevant policies and supplementary guidance in the LDP.

St Johns Town of Dalry - DLR.H2 south of Whinnymuir

AB & A Mathews obo The Pamela Young Trust (0224.001); Barry Smitham (0297.001) - SEPA have not objected to development on this site. Site guidance already notes that a Flood Risk Assessment is required. No modification proposed.

St Johns Town of Dalry - DLR.H202 east of St John's Way

St John's Town of Dalry CC (0279.001); Nicholas and Nicolette Wise (0311.001); Sheila R Adams (0281.001); Sheila R Adams (0281.001) - Since publication of the Main Issues Report, the planning team have been unable to establish the landowner of the site.

Recommend not to include site in Proposed Plan.

Twynholm - TWY.H1 rear of Main Street

Janet Gibson (0041.006) – Support for previous site allocations including TWY.H1

acknowledged.
No modification proposed.

Twynholm - TWY.H2 Manse Road

Janet Gibson (0041.006) - Support for previous site allocations including TWY.H1 acknowledged. However, following publication of the Main Issues Report and ongoing site assessment, the landowner has advised they no longer wish to release the land for development.
Recommend to remove site from Proposed Plan.

Twynholm - TWY.H201 The Doon

Davidson & Robertson obo Andrew Sloan (0086.003); Margaret Stryjewski (0161.001); Janet Gibson (0041.006); Scottish Natural Heritage (0122.002) – The site has been assessed and although it is acknowledged that there are historic and visual issues with developing this site, it offers some potential in the northern portion of this site, albeit this will be much reduced taking into consideration these issues. A full archaeological investigation is required to determine the developable area. This will be reflected in site guidance. It is accepted that development of the site would involve the loss of some prime agricultural and greenfield land but this factor applies in the main to many sites across the region and as it is proposed to de-allocate TWY.H2, the inclusion of part of this site, together with H1, will offer a choice of sites in Twynholm for development. Concerns regarding impact of development on residents are covered by overarching policies in the LDP. Regarding the comment questioning capacity of the primary and secondary school, it has been advised there is capacity at both. OP1(c) Developer Contributions would be triggered if development of a site would require a contribution towards educational facilities.
Recommend to include site in Proposed Plan.

Twynholm - TWY.H202 Main Street

Janet Gibson (0041.006) – Given the site's proximity to the A75 it is acknowledged the potential for development here is limited. It is recommended to not include the site in the Proposed Plan but to extend the settlement boundary to include the site instead as a potential infill opportunity. Any future proposals will be assessed against the existing policies in the Local Development Plan and supplementary guidance.
Recommend not to include site in Proposed Plan.

Twynholm – Housing New Site: TWY.H203 part of and eastern extension to The Doon

Davidson & Robertson obo Andrew Sloan (0086.003) – This site was submitted as a representation to the Main Issues Report and offers an alternative boundary to the original submission of TWY.H201, including alternative access points to the site. The site has been assessed and it is considered to offer limited potential for development. Whilst the western section is offset from, and below the Doon Hillfort in comparison to the H201 site, which could reduce impacts on the hill's prominence as a landscape feature, the southern section is narrow, sitting between existing housing and a steep-sided gully and provides an important wildlife corridor along the burn. This attractive area has a strongly rural 'sense of place' and is defined as protected open space in the current LDP.
Recommend not to include in Proposed Plan.

Twynholm – Housing New Site: TWY.H204 land west of Main Street
Davidson & Robertson obo Andrew Sloan (0086.004) - This site was submitted as a representation to the Main Issues Report as a potential housing site. The site offers potential for a small number of dwellings to round off the settlement. Recommend include site in Proposed Plan.

Issue 17	Stranraer HMA
Main Issues Report reference:	Section 3 - Settlement Statements and inset Maps: 3.7 Stranraer Housing Market Area
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Network Rail (0002.003) Ross Planning obo Eaglemount Developments Ltd (0106.002) Scottish Natural Heritage (0122.002) Martin Robertson (0146.002) Woodland Trust (0152.001) John K Jones (0153.001) William Mckeand (0165.001) Margaret Bain (0166.001) Paul Phillips (0213.001) Hugh Sharp (0216.001) Gilliam Sharp (0217.001) John Ingham (0219.001) Paul Bainbridge Planning obo R Stewart (0220.001) Challoch/Leswalt Church (0244.001) Archie Irving (0245.001) Margaret McMillan (0289.001) Rapleys obo Caravan & Motorhome Club (0312.001) Christina Marion Biggam (0315.001) Scottish Wildlife Trust (0318.001)</p>	
Summary of the representation(s):	
<p>DISTRICT CENTRES Stranraer - General (i) <u>Martin Robertson (0146.002)</u> - Agree to the preferred approach set out to the sites and settlements in Stranraer. (ii) <u>Martin Robertson (0146.002)</u> – The re-opening of the Stranraer town station should be considered as should a new one between Dunragit and Glenluce where the railway turns north away from the A75. <u>Hugh Sharp (0216.001)</u> - Why is no consideration given to the East of Stranraer for development a much easier route to the likes of Stranraer Academy or towards the industrial site for work? <u>Rapleys obo Caravan & Motorhome Club (0312.001)</u> - Support the redevelopment of the New England Bay Caravan and Motorhome site to include Camping Pods. Stranraer - STR.H1 Thorney Croft West <u>William Mckeand (0165.001)</u> - Area has been subject to flooding issues in the past and further development of the area will lead to more despite culverts being built and checked regularly. Even after heavy rain the garden can take up to 2 to</p>	

3 days to run off. So any development would have to ensure all water would be diverted and hopefully a full retaining wall would be built between properties. Also, what height would the new house be as this would have an effect on light?

Stranraer - STR.H2 West Leaffield - A

Margaret Bain (0166.001) - What are the details of the development? What type of housing, trees and bushes are to be planted. There are concerns with the drainage of this site. Will the drain be piped or filled in? Hill soil could fall into drain, causing flooding in gardens. Vermin and wildlife will be disturbed. Noise, dust, dirt and through traffic will cause disturbance and deterioration of property. Is this a 24 hour operation?

Stranraer - STR.H5 former Garrick Hospital

Christina Marion Biggam (0315.001) - Concern regarding future parking for current residents of Edinburgh Road. Only 2 houses in the street have off street parking and the rest park on the road including directly outside STR.H5, which can host approx. 12 cars. The staff and clients of the local Vet also use this area as there is no off street parking for their business.

Stranraer - STR.H204 land at Laigh Auchneil

Hugh Sharp (0216.001); Gilliam Sharp (0217.001) - Object to allocation of site in LDP2. Development of the site will lead to increased congestion on the routes to work and schools. The roads from Leswalt and Kirkcolm are very busy and there is a lot of fast motorbikes in the summer weather. Concern development will cause more traffic and subsequently more accidents in the future. Peak traffic during school hours makes it a bottle neck of traffic at Sheuchan School and Sheuchan Street and by building more houses this creates more people and more traffic to congest the roads.

Stranraer - STR.B&I1 Blackparks Industrial Estate

Woodland Trust (0152.001) - This site borders an area of ancient woodland classification 2b, LEPO (Long Established of Plantation Origin). A buffer zone of at least 50m should be included in plans in order to preserve the ancient woodland.

Scottish Wildlife Trust (0318.001) - The western boundary is adjacent to the wide strip of woodland. The woodland and the wildlife corridor should be protected. Mitigation measures are required for Bats.

Stranraer - STR.B&I203 North east of Fountain Way

Network Rail (0002.003) – Site is surplus to requirements. It is no longer required for the use and it is considered this would be an ideal residential site meeting the locational criteria for sustainable development in terms of housing and residential use within the Stranraer Housing Market Area housing target. Although this follows the Call for Sites the site can be demonstrated for this alternative use within the LDP2.

Stranraer - STR.B&I204 Mirrey's Petrol Station, Stoneykirk Road

Ross Planning obo Eaglemount Developments Ltd (0106.002) - Support proposal as business and industry allocation in LDP2. The owner has ambitions to redevelop the site as a mixed use neighbourhood centre, anchored by a new

petrol filling station and vehicle repair garage, but also incorporating a modest range of convenience services and business premises. It is requested that the Plan allows for appropriate scope for such ambitions to be realized.

Margaret McMillan (0289.001) - Object to the proposal of the site being allocated in LDP2.

The site is located on a residential street and presently includes a petrol station, car wash facility and takeaway hot food outlet. Any further development would have a negative consequence for residential amenity, potentially exacerbating the existing problems of traffic, noise pollution and fumes and would also likely have a detrimental visual impact.

The current business activities at the site already have a significant adverse impact. There has already been considerable loss of amenity as a result of previous expansion of commercial activity at the site. Several years ago, a house and garden on the plot were demolished and a car wash facility installed. This resulted in considerable increase in noise disturbance both from vehicles and the car wash machines.

Noise pollution greatly impairs enjoyment of the residential environment. Moreover, as the car wash facility is open 24 hours, vehicles can even be heard in the middle of the night. In addition to increased noise, further development of the site could also have an adverse visual impact.

The council has failed in the past to safeguard residential interests with regard to this area and other business sites in the vicinity of Stoneykirk Road. Additional business expansion at this site should not be permitted as it would lead to yet further erosion of amenity and quality of life.

LOCAL CENTRES

Glenluce - GLU.H1 Glenjorrie Avenue

John Ingham (0219.001) - The access road in Glenjorrie Avenue narrows between the 2 bungalows, it is wide enough for one vehicle at a time, and the plan is for 37 units which would calculate into an additional 74 vehicles plus the vehicles in Glenjorrie Avenue, where at least 4 cars can be parked on the road. The construction of the roads and sewers would mean a great upheaval for Glenjorrie Avenue plus lack of access. The plan has been ill thought out, if the Developer was to consider the purchase of 2 properties namely Briend and Glenview and demolish them it would have a far better scope for the new development (namely an extra 10 units) for the 2 plots are about an acre in size. Alternatively access the site with a road in from farm access road.

Glenluce - GLU.H2 Bankfield Farm

Paul Bainbridge Planning obo R Stewart (0220.001) - Support the allocation of site GLU.H2. It is considered that access constraints can be overcome, perhaps by restricting the area of development to the northern part of the site.

Leswalt - LSW.H1 Challoch

Challoch/Leswalt Church (0244.001) - Previous proposals were sporadic and wholly insensitive speculative overdevelopment. The design clearly did not respect the Church.

Leswalt - LSW.H202 Glen Road

Scottish Natural Heritage (0122.002) - To develop more of the potential allocation

would require the loss of the drumlin-type hill feature that occupies much of this site, with a resulting significant change to the character of approach to the village on the B7043. Query the capacity for development at this site given the identified constraints.

Archie Irving (0245.001) - Development of site should consider road safety, on-site parking, safe access and egress from the site due to the natural site contours. Development of site should consider site infrastructure suitability including the water supply and accessibility to the main sewer.

Development of site should consider surface water run-off drainage / flood risk and surcharge onto Glen road.

Development of site should consider loss of greenfield.

Portpatrick - PPK.H1 Hill Street

Paul Phillips (0213.001) - Landowner confirms support for the continued inclusion of site in the plan.

Portpatrick - PPK.H2 east of Heugh Road

Scottish Natural Heritage (0122.002) - The current site requirements for PPK.H2 and PPK.H3 in the LDP note that the eastern part of PPK.H2 is elevated and that development there should be limited in height. Pedestrian and cycle links to the town are also required. This should include links to the Core Path to the north.

We also note that there is an area of ancient woodland at Mile Stone Wood which should be included as a matter for masterplans to address.

Portpatrick - PPK.H3 High Merrick

Scottish Natural Heritage (0122.002) - The current site requirements for PPK.H2 and PPK.H3 in the LDP note that the eastern part of PPK.H2 is elevated and that development there should be limited in height.

Pedestrian and cycle links to the town are required. This should include links to the Core Path to the north.

We also note that there is an area of ancient woodland at Mile Stone Wood which should be included as a matter for masterplans to address.

Woodland Trust (0152.001) - This site borders Church Walk wood which is ancient woodland classification 2b, LEPO. A buffer zone of at least 50m should be included in plans in order to preserve the ancient woodland.

Portpatrick - PPK.H201 adjacent Heugh Road

John K Jones (0153.001) - The site has Japanese knotweed which was not indicated on the MIR site assessment. This information has been highlighted in previous correspondence to past planning applications. This issue could impact the potential sale of properties adjoining this site.

Council response and proposed modifications:

DISTRICT CENTRES

Stranraer - General

(i) Martin Robertson (0146.002) - Comments noted. No modification(s) proposed.

(ii) Martin Robertson (0146.002) – In August 2016 SWestrans commissioned pre-

appraisals of sustainable transport options for a number of areas within the region including the Dunragit / Glenluce area. Although there are no plans to re-open the Stranraer town station or to create a new one between Dunragit and Glenluce there are plans to create a RailBus which will provide an effective and integrated bus-rail service, route improvements for the bus service and also Community Transport development and support. A recent report from the Dumfries and Galloway Transport Summit highlighted a number of important actions including key partners focusing on what improvements in the Stranraer area can be made to improve connectivity and access to road, rail and the ports of Cairnryan. No modification(s) proposed.

Hugh Sharp (0216.001) - No defined area was proposed in submission. A large area of prime agricultural land was considered during the LDP1 preparation process but was not progressed for a number of reasons including potential flood risk, landscape and cultural heritage issues that would need to be overcome. As a result no site assessment was carried out for LDP2. No modification(s) proposed.

Rapleys obo Caravan & Motorhome Club (0312.001) – This comment relates to development of tourist accommodation which would be considered under LDP policy ED10: Tourism. The policy supports the provision of a range of accommodation types and proposals for new groups in the rural area will be supported where they meet a number of criteria and where it complements the natural environment. Proposals for camping pods at an existing caravan park would be considered under this policy. No modification(s) proposed.

Stranraer - STR.H1 Thorney Croft West

William Mckeand (0165.001) - The Councils Flood Risk Management Team have identified a possible drainage issues and therefore a Drainage Impact Assessment would be required and depending on content a Flood Risk Assessment may also be required. The effectiveness of the site is unknown as there has been no contact from the landowner despite a number of attempts by the Council. There are other sites suitable for allocation within the plan. Due to these issues it is recommended to remove site from Proposed Plan.

Stranraer - STR.H2 West Leaffield - A

Margaret Bain (0166.001) – This site received a renewal of planning permission for 158 dwellings and provision of equipped children’s play area and amenity space and further details can be found on the Council’s e-planning web page under reference number of 14/P/1/0494. Housing types, construction details, landscape features such as trees and bushes are identified and considered at the planning application stage. Site assessment highlights the requirement for a Flood risk assessment. There are no known biodiversity issues specifically related to this site. Although development will inevitably have some impact on wildlife this would not normally prevent the allocation of a site. All sites contain wildlife in some form or other. This site is considered to be effective and it is recommended to retain site in Proposed Plan.

Stranraer - STR.H5 former Garrick Hospital

Christina Marion Biggam (0315.001) - The Council Roads Department have stated that the proposed site should include parking provision in accordance with DGC Parking Standards. The site guidance states “off street parking would be

required within the site or parking must be provided within the curtilage of each individual property.” The actual details and layout of parking will be outlined at the planning application stage. This site is considered effective and it is recommended to retain site in Proposed Plan.

Stranraer - STR.H204 land at Laigh Auchneil

Hugh Sharp (0216.001); Gilliam Sharp (0217.001) – There are changes to other sites in the plan that result in the need for additional sites to be identified to meet the housing demand in the Stranraer area. Site STR.H204 is considered an effective site that fits well within the surrounding built environment. It is accepted that any new development may result in increased traffic. The Council Roads department have stated that development of this site should consider the potential impact of increased traffic volumes, desire lines, public transport and pedestrian cycle provision and incorporated necessary measures to limit potential issues such as congestion traffic and accidents. Development should also consider future development of STR.H8. This site is considered effective and it is recommended to include site in Proposed Plan

Stranraer - STR.B&I1 Blackparks Industrial Estate

Woodland Trust (0152.001) –The site guidance in the current LDP states that “The existing woodland adjacent to site should be retained and increased to ensure screening between housing and industrial areas”. It is proposed to retain this text in the proposed plan site guidance. This site is considered effective and it is recommended to retain site in Proposed Plan.

Scottish Wildlife Trust (0318.001) – This site is allocated in the current LDP and the site guidance states that “The existing woodland adjacent to site should be retained and increased to ensure screening between housing and industrial areas”. It is proposed to retain this text. European Protected Species (bats) may occur on or close to this site and developers will be required to provide sufficient information to enable the Council to conclude whether there will be an effect on these species as a result of the development. This site is considered effective and it is recommended to retain site in Proposed Plan.

Stranraer - STR.B&I203 north east of Fountain Way

Network Rail (0002.003) - The site is identified in the LDP as a business and industry site and given the previous use as a railway yard and location adjacent to business and industrial land use it is considered appropriate to continue with this allocation in the proposed plan. This site is considered effective and it is recommended to retain site in Proposed Plan as a business and industry allocation.

Stranraer - STR.B&I204 Mirrey’s Petrol Station, Stoneykirk Road

Ross Planning obo Eaglemount Developments Ltd (0106.002) – The redevelopment of the site for a new garage and associated business units would reflect the current use as a petrol station and the adjoining land use of STR.B&I1. Development proposals for alternative uses will be considered against relevant development plan policies. This site is considered effective and it is recommended to include site in Proposed Plan as a business and industry allocation.

Margaret McMillan (0289.001) - The site is located within the settlement boundary and is currently operating as a petrol station. The proposal is to continue with a new petrol station as well as other business uses and as a result additional noise and fume pollution from the redevelopment is expected to be limited.

Development proposals will be assessed against the relevant considerations outlined in Policy OP1: Development Considerations including general amenity which encompasses noise and vibration, odour and fumes and emissions. The design and layout of any redevelopment proposal will consider the impact on the surrounding area. The Councils Road Department have stated that any proposal should consider the impact it will have on the road given previous issues with traffic accidents and details will be identified at the planning application stage. This site is considered effective and it is recommended to include site in Proposed Plan as a business and industry allocation.

LOCAL CENTRES

Glenluce - GLU.H1 Glenjorrie Avenue

John Ingham (0219.001) - The Council Roads Department state that two accesses will be required with a looped layout within the site. Detailed plans for the sites access, including widening of the road, would be outlined during the planning application stage. This site is considered effective and it is recommended to retain site in Proposed Plan.

Glenluce - GLU.H2 Bankfield Farm

Paul Bainbridge Planning obo R Stewart (0220.001) – The Council Roads Department have identified significant access constraints. To allow the landowner to resolve these roads and access issues it is proposed not to allocate this site in the proposed plan but maintain it within the current settlement boundary as white land.

Leswalt - LSW.H1 Challoch

Challoch/Leswalt Church (0244.001) – It is not proposed to amend the site boundary but consideration of the site design and layout will be determined during the planning application stage. Development proposals will be assessed against the relevant considerations outlined in Policy OP2: Design Quality of New Development. The site guidance states that design will need to minimise any detrimental effect on the setting of the church. The Council's Landscape, Archaeologist and Historic Built Environment Officers all state in the SEA and planning site assessments that development of site should respect the setting of the church. This site is considered effective and it is recommended to retain site in Proposed Plan.

Leswalt - LSW.H202 Glen Road

Scottish Natural Heritage (0122.002), Archie Irving (0245.001) – Leswalt has no suitable brownfield land available for development, therefore greenfield sites need to be considered. The MIR stated that LSW.H202 was being proposed for allocation within the LDP. However, following the considerations of comments made to the MIR including landscape and infrastructure issues, it is recommended not to include the site in Proposed Plan but maintain it within the settlement boundary to allow the landowner to resolve these issues.

Portpatrick - PPK.H1 Hill Street

Paul Phillips (0213.001) – Comments noted. This site is considered effective and it is recommended to retain site in Proposed Plan.

Portpatrick - PPK.H2 east of Heugh Road

Scottish Natural Heritage (0122.002) – As stated in the MIR, there are concerns regarding access to this site which have not been resolved. As a result this site is considered ineffective. It is recommended to remove site from Proposed Plan.

Portpatrick - PPK.H3 High Merrick

Scottish Natural Heritage (0122.002) and Woodland Trust (0152.001) - As stated in the MIR, there are concerns regarding access to this site which have not been resolved. As a result this site is considered ineffective. It is recommended to remove site from Proposed Plan.

Portpatrick - PPK.H201 adjacent Heugh Road

John K Jones (0153.001) – It is noted that comments were made to the planning application for the development of the site in relation to Japanese Knotweed. The SEA and planning site assessments considered comments from internal and external consultees and no issues were highlighted involving Japanese Knotweed. Should the site be developed, it is the responsibility of the developer to undertake appropriate investigations and, where required, any subsequent mitigation measures prior to development. This site is considered effective and it is recommended to include site in Proposed Plan.

Issue 18	Strategic Environmental Assessment - Environmental Report
Body or person(s) submitting a representation raising the issue (including reference number):	
<p>Historic Environment Scotland (0012.005) Scottish Environment Protection Agency (0120.003) Scottish Natural Heritage (0122.003) Auchencairn CC (0286.002)</p>	
Provision of the Main Issues Report to which the issue relates:	
Summary of the representation(s):	
<p>General <u>Historic Environment Scotland (0012.005)</u> - Broadly content with the Environmental Report as prepared in support of the Main Issues Report (MIR). In particular, welcome where policies and proposals rolled forward from the adopted LDP have been re-assessed, and where consideration is given to the environmental effects of emerging policies and proposals. In some instances effects on the historic environment could have been drawn out to a greater degree, particularly where positive effects may occur as a result of the policy approaches set out in the Main Issues Report. Also consider that a greater emphasis could have been given to the change in environmental baseline caused by the recent designation of Battle of Sark (Inventory Battlefield BTL40).</p> <p><u>Scottish Natural Heritage(0122.003)</u> - Note that our advice at scoping stage has been taken into account in the Environmental Report.</p> <p>Introduction <u>Historic Environment Scotland (0012.005)</u> - This section clearly sets out the purpose of Strategic Environmental Assessment (SEA) and how it relates to the preparation of the emerging development plan.</p> <p>Context <u>Historic Environment Scotland (0012.005)</u> - Welcome where this section clearly sets out the structure and content of the MIR. This is particularly the case where new policies and development allocations identified within the MIR are highlighted as part of this section. Also welcome where analysis of environmental baseline for the region has been supported by the preparation of a State of the Environment Report. Note that a number of key issues for the historic environment have been drawn into the Environmental Report here, consider that a key baseline change has occurred with the recent designation of the Battle of Sark (Inventory Battlefield, BTL40) and that this should also be recognised here.</p> <p><u>Scottish Natural Heritage(0122.003)</u> - The Environment Information in Table 1 (pages 12 to 13) requires some update and clarification</p>	

as follows:

Key environmental issues /	Advice / comment
Biodiversity, Flora and Fauna	
“of the 29 international designations, 10 have some element that is in an unfavourable and declining state”	This should be updated to 30 international designations of which 12 have some element that is in an unfavourable and declining state.
“biodiversity generally is in decline but the	This general statement is difficult to find
Soils	
“the region contains large areas of peatland”	It would be useful to include some detail on the condition of the peatlands in the region.
Landscape	
“SNH have identified two areas of wildland in the region”	Note that one of the wild land areas (Talla – Hart Fell) in Dumfries and Galloway is a cross-boundary area that extends into Scottish Borders Council area.
“TPO records in the region are limited and require updating”	While trees play an important role in landscape character and setting as well as amenity of place, unclear on the inclusion of TPO records as a key landscape issue. The contribution of trees and woodland to landscape character and setting extends beyond protected areas. This issue would benefit from further detail.

Scottish Natural Heritage (0122.003) - Agree with the summary of the likely change in the area in the absence of the LDP, the influence of the spatial strategy and its role in securing necessary infrastructure.

Assessment Methods – SEA Objectives for LDP2

Historic Environment Scotland (0012.005) - Support the use of SEA Objectives as an assessment method and that the SEA Objective for the cultural heritage is appropriate.

Scottish Environment Protection Agency (0120.003) - Agree with the principles of the SEA Objectives and Indicators in Table 2, however, the following additions would give a more comprehensive picture of the effects of the plan. Further suggested indicators can be found in our [SEA guidance](#) on our website.

Indicators:

Human Health

Compliance with criteria set to protect health e.g. air, soil and water regulation.

Soil

Area of peat / organic rich soils within Plan area (e.g. hectares)

Surface area affected by loss of soil organic matter within Plan area (e.g. hectares)

Area of statutorily contaminated land within Plan area (e.g. hectares).

Water

Length of waterbody classified as being at “poor” ecological status / potential through River Basin Management Planning (RBMP) process within Plan area (km).

Reported incidents of water pollution within Plan area (number per month).

Properties at risk from flooding within Plan area (number).

Number and type of flooding incidents within Plan area (per year).

Air

Concentration of all Air Quality Strategy (AQS) pollutants within urban areas ($\mu\text{g.m}^{-3}$).

Trunk road length and capacity within Plan area (per year) / traffic flow on key routes within Plan area (vehicles per month).

Number of complaints made regarding nuisance (by type per month).

Material Assets

Amount of waste generated and disposed of annually (by disposal route e.g. % of waste recycled, composted etc.).

Proportion of construction and demolition waste that is reused and recycled.

Number of new / existing developments connected to new / existing heat networks.

Climactic Factors

% of council housing stock which meets the Scottish Housing Quality Standard for energy efficiency.

% of social housing stock which meets the Energy Efficiency Standard for Social Housing.

Scottish Environment Protection Agency (0120.003) - Note that the symbols used in Table 4: Proposed Scoring Guidelines are not the same as those used in Table 5: Vision and Strategy Assessment. The same applies to Table 7: Assessment of Major Changes to the Policy Framework and the scoring guidance above it. The scoring guidance in both cases uses +/- to indicate ‘both positive and negative impacts’, the tables use +/x.

Scottish Natural Heritage (0122.003) - Generally agree with the SEA Objectives and Indicators set out in Table 2. However, the following changes would support more robust monitoring in future:

Loss of designated sites – this should be re-phrased as ‘*damage to or loss of designated sites*’.

Number of additional and improved access routes and cycle paths – recommend that this indicator also includes the quality of new or improved paths.

Changes in travel patterns – this indicator needs to be broadened out. Changes in travel patterns could include anything from a shift towards active, sustainable transport or, conversely, an increase in car use. As LDP 2 has aspirations to continue moving Dumfries and Galloway towards being a more sustainable place to live, recommend that this indicator is amended to ‘*changes in travel patterns towards more sustainable travel*’. This would more clearly align with the spatial strategy aim that “...*sustainable travel is integral to development...*”

Assessment of Vision and Spatial Strategy

Historic Environment Scotland (0012.005) - Note that the over-arching elements of emerging LDP2 are likely to have beneficial effects for the cultural heritage topic area and welcome this.

Scottish Natural Heritage (0122.003) - The assessment of the Vision and Spatial Strategy provides useful context and a clear summary of the overall effects of the plan and closely related strategies. However, there are some queries on some elements of the assessment:

Topic	Comment
Vision and Spatial Strategy	The effect of concentrating development in larger settlements is described as being mitigated by “...the promotion of active travel and public transport.” While the stated commitment to modal shift is welcomed, it is unclear how this will be achieved. Promotion is generally associated with ‘softer’ approaches such as behavior changes. While this plays an important role, infrastructure will also be required if the identified effects are to be appropriately mitigated.
Transport Strategy	A further positive effect of active travel is on human health, as noted in the assessment of Active Travel and Green Networks.

The next iteration of the Environmental Report should also express mitigation more clearly. The final column of Table 5 is labelled as such but at present the content is more commentary on assessment than identification of required mitigation.

Assessment of Policy Framework

Historic Environment Scotland (0012.005); Scottish Environment Protection Agency (0120.003); Scottish Natural Heritage (0122.003) - The decision to reassess all of the policies rolled forward from the adopted LDP, as well as any reasonable alternatives is to be commended and agree with this outcome.

Scottish Environment Protection Agency (0120.003) - Our response to the draft ER noted that the comments/mitigation column in the assessment matrices did not explain what mitigation had been considered for each policy. Disappointed to note that this has not been amended. It is now clear that the scoring has been carried out post mitigation and that information gained from the review and monitoring of the current LDP has also been used in assessing elements of the plan.

Scottish Environment Protection Agency (0120.003) - Assessments of the preferred and alternative approaches to policies are unclear. In Table 8 both the preferred and alternative options for ED5 are the same, no amendment to ED5 has been shown. In Table 9 the wording ‘whilst protecting the natural environment asset of Dumfries and Galloway’ has been lost when combining the policies. In most cases the text in the Comments/Mitigation column is the same for both preferred and alternative options. It is difficult to see why one approach has been favoured over another for adoption.

Historic Environment Scotland (0012.005) - Note that the introduction of new policies for Battlefields and Enabling Development will give rise to positive effects for the cultural heritage topic area. Also welcome where it is identified that revision of the Town Centre Development policies (ED5/ED7) will give rise to positive effects on cultural heritage by encouraging the re-use of buildings and enhancing the environmental quality of these areas. In line with this, also consider that policies for business, tourism and recreation development in the rural area may give rise to positive effects on the historic environment through the re-use of buildings for these purposes.

Historic Environment Scotland (0012.005) - Consider that benefits to the cultural heritage topic area may be drawn out to a greater degree in the assessment of policies to be retained and carried forward into LDP2 at Appendix 2. Policies H2, H3 and H8, for example, may give rise to positive effects on the historic environment through the encouragement of sympathetic development.

Scottish Environment Protection Agency (0120.003) - Note that the scores used are post mitigation. The mitigation used should be identified in the Comments/Mitigation column.

Scottish Natural Heritage (0122.003) - The conclusion that the implementation of the policies will achieve mitigation is somewhat unclear as Tables 7 to 11 set out assessment commentary but not mitigation.

Scottish Natural Heritage (0122.003) - The comments/mitigation column in the policy assessment matrix (appendix 2) should include mitigation measures, where these are relevant.

Assessment of Sites

Historic Environment Scotland (0012.005) - Welcome where preferred or alternative development allocations included within the Main Issues Report are assessed here. Also understand that a comprehensive assessment of all sites considered for inclusion within this plan is provided as part of a separate document, also available for public review, and support this approach. Also welcome where mitigation advice has been provided for inclusion as part guidance for the delivery of sites.

Historic Environment Scotland (0012.005) - Note that the potential Dumfries and Galloway Royal Infirmary allocation (DFS.H201) is not assessed due to its early stage in the development process. Given the potential cultural heritage impacts caused by development in this location, however, would strongly recommend that an assessment of this potential allocation is undertaken in support of the Environmental Report for the Proposed Plan.

Historic Environment Scotland (0012.005) - Also consider that there is some further scope for effects on the cultural heritage topic area to be identified at Appendix 4. A number of allocations, for example, propose the re-use of listed buildings and have the potential to give rise to positive effects which are not identified in this table. Also note that potential effects on the Battle of Sark (Inventory Battlefield, BTL40) associated with the allocation of site GTN.H6 have not been identified. Potential effects on the Templand Mains Roman Signal Station (SM2328) associated with the allocation of sites THN.H2 and THN.H3 have also not been identified.

Scottish Environment Protection Agency (0120.003) - Understand that some new sites eg ANN.H201, GTN.MU201, DFS.H248, KBH.H201, DBT.H203, and DBT.B&I201 were recommended for removal through the site assessment process are not proposed to be carried forward in the plan. These sites do not appear in the site summary assessment matrix, it is unclear why this is as the mitigation for these sites would have been removal from the plan.

Existing sites MOV.H1, PWL.H1 and CPH.H1 are proposed for deallocation from the plan and are shown in the site summary assessment matrix. However, the overall SEA summary column does not indicate that the sites are proposed for deallocation.

It should be clear from the matrix which sites are going forward into the LDP and which are recommended for removal or deallocation.

Scottish Natural Heritage (0122.003) - Paragraph 7.7 states that the SEA assessment of existing allocated sites is included in Appendix 4 of the Environmental Report, with full assessments found in the Site Assessments supporting document. While Appendix 4 and the Site Assessments provide comprehensive assessment of preferred and alternative allocations, cannot find an updated cumulative assessment of all sites. As set out in Schedule 3.6(e) of the Environmental Assessment (Scotland) Act 2005 [‘the Act’], the Environmental Report should include assessment of secondary, cumulative and synergistic effects. Understand that your view is that site-specific mitigation measures included in site guidance will reduce cumulative environmental impacts. While that may be achievable, such measures should be informed by assessment that is clearly set out in the Environmental Report.

Paragraph 7.13 notes the potential for adverse impacts on species and habitats, stating that mitigation measures, including surveys, will be recommended in site guidance. In support of certainty, and encouraging applications that include all required information, recommend that mitigation in site guidance includes species management plans and licensing, informed by surveys.

Scottish Natural Heritage (0122.003) - Related to our comments on cumulative assessment, note that Appendix 4 sets out a recurring trend in loss of greenfield land and prime agricultural land. There is currently no overview of the loss of these resources. While the Environmental Report acknowledges the difficulties of avoiding loss in predominantly rural areas, it should be assessed as part of establishing a robust approach.

Have the following comments on individual site assessments:

Canonbie CAN.CFI – biodiversity is scored as +/- due to “*Potential impact on biodiversity and cultural heritage given archaeology site and impact on conservation area.*” Assume that the assessed impact on biodiversity relates to the cited ‘conservation area’ and note that while this potential allocation is adjacent to a conservation area, this is not a biodiversity designation. Site boundaries may have some biodiversity interest but impacts could be avoided and/or mitigated through appropriate design of development near boundaries of the site.

Castle Douglas CSD.H10 – loss of ancient/semi-natural woodland should not be regarded as a minor negative effect. As an irreplaceable resource, any potential loss of ancient woodland should be assessed as significant negative impact.

Recommend that these assessments are updated accordingly.

Summary of Results

Historic Environment Scotland (0012.005) - Welcome where the Strategic Environmental Assessment (SEA) process has influenced the development of the Main Issues Report through selecting sites and policy approaches with the aim of minimising environmental effects.

Scottish Natural Heritage (0122.003) - Paragraph 8.3 states that it has been considered impractical to identify specific cumulative and synergistic effects. As

discussed above in relation to the assessment of sites, the assessment of cumulative and synergistic effects is a requirement of the Act. The next iteration of the Environmental Report to accompany the Proposed Plan should include this information.

Monitoring

Scottish Natural Heritage (0122.003) - Agree with the approach to monitoring set out in this section of the Environmental Report.

Habitats Regulations Appraisal

Scottish Natural Heritage (0122.003) - Paragraph 10.4 of the Environmental Report refers to our guidance on Habitats Regulations Appraisal of plans. When you begin the HRA of LDP2 please ensure that you are referring to the latest version of our guidance, released January 2015.

Appendix 1 – Relevant Legislation Plans Policies and Strategies and Related Environmental Objectives

Historic Environment Scotland (0012.005) - Relevant plans, programmes and strategies (PPS) for the historic environment have been identified in relation to the preparation of the environmental assessment at Appendix 1.

Scottish Natural Heritage (0122.003) - Generally agree with the identified plans, policies and strategies. However, note that there is no reference to the Habitats Regulations as relevant international policy.

Appendix 4 - Site Summary Assessment Matrix

Auchencairn CC (0286.002) - Also note in the ER on page 74/75 Auchencairn is referred to as a 'town'.

Council response and proposed modifications:

General

Historic Environment Scotland (0012.005) - Comments noted and positive and negative effects of site and policy have on the historic environment will be considered in subsequent reports.

Scottish Natural Heritage(0122.003) - Comments noted.

Introduction

Historic Environment Scotland (0012.005) - Comments noted.

Context

Historic Environment Scotland (0012.005) – The State of the Environment Report has been updated to include the Battle of Sark.

Scottish Natural Heritage(0122.003) – Comments noted and the number of international designations will be included in the updated Environmental Report. The statement of biodiversity is in decline is the 3rd bullet point in this section of the table.

Regarding the Soils section, the State of the Environment Report includes further information on the condition of peatlands in the region.

Regarding the Landscape section, The Talla-Hart Fell will be noted as a cross-

boundary area in the updated Environmental Report. The inclusion of TPOs will be reviewed for subsequent plans.

Scottish Natural Heritage (0122.003) - Comments noted.

Assessment Methods – SEA Objectives for LDP2

Historic Environment Scotland (0012.005) - Comments noted.

Scottish Environment Protection Agency (0120.003) – Comments noted and the additional indicators listed will be considered for inclusion within subsequent plans.

Scottish Environment Protection Agency (0120.003) - Comments noted. The scoring of Table 4 has been amended in the updated Environmental Report to reflect the negative symbol (x) indicated in Tables 5 and 7.

Scottish Natural Heritage (0122.003) - Comments noted and the additional indicators listed will be considered for inclusion within the next plan.

Assessment of Vision and Spatial Strategy

Historic Environment Scotland (0012.005) - Comments noted

Scottish Natural Heritage (0122.003) – Comments noted regarding Vision and Strategy. The LDP policy is already in place and the Design Quality of New Development Supplementary Guidance includes infrastructure such as links.

Comments noted regarding human health. Text relating to human health will be added to the Active Travel section.

Comments noted regarding mitigation and measures will be outlined more clearly in Table 5 of the updated Environmental Report.

Assessment of Policy Framework

Historic Environment Scotland (0012.005); Scottish Environment Protection Agency (0120.003); Scottish Natural Heritage (0122.003) - Comments noted.

Scottish Environment Protection Agency (0120.003) – Paragraph 6.8 of the Environmental Report sets out what mitigation is and how the policies have been mitigated. No modification proposed.

Scottish Environment Protection Agency (0120.003) – The preferred option to policy ED5 was minor amendments to the policy wording. The alternative option was to keep ED5 as currently worded. The environmental impact of the policies has not changed. No modifications proposed.

Regarding Table 9 text, this is a factual error and this text has been included in the updated Environmental Report.

Historic Environment Scotland (0012.005) - Comments noted and changes to be made regarding Battlefields and Enabling Developments and Town Centres. After further consideration the alternative approach for Rural Business and Tourism policies is being taken forward into the Proposed Plan.

Historic Environment Scotland (0012.005) – Comments noted and the effects policies have on the historic environment have been included in the updated Environmental Report for Housing policies H2, H3 and H8.

Scottish Environment Protection Agency (0120.003), Scottish Natural Heritage (0122.003) - Comments noted regarding mitigation and measures will be outlined more clearly in the updated Environmental Report where possible and within the next plan.

Assessment of Sites

Historic Environment Scotland (0012.005) – Comments noted.

Historic Environment Scotland (0012.005) – Site DFS.H201 is not being recommended for allocation in the Proposed Plan. The Development Framework is being proposed for the Crichton Quarter which proposes to adopt Supplementary Guidance as part of the LDP and will have a Screening Determination. No modification proposed.

Historic Environment Scotland (0012.005) - Comments noted. Sites with relevant positive effects have been included in the updated Environmental Report. With regards GTN.H6, it is proposed to remove from the plan.

Scottish Environment Protection Agency (0120.003) – The Environmental Report assessed sites included in the MIR which shows the preferred and alternative options. Sites such as ANN.H201, GTN.MU201 etc, were neither but the document titled ‘Sites submitted through the Call for Sites not included in the MIR’ shows that they were considered. The site assessments for all sites are an appendix to the Environmental Report and these states if the site is being allocated in the plan or not.

Scottish Natural Heritage (0122.003) – Comments noted. The cumulative assessment of sites have been carried out and included in the updated Environmental Report. The mitigation measures listed in site guidance is considered suitable at this stage. Specific detail of licensing and species management plans will be considered for future plans.

Scottish Natural Heritage (0122.003) - Paragraph 8.4 notes the negative impact proposals on greenfield and Prime Agricultural Land may have and the difficulty to mitigate these sites in a large rural region where brownfield sites are limited. The cumulative impact of loss of greenfield land and prime agricultural land has been provided in the updated Environmental Report. With regards CAN.CF1 and CSD.H10, comments are noted and both sites will be referenced in updated Environmental Report to reflect these points.

Summary of Results

Historic Environment Scotland (0012.005) – Comments noted.

Scottish Natural Heritage (0122.003) - Comments are noted and updated Environmental Report will highlight cumulative and synergistic effects.

Monitoring

Scottish Natural Heritage (0122.003) – Comments noted.

Habitats Regulations Appraisal

Scottish Natural Heritage (0122.003) - Comments noted and reference to the 2015 update of the Habitat Regulations Appraisal guidance will be made in updated Environmental Report and subsequent reports.

Appendix 1 – Relevant Legislation Plans Policies and Strategies and Related Environmental Objectives

Historic Environment Scotland (0012.005) – Comments noted.

Scottish Natural Heritage (0122.003) – Reference to Habitat Regulations has been added to the Table in Appendix 1.

Appendix 4 - Site Summary Assessment Matrix

Auchencairn CC (0286.002) - Comments noted and reference to Auchencairn as a settlement has been included in the updated Environmental Report.

Dumfries and Galloway Council
LOCAL DEVELOPMENT PLAN 2

January 2018