

**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 16 November 2022**

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**Subject: Local Development Plan 2 - Supplementary Guidance****1. Purpose**

- 1.1** To advise the Committee of the outcome of consultation on draft Supplementary Guidance and seek approval of finalised version of the Guidance.

**2. Recommendations**

- 2.1** It is recommended that the Committee approve the finalised versions of Supplementary Guidance as set out in the Appendices:
- Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (Appendix 1)
  - Creating Places (Appendix 3)
  - Green Network and Green Infrastructure (Appendix 5)

**3. Background**

- 3.1** The purpose of Supplementary Guidance is to add more detail to the content and policies of the Local Development Plan. Under the Planning (Scotland) Act 2006, guidance referred to in the Local Development Plan could be prepared as statutory Supplementary Guidance, and if so, would form part of the Development Plan once adopted. Whilst this will no longer be the case under the Planning (Scotland) Act 2019 (i.e. guidance can still be prepared but will not form part of the statutory development plan), transitional arrangements allow for guidance associated with Local Development Plans prepared under the 2006 Act (e.g. LDP2) to be prepared as statutory Supplementary Guidance and form part of the development plan.

**4. Main Issues**

- 4.1** The draft Supplementary Guidance on Green Network and Green Infrastructure and Creating Places was approved at Planning Committee on 16 February 2022 and published for consultation on 12 May 2022. The Frontiers of the Roman Empire (Antonine Wall) World Heritage Site was approved at Planning Committee on 8 June 2022 and published for

consultation on 29 June 2022. The consultation period for all three documents ended on 12 August 2022. The consultation was promoted through direct contact with the Council's Local Development Plan participants, promotion through Council social media, and notices in local press. The documents were made available online, in the Council's Church Street offices and in Council libraries. Details of the responses received and the changes made to each document are set out below.

#### Frontiers of the Roman Empire (Antonine Wall) World Heritage Site Supplementary Guidance

- 4.2** The Antonine Wall guidance firstly sets out the policy background and requirements for development within the World Heritage Site or the buffer zone. It then provides detailed guidance and advice for developers with proposals within the protected areas in terms of how to assess any potential impacts of development on the World Heritage Site and buffer area; for instance relating to the landscape setting and any physical impacts on archaeological remains above and below ground. The document then sets out the necessary actions and steps to be taken in the pre-application stage, and what information is required to be provided to the planning authority. It also provides design advice for developers on how to avoid or mitigate any impacts on the World Heritage Site and buffer area, as well as setting out enforcement steps for any breaches of planning control.
- 4.3** Three responses were received during the consultation period. Details of responses received and the Council's proposed response to these is set out in Appendix 2. The main response was from Historic Environment Scotland, which sought changes to wording of the guidance, both for clarification purposes and to strengthen protection of the Antonine Wall and its buffer zone.
- 4.4** Only the Historic Environment Scotland comments necessitated changes to the draft Supplementary Guidance, and as the document had already been consulted on by other Antonine Wall authorities, many of the changes being sought by the response had already been incorporated into the document. The additional changes requested by Historic Environment Scotland were minor in nature and are shown as tracked changes in the version attached for approval at Appendix 1.

#### Creating Places Supplementary Guidance

- 4.5** The Creating Places guidance supports the Creating Places policies of LDP2. It details the process for successful placemaking including the support that the Council will provide through its Pre-Application Service and Place & Design Panel. The guidance uses examples to highlight how a well-considered design led approach can contribute to successful and

sustainable places. Using examples, many of which are from developments in West Dunbartonshire, the guidance supports innovative and creative design without being prescriptive about architectural styles and details.

- 4.6** Ten responses were received during the consultation period. Details of the responses received and the Council's proposed response to these is set out in Appendix 4. Many responses sought wording changes to clarify and strengthen the document. A response from the housebuilding industry queried procedural issues around the status of the guidance. A strengthening of reference to habitats and horse-riding was sought in different responses.
- 4.7** The changes made to the draft document are shown as tracked changes in the version attached for approval at Appendix 3. These changes include:
- Clarification of the status of the document
  - Removal of references to the emerging National Planning Framework 4, as these are premature
  - Information relating to the use of SuDS in areas with a mining legacy
  - Strengthening of Habitat Enhancement section
  - Reference to 'all users' including horse riding in Access networks section
  - Clarification of the need for neighbourhood uses for mixed use on larger development sites

#### Green Network and Green Infrastructure

- 4.8** The Green Network/Green Infrastructure Guidance sets out the policy principles and requirements for green infrastructure to be delivered within or associated with new development, and how this will link into West Dunbartonshire's green network. The guidance sets out how green infrastructure should be embedded in new development and what types of green infrastructure should be provided within different development types. It then focuses on residential development, setting standards for the provision of open space in relation to accessibility, quality and quantity. It also sets out the circumstances under which developer contributions will be sought and how these will be calculated.
- 4.9** Ten responses were received during the consultation period. Details of the responses received and the Council's proposed response to these is set out in Appendix 6. Many of the responses sought wording changes to clarify and strengthen the guidance. Responses from the housebuilding industry queried procedural issues around the status of the guidance and the approach to seeking developer contributions. A number of responses queried the availability of open space audit information. The relationship between the accessibility, quality and quantity standards set out in the guidance was queried, particularly with regard to how these related to the

worked examples included in an appendix to the guidance. A response from a local resident was received seeking stronger reference to horse-riding and equestrian facilities in the document.

- 4.10** The changes made to the draft document are shown as tracked changes in the version attached for approval at Appendix 3. These changes include:
- Clarification of the status of the document
  - Changes to the definition of greenspace and green infrastructure
  - Requiring an overall net gain in quantitative or qualitative provision of green infrastructure/open space, if any is lost through development
  - Strengthen references to multi-user and multi-function green infrastructure
  - Strengthen requirement for habitat provision/enhancement
  - Clarifying relationship between the quantity standard and the accessibility and quality standard
  - Clarifying that a 'hybrid' approach of on-site provision and financial contribution to off-site provision is acceptable.
  - Including information on the open space audit

#### Next steps

- 4.11** On approval, the finalised versions of these documents will become material considerations in planning decisions and will supersede the following existing guidance documents:
- Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (2011)
  - Residential Development: Principles for Good Design (2014)
  - Our Green Network (2015)
- 4.12** If the Council adopts the associated Local Development Plan (LDP2) at a future date, the Council will then seek to adopt the supplementary guidance documents as part of the development plan. This will involve notifying the Scottish Ministers of our intention to adopt the documents. At that stage, Scottish Ministers scrutiny is likely to focus on ensuring that the principles of good public involvement and a proper connection with the development plan have been achieved, rather than on detailed policy content, which the Scottish Government has already commented on at the consultation draft stage.

## **5. People Implications**

- 5.1** There are no people implications associated with this report.

## **6. Financial and Procurement Implications**

- 6.1** There are no financial or procurement issues associated with this report.

## **7. Risk Analysis**

7.1 There are no risks associated with this report.

## **8. Equalities Impact Assessment (EIA)**

8.1 The draft Supplementary Guidance documents were subject to equality impact assessments. These found that the documents had a wide range of positive impacts with no groups with protected characteristics disadvantaged and no negative impacts identified. The proposed changes to the documents are not considered to amend these conclusions.

## **9. Environmental Sustainability**

9.1 The documents have been the subject of Strategic Environmental Assessment screening concluding that they will not have significant environmental impacts.

## **10. Consultation**

10.1 Consultation has been undertaken on the draft Supplementary Guidance documents as set out in paragraph 4.1.

## **11. Strategic Assessment**

11.1 The supplementary guidance is considered to align with the Council's Strategic Priorities, particularly:  
Our Communities – Resilient and Thriving  
Our Environment – A Greener Future

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**Date: 16 November 2022**

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**Appendices:**

1. Frontiers of the Roman Empire (Antonine Wall) World Heritage Site – finalised version
2. Frontiers of the Roman Empire (Antonine Wall) World Heritage Site – comments received on draft version and Council’s proposed response
3. Creating Places – finalised version
4. Creating Places – comments received on draft version and Council’s proposed response
5. Green Network and Green Infrastructure – finalised version – comments received on draft version and Council’s proposed response
6. Green Network and Green Infrastructure – comments received on draft version and Council’s proposed response

**Background Papers:**

‘Development Planning Update’ report to Planning Committee, 16 February, 2022  
‘Frontiers of the Roman Empire (Antonine Wall) World Heritage Site Supplementary Guidance’ report to Planning Committee, 8 June 2022.

**Wards Affected:**

All