



Case reference	NA-EDS-024
Application details	Residential development of 87 dwellings
Site address	Former Tom Johnston House site, Civic Way, Kirkintilloch
Applicant	East Dunbartonshire Council Housing Strategy & Development
Determining Authority	East Dunbartonshire
Local Authority Area	
Reason(s) for notification	Category 1
Representations	3
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 87 affordable dwellings comprising of 8 x 3 bedroom houses, 15 x 2 bedroom houses, 4 x 1 bedroom houses, 40 x 2 bedroom flats and 20 x 1 bedroom flats with associated access, roads, car parking and landscaping. This is a fully affordable housing development.
- 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 layout and design of the development particularly in relating to accessibility for those with disabilities. In addition, Lenzie Community Council who did not wish to object to the proposed development, raised an issue with the travel plan.
- East Dunbartonshire Council Economic Services while they raised no objection, 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 however welcome the contribution sum in lieu of the loss of employment space to be used to create and enhance business opportunities for modern workplaces in Kirkintilloch.

- East Dunbartonshire Council Housing Services welcome the development in reducing the waiting list by around one quarter in Kirkintilloch.
- East Dunbartonshire Education Services note that this development will likely impact on the catchment schools, however as per the developer contribution guidance, as this is a fully affordable scheme there are no educational contributions to make.
- East Dunbartonshire Traffic and Transport Services have no objection subject to traffic signal junction being upgraded to toucan control, cycle parking provision and pedestrian drop crossing with island on Lenzie Rd.

### **Assessment:**

1. The application has been referred to Scottish Ministers because East Dunbartonshire Council are minded to grant planning permission on Council owned land and the proposed development is significantly contrary to the development plan allocation as a business and employment site within the current Local Development Plan (LDP).
2. The council's report of handling sets out that the proposed development would result in the loss of a part of an allocated business and employment site on the edge of Kirkintilloch town centre. It sets out that the LDP seeks to protect existing use class 4, 5 and 6 business and employment sites but will accept alternative uses provided certain criteria are met. In this instance, the report of handling concludes 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 that this is a material planning consideration. In addition to this, the report of handling notes that the existing use could be considered to be harmful to the character of the area due to the fact that it has been vacant and unused for 7 years failing to contribute anything to the local economy in terms of vitality or viability. 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. The report of handling explains the inclusion of a sum for mitigation of the loss of employment land towards enhancing business opportunities in Kirkintilloch. While 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 Council consider that the proposal does have merit in the sense of delivering affordable housing in a brownfield, sustainable, edge of town centre location and providing developer contributions towards delivering business sites in more viable locations.
3. 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.
4. 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:**

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

Location Plan

