

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 28 May 2014

Subject: West Dunbartonshire Local Development Plan

1. Purpose

- 1.1** To advise the Committee of the representations received on the Proposed West Dunbartonshire Local Development Plan (as modified) and to seek agreement that the unresolved objections to the Plan are submitted for Examination.

2. Recommendations

- 2.1** It is recommended that the Committee approve the Schedule 4s set out in Appendix 1 and the non-notifiable modifications to the Plan set out in Appendix 2.

3. Background

- 3.1** The Local Development Plan sets out the Council's strategy for the development and use of land in the Council area (excluding that part within the National Park where the Park Authority acts as Planning Authority). The Committee approved the publication of the Proposed Plan on 14 August 2013. It was published on 27 September with the period for submitting representations ending on 29 November. A modification to the Plan, removing the Duntiglennan Fields housing opportunity, was approved at February 2014 Planning Committee. The Proposed Plan (as modified) was published on 3 March with the period for representations closing on 14 April.

4. Main Issues

Representations received on the Proposed Plan (as modified)

- 4.1** Whilst the modification to the Proposed Plan was limited to the removal of Duntiglennan Fields as a housing opportunity, the relevant Regulations required for the Plan to be re-published in full. Five representations were received supporting the removal of the Duntiglennan Fields site from the Plan (4 from local residents and 1 from Clydebelt). Taylor Wimpey, the developer with an interest in the site, objected to its non-inclusion. Representations were also received in relation to matters not affected by the modification. An objection was received to the Plan not identifying an opportunity for a care/nursing home at Lesser Boll of Meal in Alexandria, and 18 residents of the Dennystoun Forge traveller site objected to Young's Farm as a potential site for a new stadium for Dumbarton FC, predominantly on the grounds of disturbance to the Dennystoun Forge site.

Examination and Schedule 4s

- 4.2** The relevant Regulations require that if there are unresolved objections to the Proposed Plan, that the Plan and the objections are submitted to the Scottish Ministers for Examination. This is to be done using what is known as a 'Schedule 4' form. This form summarises the representations received in respect of particular issues, specifies the change sought by those making the representation, and sets out the Council's response to the representation. The Examination Reporter(s) – who will be appointed by the Directorate for Planning and Environmental Appeals – will use the same form to record his/her conclusions and recommendations.
- 4.3** A total of 25 Schedule 4s have been prepared for the Examination of the West Dunbartonshire Local Development Plan and these are set out for approval in Appendix 1. Representations have been grouped to reflect the chapter order of the Plan, although some chapters have more than one Schedule 4 e.g. Duntiglenan Fields has its own Schedule 4 and comments on other housing sites have been grouped geographically. Some further editing of the Schedule 4s set out in Appendix 1 may be necessary in order to include references to other documents or strengthen certain points, but the direction of the Council's response will not change after they are approved by Committee.
- 4.4** The Schedule 4s and Examination process offer the opportunity for the Council to accept some of the modifications proposed by respondents to the Proposed Plan. Whilst significant modifications should be handled by publishing a modified Plan, the Council can agree to more minor changes through the Examination process. The changes that the Council are agreeing to through this process are set out in Appendix 2.
- 4.5** Next steps
Following approval of the Schedule 4s, they will be submitted along with supporting documents to the Scottish Government for Examination. It is intended that this will be done in June. A lead Reporter will be appointed, along with a number of other Reporters based on the scale of the Examination. The Reporter's will determine whether further information is required in respect of any of the Schedule 4s or if a Hearing is necessary. It is estimated that the Examination will take 6 months. An Examination Report will then be received including the Reporter's recommendations. Changes to legislation since the last Local Plan Inquiry means that the grounds for departing from a Reporter's recommendation are now more limited. Following receipt of the Examination report, the Council can move to adopt the Local Development Plan. It is hoped to achieve this before March 2015, which is the fifth anniversary of the adoption of the West Dunbartonshire Local Development Plan.

5. People Implications

5.1 There are no personnel issues associated with this report.

6. Financial Implications

6.1 The Council is responsible for the costs of running the Examination. Costs are predominantly related to the fees of the Reporter and the DPEA administrative staff. There would also be venue hire fees if any aspect of the Plan was to be subject to a hearing. A budget has been allocated to meet the costs of the Examination in 2014/2015.

7. Risk Analysis

7.1 Any significant changes to the Plan at this stage would require it to be republished for a second time with a minimum 6 week period allowed for representations to be received. The whole Plan would again be open to comment during this period. This would delay the Plan process and make its adoption ahead of March 2015 unlikely. The development plan timetable is a key consideration in the Planning Performance Framework and delay would be strongly criticised by the Scottish Government. Extending the plan process will also result in a delay in developers bringing proposals forward for development.

8. Equalities Impact Assessment (EIA)

8.1 An Equalities Impact Assessment was undertaken in respect of the Proposed Plan and no equality impacts were identified.

9. Consultation

9.1 There has been widespread and thorough consultation throughout the process of preparing the Local Development Plan particularly at key stages such as the publication of the Main Issues Report, the Proposed Plan and the Proposed Plan (as modified). Consultation has been carried out in line with the Committee approved Participation Statement.

10. Strategic Assessment

10.1 The Proposed Plan covers a wide range of topics and is considered to contribute to the Council's strategic priorities and in particular towards:

- Economic growth and employability.
- Local housing and sustainable infrastructure.

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Date: 15 May 2014

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Appendices: Appendix 1: Schedule 4s
Appendix 2: Short summary of representations received.

Background Papers: West Dunbartonshire Proposed Local Development Plan
(as modified) March 2014
Proposed Plan responses

Wards Affected: All