

ECONOMY AND RESOURCES COMMITTEE

Meeting of Thursday, 1st September, 2022
at 10.30 am in Council Hall - English Street, Dumfries

Present**Members**

Archie Dryburgh (Chair)	– Annandale East and Eskdale;
Graham Bell	– North West Dumfries;
Tony Berretti	– Mid and Upper Nithsdale;
Richard Brodie	– Annandale South;
Dougie Campbell	– Dee and Glenkens;
Ian Carruthers	– Annandale South;
John Denerley	– Dee and Glenkens;
Linda Dorward	– Lochar;
Andy Ferguson	– North West Dumfries;
David Inglis	– Mid Galloway and Wigtown West;
Maureen Johnstone	– Lochar;
Andy McFarlane	– Dee and Glenkens;
Willie Scobie	– Stranraer and the Rhins;
David R Slater	– Nith;
Stephen Thompson	– Annandale North;
Carolyne Wilson	– Annandale North;

Officials

Lorna Meahan	– Director Economy and Resources
Jim Doig	– Assessor and Electoral Registration Officer
Steve Rogers	– Head of Economy and Development
Michael Shepley	– Head of People and Transformation
Thomas Alder	– Finance Officer
Simon Fieldhouse	– Environment Manager
James Little	– Housing Strategy Co-ordinator
Marie Marshall	– Senior Planner Built Heritage Policy
Shona McCoy	– Team Leader Local Development Plan
Paul McCulloch	– Property, Estates and Programmes Manager
Melissa McGarey	– Team Leader Project Delivery
Graeme McIlorum	– Business and Technology Solutions Manager
Gillian Ross	– Finance and Accounting Manager
David Suttie	– Planning and Development Manager

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Claire Rogerson – Senior Governance Officer

Apologies

Katie Hagmann – Mid Galloway and Wigtown West;
Sean W Marshall – Annandale South;
Andrew Giusti – Stranraer and the Rhins;
Ivor Hyslop – Lochar;
Malcolm Johnstone – Nith;

Derek Crichton
Director Communities

1 SEDERUNT, APOLOGIES AND CHAIR'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION

PROCEDURE – In the absence of the Chair and Vice-Chair Archie Dryburgh was appointed as Chair for the meeting.

15 Members present, 5 apologies and 1 Member not present, at the start of the meeting.

12 Members present at the Council Offices, English Street, Dumfries being:- Archie Dryburgh, Tony Berretti, Dougie Campbell, John Denerley, Linda Dorward, Andy Ferguson, Maureen Johnstone, Andy McFarlane, Willie Scobie, David Slater, Stephen Thompson and Carlyne Wilson.

3 Members present via MS Teams being:- Graham Bell, Richard Brodie and David Inglis, as **AGREED** by the Chair.

2 DECLARATIONS OF INTEREST

2.1 Richard Brodie declared an interest at Item 15 by virtue of the fact that he is a Member of the Annan Harbour Group but determined that his interest was such that he would not leave the meeting during consideration of this matter.

2.2 Dougie Campbell and Willie Scobie declared an interest at Item 5 by virtue of the fact that they had been contacted by the Chief Executive of Third Sector Dumfries and Galloway regarding this item but determined that their interests were such that they would not leave the meeting during consideration of this matter.

2.3 David Inglis declared an interest at Item 19 by virtue of the fact that he is involved with the Community Asset Transfer with regards to New Galloway Town Hall and determined that his interest was such that he would leave the meeting during consideration of this matter.

3 MINUTE OF PREVIOUS MEETING OF 14 JUNE 2022

Decision

APPROVED.

4 STRATEGIC HOUSING INVESTMENT PLAN ANNUAL REVIEW 2022 - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

MEMBER – Ian Carruthers joined the meeting via MS Teams – 16 Members present.

Decision

4.1 **NOTED** the Resource Planning Assumptions allocated to this region from the Scottish

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Government's Affordable Housing Supply Programme (section 3.2 in the report);

AGREED

4.2 the inclusion of new projects in the Strategic Housing Investment Plan submitted to the Council by development partners (section 3.4 in the report); and

4.3 to the submission of the Strategic Housing Investment Plan 2022 (Appendix to the report) to the Scottish Government prior to its deadline date of 30 October 2022.

5 UK SHARED PROSPERITY FUND AND COMMUNITY LED LOCAL DEVELOPMENT FUND - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision

NOTED

5.1 that the UK Shared Prosperity Fund investment plan for Dumfries and Galloway, summarised at Appendix 1 to the report, was submitted ahead of the deadline on 1 August 2022 as set out at paragraph 3.2 in the report;

5.2 the engagement undertaken during development of the investment plan, summarised at Appendix 2 to the report;

5.3 the allocation of £665,492 to Dumfries and Galloway Council from the Scottish Government provided under the Community Led Local Development Fund at paragraph 3.5 in the report;

AGREED

5.4 that the Council establishes a Local Action Group, required by the Fund, guidance provided at Appendix 3 to the report, to disburse the Community Led Local Development Fund within Dumfries and Galloway; and

5.5 to nominate Willie Scobie to sit on the Community Led Local Development Fund Local Action Group.

6 SOUTHWEST EURO GATEWAY - REPORT BY DIRECTOR ECONOMY AND RESOURCES

PROCEDURE – Members were advised of a clerical error at recommendation 2.3 and that the paragraph reference should be 3.11.

Decision

NOTED

6.1 the correspondence between Dumfries and Galloway Council (on behalf of the SouthWest Euro Gateway) and Scottish Government included in the Appendix to the report;

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6.2 the comparison of benefits for Green Freeport and previous Enterprise Areas in paragraphs 3.6 and 3.7 to the report; and

6.3 **AGREED** the next step as outlined in paragraph 3.11 to the report.

7 ENERGY COMPANY OBLIGATION 4 - LOCAL AUTHORITY FLEX SCHEME - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision

NOTED

7.1 the update on Energy Company Obligation 4 Guidance, due for publication in Autumn 2022 as detailed in paragraph 3.3 in the report;

7.2 that a further report on the Local Authority Third Party Flex Scheme would be brought to the November meeting of this Committee; and

7.3 **AGREED** to publish a revised Statement of Intent (Appendix to the report) to be signed off by the Chief Executive that would allow the Council and local Registered Social Landlords to leverage additional funding for the delivery of energy efficiency improvements to privately owned homes.

8 SOUTH OF SCOTLAND REGIONAL ECONOMIC PARTNERSHIP MEMBERSHIP RENEWAL AND SOUTH OF SCOTLAND REGIONAL ECONOMIC STRATEGY DELIVERY PLAN UPDATE - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision

8.1 **AGREED** the proposals for the renewal of the South of Scotland Regional Economic Partnership as set out in paragraph 3.3 in the report; and

8.2 **NOTED** the update on the delivery and monitoring of the South of Scotland Regional Economic Strategy.

9 DEVELOPMENT MANAGEMENT REVIEW UPDATE - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision

9.1 **NOTED** the progress made to date with implementing the recommendations of the consultant's report 'A Development Management Review for Dumfries and Galloway Council' as detailed in the Action Plan in Appendix 1 to the report;

AGREED

9.2 to endorse the high level revised staffing structure as detailed at Appendix 2 to the report for consultation with staff and unions; and

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9.3 that a further report providing a progress update on the implementation of the Action Plan be brought to the next meeting for Members' consideration, especially in relation to any additional financial implications as outlined in paragraph 3.4.1 in the report.

MEMBER – Graham Bell left the meeting – 15 Members present.

10 LOCAL DEVELOPMENT PLAN 2 - SUPPLEMENTARY GUIDANCE AND CONSERVATION AREA REVIEW - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision

10.1 **NOTED** the responses received to the Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance consultation, **AGREED** the Council's recommended response and the proposed modifications, where relevant, in the Appendix to the report;

AGREED

10.2 to remit with powers to the Head of Economy and Development to notify Scottish Ministers of the Council's intention to adopt the Newton Stewart Conservation Area Character Appraisal and Management Plan as Supplementary Guidance as detailed at paragraph 3.5 in the report;

10.3 to adopt the Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance following completion of the relevant adoption procedures as detailed at paragraph 3.5 and 3.6 in the report;

10.4 **NOTED** the outcome of the consultation on the conservation area review as detailed at paragraphs 3.7 to 3.21 in the report and **AGREED** a future course of action for each conservation area as set out in paragraph 3.22 in the report; and

10.5 **AGREED** to the principle of cancellation of the conservation area status of East and West Cluden Conservation Area as set out in paragraph 3.16 in the report.

11 ECONOMY AND RESOURCES - REVENUE BUDGET MONITORING REPORT 2022/23 - FOR THE PERIOD ENDED 30 JUNE 2022 - REPORT BY DIRECTOR ECONOMY AND RESOURCES

Decision

NOTED

11.1 the budget realignment approach that had been undertaken with the Economy and Resources Management Team to ensure that the budgets reflected for each service function represent planned income and expenditure levels for the year ahead;

11.2 that the information from the detailed budget realignment had been reviewed in

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conjunction with the Quarter 1 monitoring information and highlighted that it was estimated that Economy and Resources would return an underspend of £367k (as detailed in Appendix 1 to the report) by the end of the financial year, primarily due to the receipt of one-off additional income as referred to at paragraph 3.9 in this report ;

11.3 that while Economy and Resources were anticipated to be impacted by current inflationary pressures, particularly in relation to Food and Energy costs, that these were being reviewed on a corporate basis, with the Finance, Procurement and Transformation Committee due to consider the overall requirements for the Council on 13 September 2022;

11.4 the progress against the delivery of agreed Savings applied to the Economy and Resources budget in 2022/23, as reflected within Appendix 2 to the report; and

11.5 the progress against the delivery of agreed Policy Development allocations applied to the 2022/23 budget as detailed in Appendix 3 to the report.

ADJOURNMENT OF MEETING – the meeting was adjourned at 12:05 and reconvened at 12:35 with 15 Members present being:- Archie Dryburgh, Tony Berretti, Richard Brodie, Dougie Campbell, Ian Carruthers, John Denerley, Linda Dorward, Andy Ferguson, David Inglis, Maureen Johnstone, Andy McFarlane, Willie Scobie, David Slater, Stephen Thompson and Carolyne Wilson.

12 HEAD OF SERVICE END OF YEAR ASSESSMENT (1 APRIL 2021 - 31 MARCH 2022) OF ASSESSOR AND ELECTORAL REGISTRATION OFFICER BUSINESS PLAN 2019/2023 PERFORMANCE - REPORT BY THE ASSESSOR AND ELECTORAL REGISTRATION OFFICER

Decision

NOTED

12.1 the summary of performance for the Assessor and Electoral Registration Officer Business Plan for the period 1 April 2021 to 31 March 2022 which included the performance information on Health and Safety and the management of the risks within the Service's Risk Register (Appendix 1 to the report);

12.2 the exception reporting and **AGREED** that the actions proposed were adequate to improve performance and future monitoring of areas which had not met the target (Appendix 2 to the report); and

12.3 **AGREED** the proposed amendments to current Business Plan measures (Appendix 3 to the report).

13 HEAD OF SERVICE END OF YEAR ASSESSMENT (1 APRIL 2021-31 MARCH 2022) OF PEOPLE AND TRANSFORMATION BUSINESS PLAN REFRESH 2021/22 PERFORMANCE - REPORT BY HEAD OF PEOPLE AND TRANSFORMATION

Decision

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NOTED

13.1 the summary of performance for the People and Transformation Business Plan for the period 1 April 2021 to 31 March 2022 which included the performance information on Health and Safety and the management of the risks within the Service's Risk Register (Appendix 1 to the report);

13.2 the exception reporting and **AGREED** that the actions proposed were adequate to improve performance and future monitoring of areas which had not met the target (Appendix 2 to the report); and

13.3 **AGREED** the proposed amendments to current Business Plan measures (Appendix 3 to the report).

14 HEAD OF SERVICE END OF YEAR ASSESSMENT (1 APRIL 2021 - 31 MARCH 2022) OF ECONOMY AND DEVELOPMENT BUSINESS PLAN 2019/2023 PERFORMANCE - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

Decision**NOTED**

14.1 the year-end summary of performance for the Economy and Development Business Plan for the period 1 April 2021 to 31 March 2022 which included the performance information on Health and Safety and the management of the risks within the Service's Risk Register (Appendix 1 to the report);

14.2 the exception reporting and **AGREED** that the actions proposed were adequate to improve performance and future monitoring of areas which had not met the target (Appendix 2 to the report); and

14.3 **AGREED** the proposed amendments to the current Business Plan measures (Appendix 3 to the report).

15 ECONOMIC DEVELOPMENT CAPITAL PROGRAMME 2022/23-2024/25: PROGRESS UPDATE - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

MEMBER – Andy Ferguson left the meeting during discussion on this item – 14 Members present.

Decision**NOTED**

15.1 the update on expenditure for 2022/23 as set out in Appendix 1 to the report and the 3 year budget updated for re-profiling as set out in Table 1 in paragraph 4.1 in the report;

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15.2 the programme progress and project updates as set out in the report and in Appendix 2 to the report and more detailed information provided on key issues as highlighted in paragraphs 4.2.1 to 4.2.5 in the report;

15.3 the update on the Stage 1 funding bids that were prepared and submitted to the Scottish Government's 10th round of Regeneration Capital Grant Fund (RCGF) 2023/24 in June 2022 as set out in paragraphs 4.2.5 and 4.2.6 in the report; and

15.4 **AGREED** that detailed Stage 2 RCGF submissions would be prepared and submitted by the Stage 2 deadline for projects that were submitted to Stage 1 RCGF and were recommended by the Scottish Government to proceed to Stage 2, subject to feedback still to be received from the Scottish Government.

16 COUNTRYSIDE AND ENVIRONMENTAL PROJECTS - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

MEMBER – Andy Ferguson re-entered the meeting – 15 Members present.

DECLARATION OF INTEREST – Dougie Campbell declared an interest on this item by virtue of the fact that he a Board Member of the Biosphere Project but determined that his interest was such that he would not leave the meeting during consideration of this matter.

Decision

AGREED

16.1 to support the establishment of a Marine Research Centre and the principle for officers to explore options for the siting within the vicinity of Agnew Park on Council owned land in Stranraer as part of the Solway Coast and Marine project (SCAMP) funded through the Borderlands Innovation Growth Deal; and

16.2 to accept the external funding provided to support the delivery of the following:-

16.2.1 the allocation of the Nature Restoration Funds, paragraph 4.1 – 4.1.3 in the report; and

16.2.2 to accept the funding from SEPA and progress the Blank Stank restoration project in Stranraer, paragraph 4.2 – 4.2.3 in the report, understanding that it won't affect the flood prevention work going on in that area.

17 FORMER GEORGE HOTEL, STRANRAER: PROGRESS UPDATE - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

PROCEDURE - Members were advised of a clerical error at paragraph 4.6 where it says Practical Completion that this should read Spring 2025 not Spring 2024.

Decision

17.1 **NOTED** the update on progress to bring forward redevelopment proposals for the former

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George Hotel in George Street, Stranraer as detailed in paragraphs 4.1 to 4.8 and in Appendix 1 and Appendix 2 to the report; and

17.2 **AGREED** to receive a further update on project progress at the November 2022 meeting of this Committee.

18 ICT/BUSINESS SYSTEMS ASSET CLASS CAPITAL PROGRAMME 2022/23 MONITORING REPORT- REPORT BY HEAD OF PEOPLE AND TRANSFORMATION

Decision

18.1 **NOTED** the physical and financial progress of projects at 30 June 2022 within the ICT/Business System Asset Class Capital Programme for 2022/23 which was currently forecast to utilise the full allocation as reflected in the Appendix to the report; and

18.2 **AGREED** the realignment of the block expenditure as outlined in the Appendix to the report, to more adequately reflect operational deployment.

MEMBER – David Inglis left the meeting – 14 Members present.

19 PROPERTY/BUILDINGS (OTHER) ASSET CLASS CAPITAL PROGRAMME MONITORING 2022/23 - REPORT BY HEAD OF ECONOMY AND DEVELOPMENT

MEMBER – Willie Scobie left during discussion on this item – 13 Members present.

Decision

19.1 **NOTED** the financial and physical progress of projects within the Property/Buildings (Other) Asset Class Programme, which was currently forecast to spend the full allocation of £4.551 million as approved on 14 June 2022 by this Committee and as reflected in the Appendix to this report;

19.2 **AGREED** the new projects at New Galloway Town Hall, Wayside and Harthill Depots, Buccleuch Halls Langholm, Cargen Towers greenhouses, calorifier replacements across the estate and dry rot remedial works across the estate as detailed in paragraph 3.5 in the report, and that these would be funded from the Condition Survey funding; and

19.3 **NOTED** that the Finance, Procurement and Transformation Committee on 13 September 2022 would consider the virement of an additional £21k from the Property/Buildings (Other) Asset Class to the Glenluce Travellers Site project as agreed at this Committee on 14 June 2022.

20 ANY OTHER BUSINESS DEEMED URGENT BY THE CHAIR DUE TO THE NEED FOR A DECISION

Decision

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NOTED that there was no item of business deemed urgent by the Chair due to the need for a decision.

LOCAL DEVELOPMENT PLAN 2 – SUPPLEMENTARY GUIDANCE AND CONSERVATION AREA REVIEW

1. Purpose of Report

1.1 This report advises Members of the comments received to the Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance consultation.

1.2 The report also provides an update to the overview and proposed way forward following a review of the Conservation Areas across the region.

2. Recommendations

Members are asked to:-

2.1 consider the responses received to the Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance consultation, agree the Council's recommended response and the proposed modifications, where relevant, in the **Appendix**;

2.2 remit with powers to the Head of Economy and Development to notify Scottish Ministers of the Council's intention to adopt the Newton Stewart Conservation Area Character Appraisal and Management Plan as Supplementary Guidance as detailed at paragraph 3.5;

2.3 adopt the Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance following completion of the relevant adoption procedures as detailed at paragraph 3.5 and 3.6;

2.4 consider the outcome of the consultation on the conservation area review as detailed at paragraphs 3.7 to 3.21 and agree a future course of action for each conservation area as set out in paragraph 3.22; and

2.5 agree to the principle of cancellation of the conservation area status of East and West Cluden Conservation Area as set out in paragraph 3.16.

3. Considerations

3.1 Statutory supplementary guidance is used to support the Local Development Plan (LDP2), it expands on and supplements policies and proposals in LDP2 and once formally adopted becomes part of LDP2. Draft supplementary guidance has to be issued for public consultation and follow the adoption procedures set out in paragraph 3.5 and 3.6. Although supplementary guidance is not subject to examination by Scottish Government Reporters, they require clearance from Ministers before adoption.

Newton Stewart Conservation Area Character Appraisal and Management Plan (CACAMP)

3.2 The draft Newton Stewart CACAMP was issued for consultation between Thursday 19 May 2022 and Monday 4 July 2022.

3.3 The draft Newton Stewart CACAMP identifies, describes and evaluates the key features and themes of the Conservation Area which contribute to its special character and which legislation requires us to preserve or enhance. In the same document, to help manage that character, proposed ways actions and focus. Having a clear understanding of the context, both the historic layout, development and architecture of the area which contributes positively to that character so that decisions and actions which preserve and enhance the character of the Conservation Area because they are founded on an understanding of the place.

3.4 Three responses to the consultation have been received from Historic Environment Scotland, Architectural Heritage Association of Scotland and a private individual with particular interest in heritage matters. They have raised a number of points in relation to the document and its contents which are summarised with the Council's recommended response and the proposed modifications at **Appendix**.

Next Steps

3.5 Following agreement at committee, the planning authority is required to send Scottish Ministers the following:

- a copy of the statutory supplementary guidance it wishes to adopt; and
- a statement setting out the publicity measures that have been undertaken, the comments that have been received and an explanation as to how the comments have been taken into account.

3.6 Twenty eight days after sending the information, the planning authority may adopt the supplementary guidance unless Scottish Ministers have directed otherwise. As the principle of the policy or proposal has been established in LDP2, Ministers will focus on ensuring there has been proper public involvement and there is a connection with the Plan.

Conservation Area Review

3.7 At its meeting of 23rd March 2021 Committee received a report on the outcome the Conservation Area Review. The report included an attached document entitled Conservation Area Review which had a short mini-review of 27 of the conservation areas which, at that time, had no specific supplementary guidance in the form of a Conservation Area Character Appraisal or a combined Conservation Area Character Appraisal and Management Plan. The purpose of producing the document was to identify those conservation areas that appeared to officers to no longer meet the criteria for conservation area status due to the number of alterations to buildings that have taken place.

3.8 S.61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 defines conservation areas as "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Although alteration of the boundary of a conservation area or the designation of a new conservation area both require significant consultation, removal of the status of conservation area from a place does not require consultation under the 1997 Act.

3.9 The Scottish Government Planning Advice Note 71 (PAN71), published in 2004, continues to be part of the guidance and advice for local planning authorities in conjunction with Historic Environment Scotland Guidance on Conservation Areas (April 2019), in respect of designation, management and review of conservation areas.

3.10 In PAN71 the paragraphs devoted to 'Designation and Review' set out that local authorities have a statutory duty to identify and designate areas to become conservation areas but it also sets out: "Review of existing areas is required and provides an opportunity to assess the justification for designation, consider the validation of boundaries, identify opportunities for enhancement and set management priorities"

3.11 In the paragraphs of the HES 2019 guidance which refer to selection for designation, it sets out:

14. Areas of 'special architectural or historic interest' will be selected based on a range of factors which may include:

- areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;
- areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;
- areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and
- other areas of distinctive architectural or historic character.

15. The characteristics and values that contribute to a conservation area's special architectural or historic interest are:

- its special architectural or historic importance;
- its distinct character;
- its value as a good example of local or regional architectural style;
- its value within the wider context of the village or town; and
- its present condition, and the scope for significant improvement and enhancement.

3.12 Until 2012, permitted development rights for domestic properties within and outwith conservation areas were very similar, with the exception of some conservation areas that removed specific permitted development through the use of an Article 4 Direction. As a result, many changes took place to buildings in conservation areas without applying for planning permission. The Conservation Area Review, referred to in paragraph 3.7, identified areas where officers considered that the number of alterations that had taken place undermined much of the 'special architectural or historic importance', the 'distinct character' and 'its value as a good example of local or regional architectural style'. This resulted in a recommendation to Elected Members that conservation area status should be removed in Cairnryan, East & West Cluden, Kirkton, Mochrum and New Luce.

3.13 Elected Members requested that wider community consultation should take place before a decision was made on removing conservation area status.

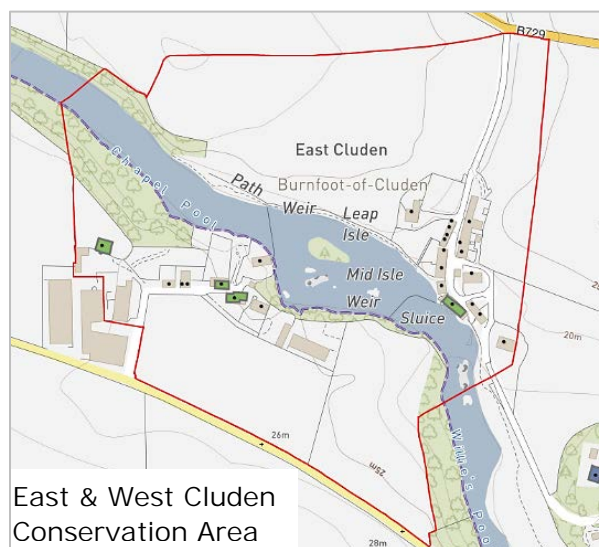
Consultation

3.14 The consultation involved the constituted Community Councils whose boundary covers all or part of the 5 conservation areas of Cairnryan, East & West Cluden, Kirkton, Mochrum and New Luce. Adverts were placed in the local press in the week commencing 25th October 2021 with the web address to the information; email address and telephone number contacts for further information; and a postal address for letters to be sent. The formal consultation dates were from 29th October 2021 until 13th December 2021 however these dates were not applied rigidly so as to accommodate requests for additional assistance or to tie in with meeting dates and elections of Community Councils in order to ; to attract as much engagement as possible. The wording of the consultation material was prepared with the assistance of Ward Officers. A short survey was included on the Council's website which was time limited.

3.15 The outcome of the consultation was mixed, the responses received for each conservation area are summarised below. One of the responders was critical of the Council's management for the areas, the planning decisions and/or follow-up enforcement which had resulted in many of the changes being either permitted or not being reversed. This was in the context of the areas having been correctly designated in the first place so that the changes were responsible for the degradation of character. A second email was received in response to all of the conservation areas which asked for more emphasis to be given to the character of the area rather than architectural details, the need to allow change for energy efficiency and also referring to lack of enforcement.

East and West Cluden Conservation Area

3.16 One comment was received by email which acknowledged the decline in special architectural character and appreciation of the historic character to the point that conservation area status is no longer applicable. No responses were received to the on-line survey. No responses were received from Irongray Community Council, Holywood and Newbridge Community Councils are disestablished. However, on the basis that there has been consultation and no objection, that a small number of buildings are protected as C Listed [marked green on the plan], and that it is considered by officers that the special

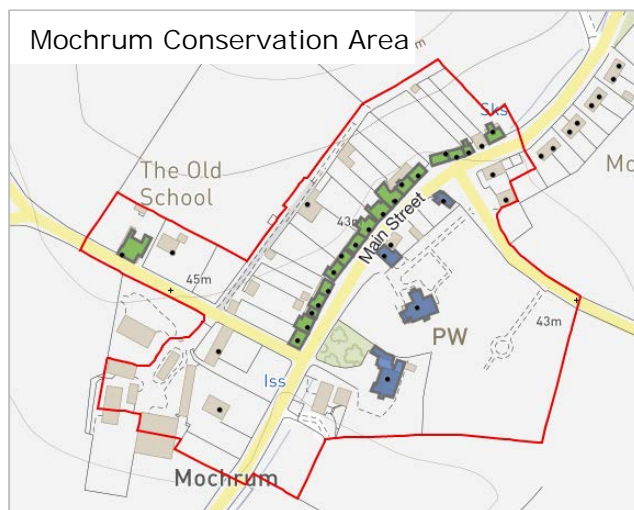


architectural character has been lost, it is recommended that the processes required to cancel the conservation area status are carried through.

3.17 The process to cancel the conservation area requires notification in the Edinburgh Gazette and a local newspaper, informing the property addresses, Scottish Government and Historic Environment Scotland. There is no right of appeal.

Mochrum Conservation Area

3.18 Two comments were received by email. One of those suggested that the character of Mochrum Conservation Area is basically lost and would welcome the removal of the need to seek planning permission for some forms of development which attracts a fee. The second comment took a directly opposite stance, stating that large number of C and B Listed buildings have contributed to the retention of the special character and that both its historic and special architectural character remains intact. The fact that the buildings which are good examples of local historic architecture are Listed should support the conservation area designation. Three responses were received to the online survey all supporting removal of conservation area status but two of the comments suggested it related more to what needs permission rather than the loss of existing special architectural and historic character. As a result of considering this response and the designation criteria set out in paragraph 3.11 above it is recommended that Mochrum Conservation Area is subject to a more detailed conservation area appraisal before any decision is taken.



Kirkton Conservation Area

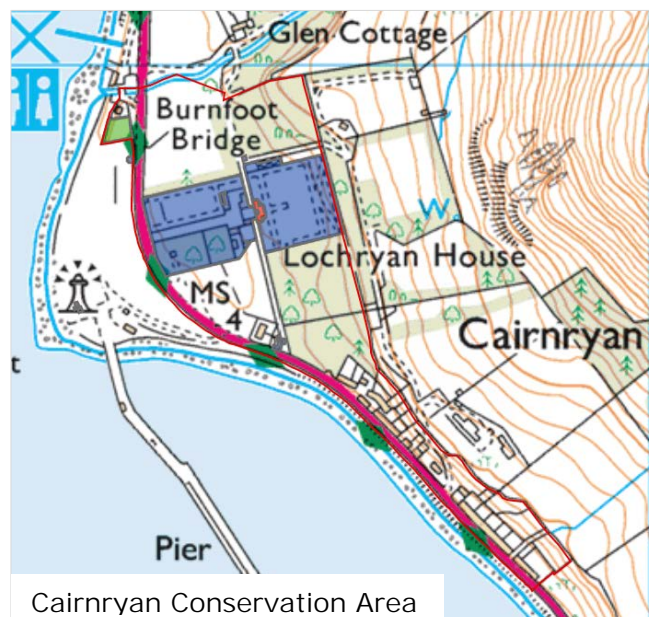
3.19 There were four email responses to the consultation one of those being a question and the others objecting to the cancellation of conservation area status including an email from Kirkmahoe Community Council. The online survey was responded to by 2 people one of whom supported cancellation as they considered the designation prevented upgrading of buildings. The other considered the conservation area status should remain in place and was critical of the decisions made and the lack of enforcement of unauthorised, unsympathetic alterations which is undermining the character. The emails considered that the assessment of the conservation area character was too superficial and that the changes to buildings could be reversed in the future. As a result of considering this response and the designation criteria set out in paragraph 3.11 above it is

recommended that Kirkton Conservation Area is subject to a more detailed conservation area appraisal before any decision is taken.



Cairnryan Conservation Area

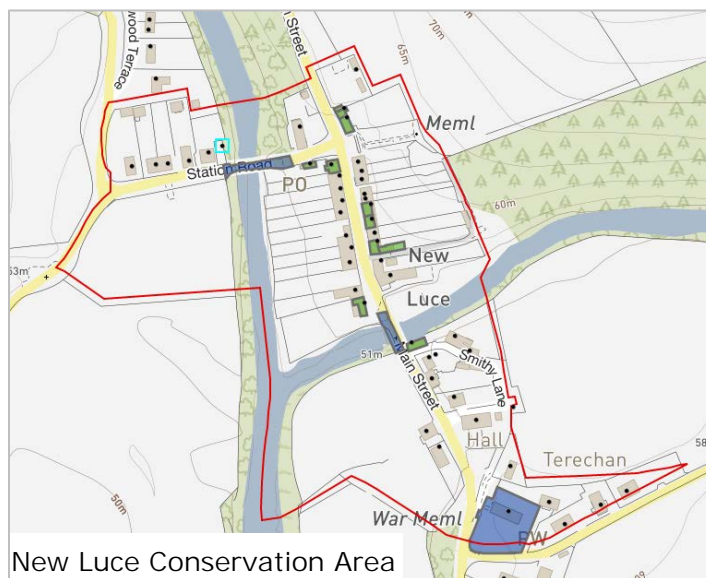
3.20 Five email responses were received. The email from Cairnryan Community Council asked for additional printed material for elderly residents which was provided. One email sought clarification on what it meant for his buildings. The three other emails all objected to removal of conservation area status as they considered that the changes were not as significant as suggested; the historic layout and evolution should be focused on more. Four responses to the online survey were submitted, two supporting retention of conservation area status and two in support of cancellation. One of those commented that protection for trees through conservation area status was significant; another was concerned about the permissions needed for external repairs, upgrades and painting and that demolition of existing terraces was unlikely; a third considered that many of the buildings have lost too much architectural detail and character; and the final considered that the Council should take a stricter approach to planning decisions and enforcement and that investment would restore missing architectural details of the buildings and thus



restore character. As a result of considering this response and the designation criteria set out in paragraph 3.11 above it is recommended that Cairnryan Conservation Area is subject to a more detailed conservation area appraisal before any decision is taken.

New Luce Conservation Area

3.21 Two emails were received in response to the consultation. One of these came from New Luce Community Council (NLCC) and included a detailed comment on the information that had been provided to them. It counters the reference to the painted and rendered buildings having changed the character of the conservation area but acknowledged that modern pebble dash is out of character; it agrees with some of the alterations having a negative or detrimental impact on character but maintains that the place in terms of its layout and the heights and scale of the buildings is very much as it was when designated. There was no conclusion reached by the NLCC but a request to look at the details and character more closely in making a final decision. The second email acknowledges the change in character of buildings but not the importance of the sense of place and layout. However, it also points to the low number of buildings listed as being of historic or architectural interest with the main ones being the bridges, it also questions whether it should ever have been designated. However, this is not the case as seen in the plan below, C Listed buildings are green and B Listed are blue. 6 surveys were completed and three of those object to removal of status and three support the removal. As a result of considering this response and the designation criteria set out in paragraph 3.11 above it is recommended that New Luce Conservation Area is subject to a more detailed conservation area appraisal before any decision is taken.



Overall Conclusion

3.22 Given the responses received to the consultation it is proposed to undertake a more detailed conservation area appraisal for Cairnryan, Kirkton, Mochrum and New Luce. The appraisal will be based on the criteria set out in paragraph 3.11 and reported back to a future meeting of this committee.

4. Governance Assurance

The Council's Management Team have been consulted and agree with the terms of the report.

5. Impact Assessment

As the Newton Stewart Conservation Area Character Appraisal Management Plan Supplementary Guidance are not new policy documents and do not propose a change in policy, strategy, plan or project, it is not necessary to complete an Impact Assessment.

Author(s)

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Approved by

NAME	DESIGNATION
Steve Rogers	Head of Economy and Development

Appendices – 1

Appendix – Summary of responses received to Newton Stewart CACAMP consultation

Background Papers

Economy and Resources Committee 23rd March, 2021 [E&R 23rd March, 2021](#)

Conservation Area review 2021 [Conservation Area review 2021](#)

Planning Advice Note 71 Conservation Areas [PAN71 part 1](#) and [PAN71 part2](#)

Historic Environment Scotland - [HES Cons Areas Guidance 2019](#)

Draft Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance.

Summary of comments received along with Dumfries and Galloway Council's response and proposed modifications.

The draft document was issued for consultation on Thursday 19th May until Monday 4th July 2022.

Three responses were received as follows:

1. Historic Environment Scotland
2. Architectural Heritage Society of Scotland [AHSS]
3. Martin Robertson - private individual

1. Summary of comments from Historic Environment Scotland [HES]

General

- a. Welcome production of the plan and generally content with scope and content but recommend some amendments to the layout to become easier for owners, applicants and other stakeholders to navigate particularly in Management section;
- b. Recommend some images more clearly captioned to illustrate points in text;
- c. Description of conservation area would benefit from a tighter focus - on buildings and existing character the conservation area seeks to protect;
- d. Suggest moving character area descriptions to appraisal section

Management and Enhancement objectives

- e. Part 1 describes key characteristics but it is not sufficiently clear how they link to management within Part 2, for protection and management e.g. shopfront improvements and developing gap sites;
- f. Not clear why some points are included under the broad headings on pp.49&50 - views and street form, building elevations and materials, activities, and landscape and townscape therefore need to consider what is listed under each;
- g. Some additional emphasis for the intended reader on management themes would be beneficial;

Buildings: Landmarks, Key Buildings and Building Types

- h. Concern raised that buildings which are not mentioned as having specific merit are more at risk of demolition therefore to avoid this should be explained there is no definitive list of buildings making a contribution;

Illustrations

- i. Illustrations should have captions that more directly relate to points made in the text – opportunity to highlight character features to be preserved and examples of positive or detrimental alterations;
- j. Illustrations should be used as an opportunity to illustrate how the plainer and unlisted buildings contribute positively to townscape.

Building Material

- k. Suggests that the two areas where stone and building materials are referenced should be included in the same section.

Council response to comments and proposed modifications

General

- a. Noted - will address layout and ensure amendments assist the reader navigate.
- b, i & j. Noted - captions will be amended to take on board the detailed comments.
- c. Perceived lack of focus noted - will amend to emphasise buildings and existing character.
- d. Noted – will improve links and reference to other parts of document within the current layout/structure.

Management and Enhancement objectives

- e. Potential to improve categorisation of management points is noted and will be addressed in final document.
- f. Noted that more clarity for intended audience is required which will be addressed and amendments made.
- g. Noted - will make clearer reference to who and how management should be achieved as appropriate.

Buildings: Landmarks, Key Buildings and Building Types

- h. The point is noted that the document should be more emphatic regarding there being a presumption against all or partial demolition of buildings contributing positively to general character.

Illustrations (b, i & j)

- i. The comment is noted and a review of all captions will be undertaken to see how amendment might improve how they relate to points made in the text, and highlight character features to be preserved and where there have been positive and detrimental interventions.
- j. Noted - in conjunction with h. above, more illustrations will be selected or identified to focus on the positive contribution plain and unlisted buildings make to townscape and character.

Building material

- k. The comments are acknowledged and while reference to the geological building stones available which have been used to create the built environment of the conservation area, some of the detailed use of the materials will be moved to the later section.

2. Summary of comments from Architectural Heritage Society of Scotland [AHSS]

General

- a. The D&G Group Cases Panel of AHSS stated that they find this Character Appraisal to be well researched, clearly expressed and informatively illustrated.
- b. They hope that the Community Council will advertise it widely and encourage its use so that there is more care and attention to detail in developments ;
- c. They wish to encourage the continued production of character appraisals for all of the conservation areas.

Council response to comments and proposed modifications
a, b & c. All the points are noted, in particular the point in respect of advertising the document widely once it has been adopted.
3. Summary of comments from Martin Robertson
<ul style="list-style-type: none"> a. Appraisal is excellent, but close proof reading has revealed a number of required edits (these have been provided); b. requests that we keep up the good work.
Council response and proposed modifications
a. The officer is grateful for the compliment and the attention to detail and proposes to make the necessary typographical edits.