

Dumfries and Galloway Council

LOCAL DEVELOPMENT PLAN 2

Call for Sites Consultation - Comments and Responses

JANUARY 2017



Dumfries and Galloway: Local Development Plan 2: Main Issues Report: **Call for Sites Consultation - Comments and Responses**: January 2017

Two 'Call for Sites and Comments' exercises were undertaken as starting processes for the Second Local Development Plan (LDP2). The first one ran from 27 November 2015 to 29 January 2016 and the second one ran from 22 April 2016 to 6 June 2106. These provided an early opportunity for members of the public, landowners, developers and other interested parties to submit details of potential development sites they wanted considered for inclusion in LDP2. The exercise also encouraged people to submit comments they have about the existing LDP.

This document provides summaries of the non-site comments submitted and the Council's responses to them. The comments received have been assigned a reference number and are ordered according to the main topic to which they appear to relate.

The comments submitted have been used to inform the proposed approach outlined in the Main Issues Report. It should be noted that the responses from the Council are responses specifically for this stage of the process. For the Proposed Plan they could be developed or altered in the light of additional information and/or further consideration.

Comment ref:	Summary	Officer Response
Settlements		
<u>0043.001 Dalry CC</u> (part)	H3- request change of use to light industrial	There is no DLR.H3 in the MIR map for St Johns Town of Dalry or in the LDP1 Inset Map. It is presumed that the comment refers to land to the east of St John's Way. The MIR proposes that this site (DLR.H202) be included as an allocation for housing as it would provide a logical extension to the settlement mirroring the development on the other side of the road south of Whinnymuir. The publication of the MIR for consultation will in any case provide an opportunity for the Community Council to clarify its concerns which would then be taken into account in the preparation of the Proposed Plan.

Comment ref:	Summary	Officer Response
<p><u>0042.001 Colin Dalrymple</u></p>	<p>Regeneration of Stranraer as a town is not being helped by moving families out into village communities with poor transport links, over crowding of schools, few recreation facilities for adults and children.</p>	<p>The Spatial Strategy set out in the adopted Plan promotes a pattern of development that seeks to minimise the need to travel and where sustainable transport is integral to development. It also allocates the majority of future development to those settlements with a good range of services and facilities, employment opportunities and which have the physical ability to grow and for the surrounding landscape to absorb the proposed development. In villages and throughout the rural area, the policy framework provides opportunities for people to live and work locally. It is not proposed to make any amendments to the wording of the Spatial Strategy for LDP2.</p>
<p><u>0041.002 Janet Gibson</u></p>	<p>Dumfries Brooms Road Car park DFS.TC1</p> <ul style="list-style-type: none"> • Brooms Road car park should not be built upon • The idea of building another supermarket and of medium size in this car park does not make common sense. A supermarket (LIDL) is just over the road and another (Morrisons) is very close by. If another supermarket is needed the common sense place to put it is in one of the empty shops in the main shopping streets. • The car park could accommodate a centralised bus station – for arrivals and departures (not a garage) 	<p>Noted. The Brooms Road site is specifically designated for town centre uses in LDP1. It is proposed to carry this forward into LDP2.</p>

Comment ref:	Summary	Officer Response
<p><u>0048.012-017 John MacColl obo various clients</u></p>	<p>Realignment of various settlement boundaries to accommodate suggested development</p>	<p>These comments would appear to be in specific support of sites that have been promoted for inclusion in the Plan. The Plan does not identify individual sites of less than 5 residential units. If larger sites are proposed for inclusion then the Settlement Boundary would be adjusted accordingly. For any review of a settlement boundary, including for sites that would be less than 5 units, the consideration of the settlement boundary is on the basis of support for clear boundaries that make for positive placemaking.</p>
<p><u>0048.0207 John MacColl</u></p>	<p>Policy H2 – supplementary guidance: Small developments of 1-3 houses in villages are being prevented because in most cases there is no 'established defensible boundary' and this requirement should be removed as it is a barrier to providing much needed small developments in villages which would strengthen these communities.</p>	<p>This representation is in respect of the supplementary guidance for Policy H2. It is proposed to retain this as is for LDP2.</p>

Comment ref:	Summary	Officer Response
<u>0054.001 John Higgs</u>	The members of the Association wish to manage developments on the plots to maintain this balance of a natural feel and appearance with the practicalities of modern holiday family accommodation. They wish this approach to be supported by planning policy and offer 9 guidelines to inform future policy.	The primary policy to cover the subject matter of this representation in LDP1 is ED10. For LDP2 it is proposed to combine this with Policy ED2 (Business Development in the Rural Area) and to include reference to huts. The Plan does not expect to include planning policy for Carrick at the level of detail that is requested. However, it is considered that the suggested guidelines are generally consistent with planning objectives. It is noted that there is a connection between these and the legal title for the properties. The policy will be supported by supplementary guidance which if updated could include reference to the objectives of the Carrick Residents' Association.
<u>0056.003 Stuart Thomson</u>	ANN.H1 should be rezoned for commercial/light industrial use	ANN:H1 allocated for housing development in LDP1 and the supplementary guidance – Windermere Road, Annan Masterplan applies (1 December 2014). Sufficient land is allocated at ANN:B&1 Stapleton Road for business and industry. It is considered that this produces a better planning outcome than if ANN:H1 had been allocated for industry.

Comment ref:	Summary	Officer Response
<p><u>0063.002 Savills obo Crown Estate</u></p>	<p>The Crown Estate request that the Council re-examine the settlement hierarchy and also “Policy H4: Housing Development Immediately Outside Settlement Boundaries” to give greater flexibility to allow sustainable locations to assist District and Local Centres in providing an effective housing supply, either on a substantial basis or on a small sites basis, dependent on location. Should the Council agree that extra flexibility could be added, then we would propose locations to the south of Beattock and west of the High Street in Newton Wamphray are appropriate areas to further examine potential housing land through the Local Development Plan review process.</p>	<p>It is proposed that in terms of the Settlement Hierarchy which supports the Local Development Plan, Beattock should be identified as a Local Centre for LDP2 and that there should be an Inset Map for it. However, Newton Wamphray is not identified as a Local Centre. Proposals for residential development there would continue to be considered under the terms of Policy H2: Housing Development in villages.</p>
<p><u>0074.001 New Galloway and Kells Community Council</u></p>	<ol style="list-style-type: none"> 1. Support the designated existing business and industry sites as recognised on the Inset Map of New Galloway, but would appreciate some clarity that other brownfield or even domestic property can also be used for small or micro businesses. The existing McWilliam business site on Newton Stewart Road should be designated on the plan, as should Hopkins shop on the High Street. 2. The large (30 unit) site West of Kirk Road (NGA H1) seems out of proportion to the village and we would request more and smaller sites to be considered instead, or at least for this site to be released for development in small stages. 	<ol style="list-style-type: none"> 1. Noted. While the MIR does not identify any changes for New Galloway from LDP1, these concerns will be considered as part of the preparation of the Proposed LDP which is the next stage of the LDP process. 2. Noted. While the MIR does not identify any changes for New Galloway from LDP1, a reference will be included in the site assessment for the need to phase the development of NGA.H1.

Comment ref:	Summary	Officer Response
<u>0093.006 Beattock and District Community Council</u>	General comments on amenities. <i>[It is understood that the thrust of the non-site-specific part of the representation is that Beattock should be identified as a Local Centre in the Settlement Hierarchy that supports the Local Development Plan.]</i>	It is proposed that in terms of the Settlement Hierarchy which supports the Local Development Plan Beattock should be identified as a Local Centre for LDP2 and that there should be an Inset Map for it.
<u>0112.001 David Cameron</u>	There is a current need to identify a suitable site for an expanding class3/4 business within the catchment area of Ringford, Tarff, Twynholm, Gatehouse of Fleet. Ideally the site needs to be relatively close to the A75	Relevant policies in LDP1 are ED1: Business and Industry and ED2: Business Development in the Rural Area Policy ED1(b) supports, in exceptional circumstances business on an unallocated sites. It is proposed to amalgamate ED2 with ED10: Tourism for LDP2 but to retain the substance of the original policies. The proposed wording is set out in the MIR.
<u>0118.001 Dumfries and Galloway Golf Club</u>	Dumfries - I would like to have the area indicated by the red line included in the settlement boundary. Do you need any further information?	This would be a minor change to reflect development on the ground. It is included as a boundary modification in the Main Issue Report.
<u>0119.001 Ewan Maxwell</u>	Settlement boundary issue of private house- current line separate house from garden- request this is extended to include house and garden	This garden area helps provide a soft edge for the urban area on this approach to the urban area. There is no evident benefit to its inclusion within the settlement and the possible dis-benefit that it could encourage an extension to the extent of the built up area.

Comment ref:	Summary	Officer Response
<u>0021.001 Allan Dyson</u>	Request the APOS designation is removed from our private garden	Open space is an important asset to settlements but the Main Issues Report (MIR) settlement maps only include recommended and long term housing and business and industry development sites for Local Development Plan 2. The LDP stage following the MIR is the Proposed Plan which will be published early 2018 and this will include settlement Inset Maps including open space designations as well as housing and business and industry sites. Although the MIR settlement maps do not identify open space designations, representations on any aspect of the Plan are invited during the MIR consultation and they will be considered in preparation of the Proposed Plan.

Comment ref:	Summary	Officer Response
Infrastructure		
<u>0037.001 ENGIE</u>	<p>1. LDP should enforce theme of 'decarbonisation' as this is central to fiscal policy found within the COP21 Agreement on the UK. LDP should not only support but aim to promote the development of a range of renewable technologies.</p> <p>2. LDP should aim to facilitate renewable energy generation at the least cost to the consumer by setting clear standards which are in line with anticipated technological advances in turbine development and deployment of these larger, latest generation turbines.</p> <p>3. Suggest potential inclusion of specific policies for development on peat and carbon rich soils.</p> <p>4. Inclusion of policy in relation to community ownership of renewable development- particularly 'community shared ownership'</p>	<p>1: Noted. The approach for this issue is carried forward from that set out in LDP1. It is considered that this provides a balanced response. It is proposed that LDP2 will continue to support a range of renewable energy resources.</p> <p>2: This issue is covered in Policy IN1: Renewable Energy. Any proposal will be considered against its planning merits in line with LDP policies and guidance.</p> <p>3: The policy approach is set out in ED16: Protection and Restoration of Peat Deposits as Carbon Sinks and Policy NE13: Agricultural Soil. It is proposed to keep the substance of these policies for LDP2 but to have them both in the Natural Environment section so that the policy intent and connections are more evident.</p> <p>4: Para 2.10.4 of the Main Issues Report says “The Community Empowerment (Scotland) Act 2015 helps to empower community bodies through the ownership or control of land and buildings and by strengthening their voices in decisions about public services.” It is considered that it is not within the reasonable locus or the power of the Local Development Plan to provide planning policy in relation to any particular form of ownership of renewable development - including</p>

Comment ref:	Summary	Officer Response
		<p>'community shared ownership'. Planning proposals are assessed on their planning merits of which ownership is not a material planning consideration.</p>
<p><u>0043.001 Dalry CC</u> (part)</p>	<p>Policy IN7: Flooding and Development & IN8: Surface water Drainage and SuDS - should be reworked to respond to increased rainfall and flooding in Dumfries & Galloway. SuDS areas need to be larger.</p>	<p>Noted. Development SuDS should comply with SEPA's General Binding Rule (<i>GBR</i>) 10: <i>Discharge of surface water run-off</i> under the <i>Water Environment (Controlled Activities) (Scotland) Regulations 2011</i>. Neither the policy (IN8) nor the supplementary guidance intend to set out specific standards for the design of SuDS. The supplementary guidance identifies relevant technical references. These documents are updated from time to time and it is considered should provide appropriate guidance. However, it is agreed that as part of a sense check on designs based on technical guidance consideration should be given to local concerns.</p>

Comment ref:	Summary	Officer Response
<p><u>0080.001 Fred Olsen Renewables</u></p>	<p>Request Windy Standard wind farm continue to be identified as suitable in the long term for commercial wind energy development in LDP2. Request a more positive and holistic, framework for long term development in these areas, and more flexible approach.</p>	<p>Policy IN2: Wind energy relates. The promotion of renewable energy is considered to be beneficial in terms of maximising natural resource efficiency and establishing a better use of energy sources. Wind energy developments can potentially have a significant detrimental effect on the landscape. Positive impacts can occur through changes to land management. The spatial framework and supporting maps and the supplementary guidance provides a means of indicating the areas that are most sensitive to such developments and aims to guide developments to those areas that have less sensitivity.</p>

Comment ref:	Summary	Officer Response
<p><u>0107.001 Amec Foster Wheeler Environment & Infrastructure UK obo E.ON Climate & Renewable UK Deveopment</u> (part)</p>	<ol style="list-style-type: none"> 1. State that LDP does not conform to npf3 and spp3. Express concern that the adopted LDP includes an 'interim' spatial framework for wind energy development that is not in conformity with SPP (2014), and LDP Policy IN2 is misaligned with parts of the SPP's Subject Policy 'Delivering Heat and Electricity'. 2. Express concern that expected adoption date of LDP2 and the proposed deadline for NPF4 and likely revision of SPP to follow soon after. 3. Recommend the LDP2 preparation timescale should be brought forward. This would enable the preparation of LDP2 to focus on aligning LDP2 with existing national policies, whilst creating space for future work to respond proactively to new opportunities which may arise through potential legislative and national policy changes in the medium term. 4. E.ON believes there would be merit in Dumfries and Galloway Council preparing an additional wind energy spatial framework in accordance with Table 1 of the SPP (2014) immediately. 5. Recommend wind energy spatial framework identifies land within group 3 (SPP onshore wind table 1) and then identifies Areas of Strategic Capacity (ASC) 	<ol style="list-style-type: none"> 1: It is considered that the approach set out in MIR2 provides for consistency with NPF3 and SPP 2014. 2 & 3: Due to the processes involved in producing an LDP it is not possible to amend the timeframe to adoption at this time. This is a matter of seeking to make the most effective use of limited resources. A balance must be struck. The Planning etc (Scotland) act (Section 16 (1)(a)(ii) requires the preparation of the next plan at an interval of no more than 5 years. Thus, it would not be appropriate to hold preparation of LDP2 pending the timetable for NPF4. 4: This matter has been discussed and agreed with Scottish Government. The Spatial Framework contained in the LDP cannot be updated outwith the LDP process as this forms part of the adopted plan in relation to the Spatial Framework Map and policy content. 5: These are comments which will be addressed as part of the preparation of the Proposed Plan which is the next stage in the process for LDP2

Comment ref:	Summary	Officer Response
<p><u>0110.001 Jones Lang LaSalle obo Community Windpower Ltd</u></p>	<ol style="list-style-type: none"> 1. Request rewording of IN2 to align and be consistent with IN1- that all renewable energy development would be the policy test for IN1, eg. The acceptability of significant adverse effects. 2. Raise concerns over lack of revision to existing (interim) spatial framework. 3. Request clarity over status of DGWLCS. 4. Argue no place for CSZs within development plan or emerging spatial framework. 5. Make reference to the future of turbine height extending to 175m to tip to secure more available wind resource. 	<p>1-5: These are detailed comments which will be addressed as part of the preparation of the Proposed Plan which is the next stage in the process for LDP2.</p>
<p><u>0111.001 Community Windpower</u></p>	<ol style="list-style-type: none"> 1. Urge the removal of grid availability as a hindrance to onshore wind development applications. 2. Interim spatial framework is not consistent with SPP. 	<p>1-2: It is considered that the approach set out in MIR2 provides for consistency with NPF3 and SPP 2014. These are detailed comments which will be addressed as part of the preparation of the Proposed Plan which is the next stage in the process for LDP2.</p>

Comment ref:	Summary	Officer Response
<p><u>0113.001</u> <u>ScottishPower</u> <u>Renewables</u></p>	<ol style="list-style-type: none"> 1. 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 improve generated output or repower. 2. 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. 3. recommend incorporating policy that supports co-location of ground mounted solar PV and sharing of in-situ infrastructure, and potentially the integration of energy storage technologies such as batteries or pumped storage (SPP (Para 45) which supports Resource Efficient development.) 4. Renewables policy requires updating to align with SPP. 5. Request GIS data of boundaries of areas be made public. 	<p>1-5: These are detailed comments which will be addressed as part of the preparation of the Proposed Plan which is the next stage in the process for LDP2.</p>

Comment ref:	Summary	Officer Response
<u>0067.001 EDF Energy Renewables</u>	We have given consideration to the Call for Sites exercise but note that it appears to have no relevance to any proposals for the development of onshore renewables and in particular wind farms. As a company we will be maintaining a keen interest in the forthcoming review of the spatial framework in relation to onshore wind, which we assume will commence with the Main Issues Report consultations.	Noted.
<u>0027.001 Rae Leigh (part)</u>	Concern about impact of wind farms along Southern Upland Way	Proposals for wind farms are considered on a case by case basis against LDP policies and supplementary guidance. Consideration of the impact on proposals in relation to the Southern Upland Way forms part of the work undertaken when assessing proposals
<u>0075.001 David Duncan</u>	Encourage tourism by preserving landscapes and access and guiding wind turbine development to appropriate locations.	Policy IN2: Wind Energy and supplementary guidance provide the basis for planning decision making on wind farm proposals.
<u>0023.001 Dunscore CC (part)</u>	Concerned about the effect of excessive windfarm development and the planned powerline passing through this area	Noted. The LDP intends to provide support for the protection of amenity through its suite of policies. However, the powerline to which reference is made is not now an active proposal.

Comment ref:	Summary	Officer Response
Transport		
<u>0002.001 Network Rail</u>	<p>1. Stress the need for investment in infrastructure. Recommend referring to SESplan which sets out a clear strategic context for seeking developer contributions for required infrastructure enhancements or station improvements as a direct consequence of new development growth into a single infrastructure fund levied across developments to provide a critical mass of funding to allow for strategic improvements.</p> <p>2. Stress Network Rail should be excluded from making developer contributions as profits should be reinvested back into the railway.</p>	<p>1: Noted.</p> <p>2: It is considered unlikely that this issue will arise, but if it were to do so it would be considered at that time and in that context.</p>
<u>0002.001 Network Rail</u>	<p>The Proposed Plan should provide strategic guidance for LDP strategies to avoid allocating development required to use level crossings. We would request that the Call for Sites provides a strategic context for the LDP to provide a designated notification zone around all operational railway infrastructure within which any development application proposals would be notified to Network Rail.</p>	<p>It is considered unlikely that this issue of future development dependant on level crossings will arise, but if it were to do so it would be considered at that time and in that context. It is not clear why there should be a consultation zone (of unspecified extent) beyond the extent of the Network Rail land ownership. This matter is not a Main Issue but could be considered further as part of the preparation of the Proposed Plan which is the next process stage of LDP2.</p>

Comment ref:	Summary	Officer Response
<u>0002.001 Network Rail</u>	Request wording of Policy OP3, T1 Transport Infrastructure and T2 Location of Development & Accessibility seek a levy on all developments within the plan area. Would better capture the overall impact on rail use rather than where a development proposal identifies a need.	Only Policy OP3 seeks to capture developer contributions. Policies T1 and T2 are other Transport related policies about what would be supported. The concept of a general universal levy in support of rail infrastructure does not form part of the approach of this LDP.
Minerals		
<u>0013.001 Coal Authority</u>	The Coal Authority is keen to ensure that coal resources are not unnecessarily sterilised by new development.	Noted. The LDP1 policy position is set out in Policies ED14: Mineral safeguarding and ED15: Minerals. The issue of possible sterilisation is addressed. It is proposed to combine but not change the substance of these policies for LDP2.
<u>0115.001 Miles Wenner</u>	Seeks to confirm the Council have the mineral info and maps the respondent supplied to the team. Makes reference to Glenquicken east of Creetown - sand and gravel deposits last worked by Barrs in 1980s, should be safeguarded for future workings.	The question identified in this representation is not a Main Issue. It will be addressed as part of the preparation of the Proposed Plan which is the next stage in the preparation of LDP2. As part of that there will also be a 12 week opportunity to make representations in respect of the Main Issues Report.
<u>0078.001 Broken Cross Surface Mine</u>	Support for safeguarding minerals	Noted. The LDP1 policy position is set out in Policies ED14: Mineral Safeguarding and ED15: Minerals. The issue of possible sterilisation is addressed. It is proposed to combine but not change the substance of these policies for LDP2.

Comment ref:	Summary	Officer Response
Vision		
<u>0003.002 Clagan Ltd</u> <u>obo Mr Murray Bell;</u> <u>0043.001 Dalry CC;</u> <u>and 0070.008</u> <u>Lawrence T Wilson</u>	Support vision	Noted.
Natural Environment		

Comment ref:	Summary	Officer Response
<p><u>0041.001 Janet Gibson; 0027.001 Rae Leigh (part); 0075.001 David Duncan; 0081.001 John Mayhew</u></p>	<p>Seeks enhancement of policies on protection and enhancement of natural environment.</p> <p>Seeks enlargement of National Scenic Areas in LDP2 to include Neilstons Monument and Barstocbrick Hill.</p> <p>A National Park should be a Main Issue.</p>	<p>Noted. The general thrust of this representation is to support extended protection of the environment. It is agreed that the natural environment is a major asset in Dumfries & Galloway and that planning policy should support effective environmental protection. However, over-protection would be counter-productive and should be avoided. The LDP intends to provide this balance.</p> <p>The possible establishment of a National Park for Galloway has been addressed as part of Main Issue 3 – Creating Places. Further engagement is being carried out to gain views across the region before formal support and approval from the Council would be sought for the designation. Should this matter be taken forward, the process to designate would take several years, therefore although this is an ongoing issue, it is expected that it would become more of a consideration for LDP3.</p> <p>The consideration of National Scenic Area boundaries do not form part of the LDP review and this is not the mechanism for such changes.</p>

Comment ref:	Summary	Officer Response
Multi + Misc		
0008.001 sportscotland	sportscotland has produced guidance which can contribute to the preparation of Local Development Plans, particularly where there is new development proposed. Guidance includes School Playing Fields – Planning & Design Guidance; Secondary School Sports Facilities – Designing for School & Community Use; and Primary School Sports Facilities. These are available in the Facilities section of the sportscotland web site.	The comments of sportscotland are noted. It is anticipated that in so far as is relevant to the specific circumstances of Dumfries & Galloway all of these areas will be addressed in LDP2 or in supplementary guidance.
<u>0023.001 Dunscore CC</u> (part)	<p>1. We are concerned about de-population of rural areas and the consequential effect on local services and amenities</p> <p>2. Flood prevention is also a requirement locally and regionally</p>	<p>1. Noted. This is a continuing issue of concern for Dumfries & Galloway and through its suite of policies the LDP intends to provide a constructive and helpful response.</p> <p>2. Noted. However, absolute flood prevention is not possible. The national approach to flood risk management is set out in the Flood Risk Management (Scotland) Act 2009. This approach is supported by Dumfries & Galloway Council, including through the terms of the Local Development Plan.</p>
Economic		
<u>0010.002 Ruaridh Hesketh</u>	LDP2 should create jobs in rural towns and make it as easy as possible for visitors.	Noted. Through its policies the LDP aims to support the conditions for a sustainable economy.

Comment ref:	Summary	Officer Response
<u>0016.002 Montagu Evans obo British Land</u>	Requests a relaxation to the existing planning permission at Cuckoo Retail Park and a change to the local development plan designation to allow a wider range of goods to be sold from the retail park.	As part of its vision MIR2 wishes to have a successful regional capital in Dumfries which includes a vibrant town centre with a range of uses and enhanced public realm. In MIR2 it is proposed that Policy ED7 (of LDP1) and Prime Retail Frontages from the Dumfries town centre inset map be deleted. Also, in support of the town centre there should be exploration of further property availability and opportunities and how to facilitate development. It is also proposed to make amendments to Policy ED5.
<u>0026.002 Clinton Fawcett obo the Fawcett Family</u>	1. LDP2 should encourage business growth in the energy sector- particularly water and tidal, R&D facilities, Forestry, dairy farming in the SW of region. They further suggest we focus efforts on Fracking in Upper Nithsdale, coal mining in Canonbie, hydroelectric power production (non location specific) and build a new nuclear power station at Chapelcross. 2. Focus educational efforts in Schools on technical and engineering courses rather than IT.	1. Noted. These issues are addressed through the suite of policies in the LDP, including IN1: Renewable energy and IN2: Wind energy 2. This is an education rather than land use planning matter.
<u>0041.003 Janet Gibson</u>	Lack of screening of new large agricultural barns, stating they have a negative impact on their pastoral setting. Include policy wording that supports naturalising the building scale and appearance into its setting.	Noted. This is an emerging issue. As agricultural buildings it is possible that planning permission may not be required. It is expected that the matter can be addressed through the terms of Policy OP1 and OP2: Design Quality and Placemaking and any updated supplementary guidance.

Comment ref:	Summary	Officer Response
<p><u>0068.001 Forest Enterprise Scotland</u></p>	<p>Comments on ED10 and seeks to share their recent experience with promoting Forest Tourism. Their aim is to add value by seeking a diverse range of income sources to underpin running costs and promote the development of recreation, tourism and opportunities for environmentally sustainable commercial development. We suggest it would be helpful to:-</p> <ol style="list-style-type: none"> 1. have a spatial strategy highlighting areas of demand for tourism opportunities and/or areas which could benefit from a transformational tourism development . 2. develop an understanding of the types of woodland that offer the most potential for expansion of recreation and tourism and demonstrate the location through the spatial strategy. 3. develop supplementary guidance on the design standards for cabins and other accommodation/recreation developments to ensure sustainable design and high quality development which integrates with the surrounding landscape and in particular the sustainable management of woods and forests. They emphasise the need to upgrade and add to the utilities network in the more rural areas allowing inward investment can at time be essential in order for development to take place 	<ol style="list-style-type: none"> 1. Support for the tourist industry is part of the vision that informs the terms of LDP2. The LDP is designed to assist delivery of the actions set out in the Regional Economic Strategy and Regional Tourism Strategy including supporting many of the business and tourism proposals that come forward. The suite of policies in the Plan intends to be responsive to possible tourist development interest in all parts of the region. It is considered that LDP2 could not across the region provide the level of detail to identify specific areas and sites. 2. See Policy NE6: Forestry and Woodland and Policy ED2: Business, Tourism and Recreational Development in the Rural Area which are both supportive of tourist development in appropriate locations. Also, Dumfries & Galloway Forestry and Woodland Strategy, adopted December 2014. 3. Noted. It is considered that Policy OP2: Design Quality and Placemaking along with its associated supplementary guidance should apply.

Comment ref:	Summary	Officer Response
<u>0075.001 David Duncan</u>	Requests LDP2 encourages tourism by protecting and enhancing landscapes and ensuring development including is directed to appropriate locations and mindful of site and location characteristics.	Noted. It is considered that the LDP seeks to achieve these objectives.
<u>0107.001 Amec Foster Wheeler Environment & Infrastructure UK obo E.ON Climate & Renewable UK Devleopment</u> (part)	Comment on ED12 Dark Sky Park, stating the Dark Sky Park is not a national or international designation as recognised by the SPP and notes that <i>‘in the preparation of LDP2 that as per the direction of SPP para 197 with regards to any form (be it statutory or non -statutory) of local designation: “The level of protection given to local designations should not be as high as that given to international or national designations”’. The SPP also discourages the use of buffers being applied to areas designated for their natural heritage importance (para 196)’.</i>	Noted. It is agreed that for the same things the level of protection given to local designations should not be as high as that given to international or national designations. The SPP discouragement in respect of buffers for areas designated for their natural heritage importance is also noted.
Historic Environment		
0012.001 Historic Environment Scotland (HES)	Support wording of the Council’s historic environment policies in the adopted LDP. Agree the policies can carry into LDP2. HES comments validate the engagement approach taken by the Council: -Effective engagement strategies -upfront consideration of historic environment issues- internal assessment of potential allocations before external review- quickly identified those sites with historic environment constraints.	Noted.

Comment ref:	Summary	Officer Response
Housing		
0001.002 Duncan McColl	Comments emphasise the importance of sensitive development at the proposed sites to meet the needs of the local Palnackie community.	Noted. In the MIR it is proposed that there be no change to the Plan for Palnackie from that set out in LDP1.
0010.004 Ruaridh Hesketh	Housing should be well placed and use existing infrastructure	Noted. It is considered that well placed housing making the most of existing infrastructure that will allow inward investment in rural areas is consistent with the spatial strategy of the Plan.
0014.001 Dormont Estate	Recommends that when developing policies for LDP2, events are held which look specifically at rural development issues. Refers to events held in April 2011.	Noted. Six community placemaking events were held across the region during August and September. Invitations were sent out to those who had registered an interest in LDP2, community councils and those who had made a submission through the Call for Sites and Comments exercises. All local planning agents were invited to take part in a workshop based event on 4 October 2016. The workshop focused on LDP policies, supplementary guidance and planning guidance. There will be a 12 week opportunity for responses to the Main Issues Report. This will be supported by pages on the Council website and 'drop in' sessions at locations around the region.

Comment ref:	Summary	Officer Response
0015.001 Homer Young Design obo F Dykes, Blueisle Properties	Supports development of private and social housing and business.	Noted. These issues are considered as part of Main Issue 1 – building the Local Economy and Main Issue 2 - Housing, How Much and Where?
0015.004 Homer Young Design	Suggest considerations for amendments to LDP policies H1, H2 and H3. Identified housing sites in LDP1 and LDP2 that are not developed within their lifespan should be replaced with alternate sites to allow housing and commercial opportunities to be realised. Suggest consideration should be given to rural development in villages and SBG's for live/work units to retain younger population.	There was a review of sites as part of the preparation of the Main Issues Report. This took account of availability and site constraints. There will be a further check as part of the preparation of the Proposed Plan. Such sites are identified under Policy H1. Policies H2 and H3 are designed to cover possible development in villages and the countryside (including live/work units) where the Plan does not intend to make specific allocations for housing development.
0015.011 Homer Young Design obo F Dykes, Blueisle Properties	Where housing land in rural communities included within the current LDP has not been developed or has been compromised since inclusion by the likes of flooding, additional land in nearby settlements should be included as alternative sites. Should land in these areas not be developed, no opportunities for younger people are made available, and many are leaving these areas. More rural sites should be included to prevent the younger population leaving the rural areas for more urban settings to find adequate housing and work opportunities.	It is considered that the plan does provide for the realisation of opportunities in rural areas. There was a review of sites in settlement with Inset Maps as part of the preparation of the Main Issues Report. This took account of availability and site constraints, including flood risk. There will be a further check as part of the preparation of the Proposed Plan. The Plan expects to include Policy OP3: Developer Contributions, which will be sought for various development supports and also affordable housing. The Plan also expects to include a Policy to address Business Development in Rural Areas. (This is to be amalgamated with Policy ED10: Tourism.)

Comment ref:	Summary	Officer Response
0004.001 Carsphairn Community Council	Supports supplementary guidance regarding housing in remote areas	Noted. It is proposed to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to the supplementary guidance. It is proposed to retain the current policy provision for housing in remote areas.
<u>0025.001 Katie Shellard</u>	Support for policy H4. suggest the approach to Dumfries along the Castle Douglas Road as a potential location for a new graveyard	This matter is not discussed specifically in MIR2 as such proposals could be considered on a case by case basis against policies in the plan but discussions are ongoing within other parts of the Council to the future of cemetery provision in the town.
<u>0038.007 Butler Land Management obo J Vivers</u> <u>0038.008 Butler Land Management obo W Gribbon</u> <u>0038.009 Butler Land Management obo D Wilson</u>	<p>The Local Development Plan 1 focuses on development around the larger centres. This leaves many of the villages and smaller settlements constrained. With local young people and the elderly unable to live in the communities in which they have worked and grown-up in.</p> <p>It is essential that local services are supported and with an aging population it is critical for inward investment and that there is age diversity within these rural populations. This support could address issues of: Low cost housing; Shelter housing; Family accommodation</p> <p>The present Local Development Plan fails to address the needs of rural community and many incomers would prefer to live in a rural rather than urban environment.</p>	Noted. The spatial strategy includes provision for housing in villages and smaller settlements. This approach is also supported by policy H2 and H3 and associated supplementary guidance.

Comment ref:	Summary	Officer Response
<u>0043.001 Dalry CC</u> (part)	Policy H1 Housing Land- request for wording change of policy to recognise the need for appropriate scale of all allocations including smaller local centres such as Dalry, to include similar caveats of Policy H2 Housing Development in Villages relating to scale, size, layout, density and design.	It is reasonable to expect that in respect of settlements for which there are Inset Maps the 'caveats' of H2 have been applied in the identification of sites and should inform decisions on windfall site proposals.
<u>0046.006 McGowan Miller obo E Carson</u>	Request LDP2 allows flexibility for the provision of adequate housing sites in villages and SBGs.	Noted. It is proposed to retain LDP1 Policy H2: Housing Development in Villages. It is proposed and to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to the supplementary guidance. The issues are addressed as part of Main issue 2 – Housing, How Much and Where? and Main Issue 3 – Creating Places. It is considered that the Preferred Approach set out in the Main Issues Report provides a balanced response.

Comment ref:	Summary	Officer Response
<p><u>0048.001 John A MacColl</u></p>	<p>Policy H2- The opportunity to "round off" an application site is refused on a number of occasions where there is no existing established boundary or "stop" even although the number of houses is low, do not form ribbon development and do not extend to the last property on the opposite side of the road. In my opinion it would be reasonable to apply a Condition on any planning consent stating that no work on the house can commence until the new planting specified on the boundaries has been carried out. The above Condition would have the effect of allowing a small number of houses in villages and at the same time providing an established planting boundary or "stop" in 2-3 years' time.</p> <p>Policy H3- Where an application is made for a new house associated with a new or existing business in villages or in the countryside where a need is identified to accommodate an agricultural or other business worker consideration of the application should be widened to include other Policies such as ED1, ED2 and ED10. The need to provide a financial statement/business plan to confirm that the enterprise has been planned on a sound financial basis and that it is economically viable should be removed where it occurs in the criteria as the Labour Requirement Report should be the main factor in determining the application. The commercial success or long-term viability of a new or existing business is not a planning matter and this has been stated by Planning Officers</p>	<p>Policy H2: A more flexible approach to housing development in villages was introduced in the adopted LDP1, Policy H2. The approach resulted in no inset maps being prepared for those settlements identified as a village in the settlement hierarchy. Instead, proposals for housing development are assessed against a criteria based policy which is supported by supplementary guidance. The change in approach has only been in effect since adoption of LDP1 in 2014 which is not long enough for meaningful monitoring to have taken place. It is therefore proposed to carry the approach forward into LDP2 and review its impact when LDP3 is being prepared.</p> <p>Policy H3: It is proposed and to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to clarify the terms of the supplementary guidance. The issues are addressed as part of Main issue 2 – Housing, How Much and Where? and Main Issue 3 – Creating Places. It is considered that the Preferred Approach set out in the Main Issues Report provides a balanced response.</p> <p>The Council is responsible to ensure through the</p>

Comment ref:	Summary	Officer Response
	<p>many times in the past where representations have been made as to the viability of a commercial/retail operation.</p>	<p>terms of its policies and their application that the authority of the planning system is not undermined by approvals for live/work applications that do not have a reasonable prospect of commercial success.</p>
<p><u>0053.002 Nigel Bell</u></p>	<p>Suggests introduce development strategies for key development areas/sites.</p>	<p>The Council's LDP position on a development strategy for key development areas / settlements is in the vision and spatial strategy set out in the Main Issues Report. It is expected that, as with LDP1, further detail for specific settlements and sites will be provided in the Proposed Plan which is the next stage in the LDP preparation process. Policy OP3: Developer Contributions sets out the planning policy approach in respect of developer contributions toward affordable housing. The MIR is a reflection of how the land use planning system can assist in delivering the Council's priorities which are – build the local economy, provide the best start in life for all our children, protect our most vulnerable people and be an inclusive council.</p>

Comment ref:	Summary	Officer Response
<p><u>0055.002 Mary Copmartin</u></p>	<p>Issues important to Dumfries & Galloway are:</p> <ul style="list-style-type: none"> • Offering the population housing they want in areas they want and at affordable prices. • Ensuring building is not permitted on flood plains with the ever changing weather patterns who knows what the future will hold • Offering scope for housing estates which are much smaller in size and not with hundreds of houses all close together. 	<p>Noted. Given the dispersed nature of the Dumfries & Galloway population many of the sites identified for residential development are relatively small, though it is the case that there are larger sites in the larger settlements. Sites identified in the Plan should match the anticipated level of need and demand in each of the housing market areas. The size of the various sites identified in the Plan also reflect the needs that they be available for development, make effective use of existing infrastructure, and are seen as being practical to develop. Areas of unacceptable flood risk are avoided.</p>
<p><u>0063.003 Savills</u></p>	<p>Policy H2: 'Housing Development in Villages'- Argue LDP does not provide adequate numbers of housing to meet SPP para 110 aspiration- particularly, some settlements types 'do not seem to be contributing to the effective housing land supply in a manner that seems appropriate to their size or importance across the Dumfries and Galloway region. It is considered that in the case of villages in particular there may be policy impediments within existing policy H2 that are inhibiting housing development'.</p> <p>1. - Suggest a revision of wording to policy H2 regarding 'the number of units proposed relates to the scale and size of the existing village' - arguing this is vague and there should be more clarity on what might be considered an appropriate scale at the outset, so as to not put off potential developers- particularly small</p>	<p>Policy H2: The Council's LDP position on a development strategy is in the vision and spatial strategy set out in the Main Issues Report. This is further developed in the section on Main Issue 2 – Housing, How Much is Needed? A more flexible approach to housing development in villages was introduced in the adopted LDP1, Policy H2. The approach resulted in no inset maps being prepared for those settlements identified as a village in the settlement hierarchy. Instead, proposals for housing development are assessed against a criteria based policy which is supported by supplementary guidance. The change in approach has only been in effect since adoption of LDP1 in 2014 which is not long enough for meaningful monitoring to have taken place. It is</p>

Comment ref:	Summary	Officer Response
	<p>developers where margins are tight. Savills suggest another approach to include within the policy- a 20% increase in housing numbers.</p> <p>2. - 'In the circumstances it is proposed that the following wording be considered at the beginning of policy H2: - "The Council will support housing development proposals in and adjacent to villages, subject to other policies in the Plan where: - - the number of units proposed relates to the scale and size of the existing village. (This is unlikely to exceed 20% unless in exceptional circumstances.)'. Policy H3: Housing Development in the Countryside. Argue policy is being interpreted by DM officers in a manner that is inhibiting positive development in the countryside. Suggest run events as part of LDP review to explore issues inhibiting development.</p>	<p>therefore proposed to carry the approach forward into LDP2 and review its impact when LDP3 is being prepared.</p>

Comment ref:	Summary	Officer Response
<u>0063.005 Savills</u>	<p>H3: Housing Development in the Countryside Policy H3 is being interpreted in a manner that is inhibiting positive development in the countryside. In particular the interpretation of policy references to brownfield sites, small building groups and ribbon development.</p> <p>It would be most useful if the Council were to run events as part of the Local Development Plan review to explore existing or evolving issues that may be inhibiting development in the countryside as unintended consequences of the existing policy H3 and Supplementary Guidance.</p>	<p>Policy H3: It is proposed and to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to clarify the terms of the supplementary guidance. The issues are addressed as part of Main issue 2 – Housing, How Much is Needed? and Main Issue 3 – Creating Places. It is considered that the Preferred Approach set out in the Main Issues Report provides a balanced response.</p> <p>All local planning agents were invited to take part in a workshop based event on 4 October 2016. The workshop focused on LDP policies, supplementary guidance and planning guidance. There will be a 12 week opportunity for responses to the Main Issues Report.</p>
<u>0069.001 Darren Challis</u>	Supports LDP SG ‘Housing in the Countryside’ including the ‘remote areas’ designation that include Carsphairn and surrounding areas.	Noted. The preferred approach set out in the Main Issues Report is to carry the existing H3: Housing in the Countryside approach forward to LDP2 with some minor amendments to the policy wording and the supplementary guidance. This is so that it more effectively embodies the two tier (intermediate and remote areas) approach.

Comment ref:	Summary	Officer Response
<p><u>0082.003 Mappin Consulting obo Derek Henderson</u></p>	<p>Increase land allocations for housing supply and ensure choice in location and type including land for smaller/SME developments (including custom and self-build housing)</p>	<p>Noted. It is considered that the vision, spatial strategy and land allocations set out in the Main Issues Report provide a balanced response in terms of spread and scale of housing land allocations.</p>
<p><u>0084.001 Borgue Community Council</u></p>	<p>Policy H3 on housing development in the countryside-agree there is a need for policies which guide development, feel the current policies are too restrictive on village growth. Suggest that their application be broadened or that possible development sites be earmarked in those settlements classed as villages in the settlement hierarchy.</p>	<p>LDP Policies for development in rural areas are part of the overall spatial strategy of the Plan. Policy H2: It is considered that for villages not identified as district or local centres greater flexibility is provided by a general policy rather than the allocation of sites on an Inset Map. Policy H3: It is proposed to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to clarify the terms of the supplementary guidance. The issues are addressed as part of Main issue 2 – Housing, How Much is Needed? and Main Issue 3 – Creating Places. It is considered that the Preferred Approach set out in the Main Issues Report provides a balanced response.</p>

Comment ref:	Summary	Officer Response
<p><u>0092.001 Catherine Elliot obo Ashley Whittome</u></p>	<p>1. Some agricultural uses, such as redundant poultry sheds and intensive livestock rearing units should be included in the definition of rural brownfield. argue that redundant factory farming units were not much different in nature than an urban building where there has been industrial activity. Such a policy would enable new sites for housing, including affordable housing, and would remove eyesores from otherwise attractive landscapes.</p> <p>2. They offer an example of how West Lothian council has included agricultural uses- The West Lothian SPG is specific in describing the circumstances under which such development can be justified. It includes an initial screening list and puts a limit on the number of houses that can be allowed.</p> <p>3. 'Request pragmatic approach in circumstances where there is a set of derelict and unused/underused buildings with no prospect of improvement without some added value. It could be argued that such buildings would be covered anyway by the general definition of brownfield, whether located in an urban or a rural area, so there seems little point of highlighting it as a rural issue if it does not include rural land uses. The current policy clearly does not address the problem of outdated and unusable agricultural and forestry buildings and given the changing nature of agriculture, there could well be many more in the future blighting the countryside'.</p>	<p>1: The glossary for LDP1 defines 'Brownfield site' as '<i>Previously developed land and premises, including the curtilage of buildings, which may still be partially occupied or used. Most commonly associated with derelict urban land with redundant industrial buildings. Excludes agriculture, forestry and previously used land which now has nature conservation or recreation value.</i>' It is considered that taking into account the conditions of Dumfries & Galloway the definition of brownfield site in LDP1 is consistent with that of SPP2014 which defines brownfield land as '<i>Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable</i>'.</p> <p>2&3: It is considered that the planning pressures that are relevant in West Lothian are very different from those that are relevant in Dumfries & Galloway. Thus, the approach for rural brownfield sites in West Lothian is not necessarily a helpful model for Dumfries & Galloway. Agricultural buildings for the most part do not require planning permission and the bringing forward of planning policy in the event that non-traditional agricultural buildings become redundant is not seen as being a priority for LDP2.</p>

Comment ref:	Summary	Officer Response
<p><u>0092.002 Catherine Elliot</u></p>	<p>LDP Policy H3, Housing in the Countryside and Small Building Groups, also supplementary guidance Housing in the Countryside. Request for Housing in Countryside policies to be made more flexible- interpretation is very rigid. Difficult to have a new Small Building Group recognised and often falls down to the notion of ‘sense of place’. Policy and interpretation need to be flexible and Guidance needs to be more specific so that applicants can be clear about whether proposals will have chance of success.</p>	<p>Policy H3: It is proposed and to make minor amendments to Policy H3: Housing in the Countryside so that it more effectively carries forward to LDP2 the existing two tier housing in the countryside policy approach. There should also be related amendments to clarify the terms of the supplementary guidance. The issues are addressed as part of Main issue 2 – Housing, How Much is Needed? and Main Issue 3 – Creating Places. It is considered that the Preferred Approach set out in the Main Issues Report provides a balanced response.</p>