



Case reference	NA-EDS-023
Application details	Residential development of 84 dwellings
Site address	Land at Whitegates, Lenzie Road, Kirkintilloch
Applicant	Persimmon Homes
Determining Authority	East Dunbartonshire
Local Authority Area	
Reason(s) for notification	Category 1
Representations	2
Date notified to Ministers	25 November 2019 but not fully documented until 27 November 2019
Date of recommendation	18 December 2019
Decision / recommendation	Clear

Description of Proposal and Site:

- Residential development of 84 dwellings with access off Marina Way and Civic Way with SuDS basin, residential units comprised of 36no. x3 bedroom, 8no. x2 bedroom houses, 10no. x4 bedroom houses and 30no. x2 bedroom flats in three blocks (2no. four storey and 1no. three storey blocks of flats) with new vehicle access to existing commercial units at land at Whitegates, Lenzie Road, Kirkintilloch.
- There is a related housing site on an adjacent plot of land also owned by East Dunbartonshire Council.

EIA Development:

- The Council conducted a screening opinion and considered no EIA was required.

Consultations and Representations:

- There are no objections from statutory consultees subject to conditions.
- 2 letters of representation (both in objection) were received. Objections specifically related to residential amenity, noise and vibration from construction works and safety issues from nearby trees.
- East Dunbartonshire Council Economic Services raised concerns in relation to the loss of a significant piece of business land close to Kirkintilloch town centre and a lack of business land development within the council area as a whole.

- East Dunbartonshire Council Housing Services are supportive of housing development in the local area and in particular the provision of new affordable homes into the development.
- East Dunbartonshire Education Services have no objection subject to a developer contribution towards primary and secondary education.
- East Dunbartonshire Traffic and Transport Services have no objection subject to a developer contribution towards route corridor improvements and pedestrian crossing point at Lenzie Rd.

Assessment:

1. The application has been referred to Scottish Ministers because East Dunbartonshire Council are minded to grant planning permission for a development on land in which they have an ownership interest and the proposed development being significantly contrary to the current allocation for business and employment within the Local Development Plan (LDP).
2. The council's report of handling sets out that the proposed development would result in the loss of part of an allocated business and employment site on the edge of Kirkintilloch town centre. LDP policy seeks to protect Use Classes 4, 5 and 6 at existing business and employment sites but will accept alternative uses on the site provided certain criteria are met. The report of handling sets out that the principle of alternative uses on the site has already been established by virtue of a previous planning application for a mix of uses outwith Use Classes 4, 5 and 6 and this is a material planning consideration. In addition to this, the report of handling sets out that the existing use could be considered to be harmful to the character of the area due to the largely derelict and rundown buildings which bear no relationship to each other. The report of handling sets out that the marketing report which was submitted with the application has proved that there is very little interest in the site from potential tenants whilst the viability information submitted has demonstrated that it would not be viable to the developer to retain the employment space on the site nor to incorporate a mixed use development. Further, the report of handling sets out that the Business Land Review and Business Land Audit demonstrate the issues East Dunbartonshire faces in terms of vacant business land and its location within the city region. These evidence reports recommend the reallocation of some business land in order to facilitate appropriate business development.
3. The report of handling sets out that the Economic Development Strategy, Local Development Plan and Kirkintilloch Gateway Masterplan focus business land development at Kirkintilloch Gateway. While the report of handling notes that there are concerns associated with the proposal with regard to removing business land, loss of an employment site and loss of full time employment the proposal does have merit in the sense of delivering housing (market and 21 affordable) in a sustainable, edge of town centre location and providing developer contributions towards delivering business sites in more viable locations.
4. It is noted that the previous application referred to in the report of handling was notified to Ministers and cleared back to the Council for determination in 2015 as not raising issues of national significance.
5. In conclusion the Council considers the current proposal is acceptable, and in line with the relevant policies of the LDP. The Council has set out its reasons for

arriving at its decision. It does not appear that a conflict of interest has influenced the Council's decision-making, and it has taken account of the issues raised. There is no reason to believe the Council has acted inappropriately given its interest in the land. There are no outstanding issues that would raise issues of national importance that would merit intervention by Scottish Ministers.

Decision/Recommendation:

- The application should be cleared back to East Dunbartonshire Council.

Location Plan

