

APPENDIX 2

ISS015	Protection of marine areas suitable for aquaculture	
Development plan reference:	<p>Chapter 1 - Policy LDP STRAT 1 (D427)</p> <p>Chapter 4 – Creating a Sustainable and Growing Economy Together (D431)</p> <p>Chapter 6 – Maximising Our Resources and Reducing Consumption Together (D432)</p> <p>LDP 10 – Maximising our Resources and Reducing Our Consumption (LDP10 MARINE)</p>	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</p> <ol style="list-style-type: none"> 1. POLICY LDP STRAT 1 should include reference to the need to avoid the sterilisation of part of the marine area that may be suitable for aquaculture development as a sustainable development principle which supports material planning considerations of food security and socio-economic benefits, reflecting policy commitments set out in the UK Marine Policy Statement (Core Doc. XXX). 2. Safeguarding parts of the marine area most suited to marine aquaculture development should be listed as a Key Action for the Economy in CHAPTER 4 and referred to in the list of ways the LDP will enable sustainable growth of the renewables sectors in CHAPTER 6 (Maximising our Resources and Reducing Consumption Together). 3. In the context of sustainability, food security, and the economic and social benefits that arise from aquaculture development, the safeguarding of prime marine areas where aquaculture is most suited is considered as important as safeguarding mineral resources or good quality agricultural land. This should be included in POLICY LDP 10. 		
Modifications sought by those submitting representations:		
<p>Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</p> <ol style="list-style-type: none"> 1. Include reference in POLICY LDP STRAT 1 to the need to avoid sterilisation of parts of the marine area that may be suitable for aquaculture development. 2. Add new bullet point to paragraph 4.8, 'To safeguard from inappropriate development those parts of the marine area most suited to aquaculture development.' Refer to the need to safeguard marine areas suitable for aquaculture in paragraph 6.2 (page 53). 3. Add new bullet point to POLICY LDP 10, 'Safeguarding those parts of the marine area most suited to aquaculture development.' 		

Summary of responses (including reasons) by planning authority:
<p>The above responses are asking the Council to safeguard marine areas that are suitable for aquaculture from other types of development which may impact on marine aquaculture. While the Council agrees that safeguarding aquaculture resource is as important as safeguarding tourism assets, mineral resources or avoiding good quality agricultural land where we can, the LDP cannot seek to protect marine aquaculture development or resource from other types of marine development which are not controlled by planning. The Council therefore concludes that it would be more appropriate for this aspiration to be considered through the development of future regional marine plans. The UK Marine Policy Statement (Core Doc. XXX) referenced by the objector identifies considerations that should be taken by marine planning authorities when developing marine plans and not planning authorities when developing Local Development Plans. In view of the foregoing the Council recommends no modification to paragraph 4.8 of the proposed LDP.</p> <p>The LDP can seek to protect existing aquaculture development from new development requiring planning permission, through consideration of effects on other activities and seeking to protect the ecological quality of coastal waters which support aquaculture development. Policy LDP 10 already states that development proposals should minimise impact on the water environment and therefore the Council recommends no modification to this policy. This is further supported by SG, specifically Policy SG CST 1 – Coastal Development which states that:</p> <p><i>(I) No part of the development will have an adverse impact on existing development and activity; and</i></p> <p><i>(K) 'The proposal will not adversely affect natural coastal processes or water quality or result in deterioration of the overall ecological status of coastal and transitional water bodies as classified by SEPA under the Water Framework Directive'.</i></p> <p>In relation to comments on Policy LDP STRAT 1 and Chapter 6 (page 53) the Council, if the Reporter was so minded, would be content with the following amendments which help complement and clarify the existing policy protection as stated above in Policy LDP 10 and Policy SG CST 1:</p> <ul style="list-style-type: none">• Amend the last bullet of LDP STRAT 1 to include '<i>....impacts on land, and the water environment</i>'.• Change 7th bullet in paragraph 6.2 of Chapter 6 to – '<i>Protecting important open spaces, safeguarding our better agricultural land from development and protecting the ecological quality of coastal waters.</i>'
Reporter's conclusions:
Reporter's recommendations:

ISS400	Strategic Issue: Housing Land Supply	
Development plan reference:	D414 - Housing D412 - Chapter 2 Paragraph 2.8 Delivering an Effective Housing Land Supply that Meets Local Need and Policy LDP 8 - Supporting the Strength of Our Communities	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Helensburgh and District Civic Society (00281) Helensburgh Green Belt Group (00167) Helensburgh Study Group (00166) Helensburgh Community Council (00135) CALA Homes (West) (01870) Ms Suzanne McIntosh (01887) Mr Mike MacKenzie MSP (00984)</p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>D414 - Helensburgh and District Civic Society (00281) We oppose the housing allocations in the LDP on the basis of the forecasts for population growth and household formation. We also oppose the chosen sites for the allocations, the insufficient allowances for infill in the town and the disregard of adventitious extra sites through changes of use. Therefore this comment may be seen as an objection to the whole policy of housing, and the way this issue is handled in the Plan. In Scotland there is now a major sea change in the imbalances of population growth with a switch from a long-term North – South imbalance and movement towards a new East – West dynamic. In 1983-2003 for example, there has been a rise of between 0 and 5% rise in the various parts of Highlands and Islands Region, and a 5-10% rise in the North East region, while the West Region which includes Glasgow and N. Ayrshire has experienced falls of 1% to 10% and the Southwest Region falls of 1% to 5%. These dramatic changes continue, and are projected to emphasize the East-West split over the coming years. The projections of population changes show changes in composition, a key feature being, the proportion of the elderly. Overall these figures reveal a major decline of population in the western areas nearest to Helensburgh, and one which changes the shape of the population pyramid towards the elderly. These figures are supported by the GRO estimates of population in Helensburgh itself, which is also in decline, from 14,626 in 2001 to 13,660 in 2010, a decline of nearly 7%. Following this population analysis, the projections for housing are not commensurate with the demand. A total demand for 9500 housing units and new land for 7450 units must be questioned. We are well aware that the council must provide for the likely demand for housing land, and that the plan figures will defended in terms of the phenomenon of greater household formation; this is conceded, and is due to more single people needing housing through longevity and breakup of families. We would emphasize first, the major factor of population decline; secondly the fact that we as a nation are entering a period of lower ease of access to credit such as mortgages; ad third a movement away from ownership of property as a form of saving or investment. These are longterm factors with just as much weight as</p>		

household formation. In fact, it is likely that household formation itself will be reduced as people seek ways of saving by not buying more separate property. All of these socio-economic factors are somewhat indeterminate. What we would maintain however is that to predict a major growth of housing need goes against the evidence in the area and in the country at large.

The balance of Affordable Housing seems to be lopsided, with only 15 units in Bute and Cowal, whereas 165 units are to be in Helensburgh. In general, the level of poverty is greater in remote rural areas (Bute and Cowal) than it is in more urban areas. These numbers need addressing.

Secondly, the population of pensioners, and especially the over 75 section, is growing rapidly. Given this trend, the location of housing on the edge of town is wrong. Such houses are likely to be larger, and to be built with car transport in mind. This is inappropriate for older people, who seek flats or smaller residences with good access to the centre of town. The planners should be pressing hard for the relocation of uses such as car showrooms, out to the edge so as to make way for these residences for a growing segment of the population.

D414 - Helensburgh Green Belt Group (00167)

The Helensburgh Green Belt Group (HGBG) refers to the analysis of housing needs, demand and allocations provided by the Helensburgh Study Group (HSG). In particular it agrees:

- a) that the number of houses in the Helensburgh allocations appears to be excessive;
- b) that Helensburgh is influenced by two Housing Market Areas (administratively Helensburgh & Lomond, but in terms of self-containment, a Rhu-Dumbarton-Balloch triangle) and that reduction in housing allocations for Helensburgh should be made to recognise the reality of the eastern triangular HMA, even if H&L is retained as the administrative HMA;
- c) that the Council's Housing Need and Demand Assessment has self-proclaimed approximations and assumptions and is subject regular reassessments so that it cannot be used as an inflexible basis of 10-year allocations in the Development Plan;
- d) contrary to its claim to be "highly flexible", the housing allocations appear not to be and there are angers in fixing specific sites as housing allocations to year 10 when circumstances may change;
- e) that allocations to year 5 are the most that should be site-specific and the year 10 projections should be through more general indications;
- f) that in-town vacant sites and sites due to become vacant are not "windfall" because they are known and should provide housing allocations;
- g) that significant external uncertainties will be resolved in the next two years (especially the release of 2011 census results for settlements and the outcome of the independence referendum affecting the Faslane Base) which could have implications for the H&L area, so that it is premature to make firm allocations now for year 10;
- h) that, since the now-public population changes by local authorities show increases in the east but decreases of about 3% in the west, including Argyll and Bute, the undefined "generous" add-on of housing numbers to the allocations (of perhaps 20%) may be valid in the east, they are not in the west of Scotland and should be much lower or none;
- i) that the mere doubling of the 5 year allocations to make a figure for 10 years in table 2,1 on page 21 of the LDP is a disturbing oversimplification;
- j) that a "wide choice" of housing is already available in the private sector for many categories of housing, as demonstrated by estate agent websites which show units of a types and prices available in large numbers.

In view of the above, the HGBG considers that site-specific allocations cannot be made beyond year 5 and that a more flexible, non-site-specific method should apply to year 10.

D412 - Helensburgh Study Group (00166)

The Helensburgh Study Group ('the Study Group') questions the seemingly high proposed LDP housing allocations for Helensburgh in total, and considers that more could be located

inside the town boundaries.

1. The A&BC Housing Need and Demand Assessment (HNDA) is cited (LDP para. 2.8.2) as the basis of the new build housing allocations. The HNDA is commendably open about the extent to which its calculations depend on assumptions, estimates and approximations. It states (page 232) : "It is important to note that this assessment is not a definitive "answer" to the question of housing needs and demand in Argyll and Bute, rather the assessment is a view of the broad scale of housing issues based on a range of prudent and judicious assumptions". The difficulty with the Proposed Local Development Plan (LDP) seems to be that housing allocations get made and mapped for year 10. The LDP states that it seeks to be "highly flexible" (para. 2.8.4), but if maps record allocated sites to year 10, it is difficult to see how it is flexible.
2. According to the A&BC Community Services, 75% of the affordable housing need can be met in situ - i.e. without new build allocations required.
3. The year 10 figures in Table 2.1 (page 21) of the PLDP are simply double the year 5 data. That seems to rather an inexact mode of calculation for allocations that will have practical impact.
4. The PLDP also gives "a wide range of housing choice" as a reason for housing expansion around Helensburgh. Internet lists of houses and apartments in the settlements of H&L show very extensive choice in the private sector, so that aim of choice is already achieved, except for housing association affordable housing, most of which can be met through repairs and upgrading.
5. Helensburgh's Housing Market Area (HMA) overlaps with that of Dumbarton and the Vale of Leven (D&VL). It has been argued in the past that Helensburgh is part of the HMA of D&VL. For the purposes of this submission, we accept the administrative arrangement by which H&L is the recorded HMA. However, we suggest that the strong interaction between Helensburgh and Greater Glasgow, including D&VL, affects the housing reality and should result in lower housing allocations. As the Arneil Johnston housing report (2007, page 4) states, "at 59% the Helensburgh and Lomond area cannot be described as self-contained".
6. The existing facility (Structure Plan, 2000, page 19) for 50 affordable homes in the green belt has never been taken up, indicating a possible lack of need.

In-town housing for Helensburgh the only allocation for in-town housing in Helensburgh in the proposed Local Development Plan (LDP) is at the old Academy site (H-AL 3/1 and H2007), while all other potential intown possibilities are ignored in favour of Green Belt sites. This appears to be contrary to Scottish Planning Policy (SPP) sections 80, 81 and 159 among others. Scottish Planning Policy (SPP) para. 80 advises "directing development towards existing settlements where possible". SPP 81 urges urban capacity studies; SPP 82 deals with infill sites; and SPP 84 points out that in-town housing will "minimise servicing costs". SPP 52 describes town centres as "a key element of the economic and social fabric of Scotland" and refers to a mix of uses, specifically mentioning homes and "integration with Residential areas". We agree with Sir Terry Leahy's recent statement that town centres should have "a mix of houses with the shops, community facilities and leisure venues" and he drew attention to housing that is affordable or sheltered.

SPP para. 159 states that one purpose of green belt is to "direct planned growth to the most appropriate locations and support regeneration". Although the Study Group accepts some limited green belt release, we consider that neglecting intown vacant sites in favour of green belt land on the town fringe of Helensburgh departs from best practice for the town's regeneration. This is especially so since opportunities exist for "further housing development within existing settlements, focusing on previously developed land and conversion of existing buildings and reviewing land currently allocated for uses other than housing . . . to inform the settlement strategy." (SPP para. 81). These would include :

- seven municipal buildings due to be vacated with the opening of the new Council offices soon at the old Clyde Street School (listed in the Helensburgh Advertiser 25.4.13, page 3);
- the list of vacant or soon-to-be-vacated sites in town listed in 5b below;
- the "broken teeth of Helensburgh" - formerly 3 or 4 storey traditional attached buildings in

the town centre which are now only one storey, but capable of building upwards for flats to the originally-designed level;

- other vacant sites or sites/buildings which could be converted.

The above are not windfall sites because their existence is known and in most instances the date at which they will be vacated is well within the LDP housing time span and some are vacant now.

The Study Group considers that currently vacant sites and sites known to be about to become vacant are not windfall sites. They should therefore be considered for housing allocations. The following are reasons.

1. The Oxford Dictionary defines "windfall" in this sense as "a piece of unexpected good fortune". Its essence is being unexpected.

2. Planning Aid for Scotland (PAS) defines windfall sites as: "Development sites which are not identified through forward planning processes but become available for various ad hoc reasons." The LDP is a part of those formal planning processes and should include sites which do not appear unexpectedly on an ad hoc basis. In other words, known specific sites cannot be "kept up the sleeve" to become "windfall" later. The PAS definition continues: "Allowance for a certain level of windfall sites is usually made by planning authorities when calculating the forward supply of development land for which Development Plans will make provision." Thus housing allocations should be lowered in recognition that unexpected ad hoc sites may appear. The Study Group contends that known vacant sites are not 'ad hoc' or unexpected.

3. The SPP glossary definition of effective housing land supply (page 55) does include land "expected to be free of development constraints in the period under consideration, and will therefore be available for the construction of housing". Thus land which is vacant or is expected to be available is not windfall.

4. Para. 2.12.1 (page 22) of the Proposed LDP and the glossary (page 89) "definitions" of windfall development fail to include the crucial element of being unexpected. The weakness of their wording is that planners are seemingly granting to themselves the power to ignore vacant sites (or sites soon to be vacated) even though those sites could be considered for housing which would support regeneration in the town.

5. The Study Group lists vacant sites or sites known to become vacant in Helensburgh. They calculate, these could provide for between 100 and 200 housing units depending upon densities and circumstances, there is also potential for other in-town conversions to increase in-town residence.

6. The extent of green belt release could be greatly reduced and town regeneration improved by recognising that these sites are valid housing potential.

D412 - Helensburgh Community Council (00135)

This submission concerns Housing Need and Demand, but it is PART 1 of an integrated representation about housing for Helensburgh and should be read in conjunction with another Helensburgh Community Council (HCC) submissions on housing: Part 2 on housing proposals in the Plan. The HCC refers to the Scottish Planning Policy (abbreviated 'SPP') paragraphs 66-76 and to the Council's Housing Need & Demand Assessment and its Housing Strategy (abbreviated 'HNDA' and 'the Strategy').

The HNDA and the Strategy figures have limitations. The Plan does not sufficiently state the extent of uncertainty in the HNDA and the Housing Strategy in para. 2.8.2.. To quote the HNDA (page 232), 'It is important to note that this assessment is not a definitive "answer" to the question of housing needs and demand in Argyll and Bute, rather the assessment is a view of the broad scale of housing issues based on a range of prudent and judicious assumptions'. HNDA uses terms such as 'assume', 'predicated on', 'considered reasonable', 'evidence suggests', 'require further examination', 'it is likely that', 'difficult to predict', 'estimated', 'would suggest', 'difficult to engage meaningfully', 'projected', 'apparent crude surplus' and so on. Yet these are the foundation of the housing allocations in the Plan (para. 2.8.2).

The HNDA is based on 2010 data, though some goes back further (e.g. see HNDA, para.

11.3.4). They and the Plan appear not to allow for subsequent changes or data soon to appear - e.g. the settlement results of the 2011 Census. The data seem not to adequately include figures for MoD housing or for empty MoD units.

The Housing Strategy assumes (page 22) a decline in A&B population of 1% in the past decade. Census data, just released, show a decline of nearly 4%. As new data emerge, so Plan flexibility seems appropriate. (See section 5b below.) While HNDA figures are reconsidered annually and the Strategy is fully reviewed every 5 years, the Local Development Plan seems to be making fixed allocations ten years ahead (pages 21 and 67). Housing estimates are described as 'generous', a term that is not defined but, anecdotally, is taken to be a 20% add-on to allow for growth. The word 'generous' is taken from SPP Paras. 66 and 70) which perhaps reflects rising populations in the east of Scotland.

Recent Census figures for local authorities confirm growth in the east but show Argyll and Bute diminishing by 3.82% over the past decade. The 'generous' element would therefore not seem to be so justified for A&B.

There is a large amount of housing currently available. The website rightmove.co.uk shows over 400 houses/flats either for sale or to let in the Helensburgh and Lomond area, but the HNDA and Plan do not appear to allow for these in their calculations.

Housing Market Areas (HMAs) are integral to Strategy analyses, and H&L is treated as if it were a self-contained HMA. However, the H&L area does not adequately meet the criteria to be Helensburgh's HMA which is cross-border with West Dumbartonshire. Even if H&L is taken to be the administrative HMA, failure to allow for our effective HMA distorts housing figures.

Some Strategy data are expressed A&B-wide, but Helensburgh is distinctively different from rural A&B. That difference is sometimes not recognised - e.g. proportions of elderly people which are high in rural A&B but close to national average in Helensburgh.

Housing proposed for Helensburgh seems excessive. In addition to extensive new-build, the Plan is not flexible enough to allow for change, inter-area differences or the approximations described in the separate HCC paper on housing need. The HCC raises the following.

Proposed 665 new-build housing numbers for Helensburgh (1,125 for H&L) are huge, do not include existing houses to be renovated, would put strain on services and have not been sufficiently justified, in the view of HCC. A 'larger scale growth in Helensburgh' is advocated (para. 2.3.2) without adequate explanation in the Plan of why population growth is needed.

- The Strategy is a 5-year one, but the Plan is using the same base data (HNDA) for 10 Years by simply doubling the 5-year figures (see table 2.1, page 21). Pre-commitment to specific sites and dearth of flexibility seem unsatisfactory. The term 'highly flexible' (para. 2.8.4) seems inappropriate. SPP para. 70 states that planning authorities 'may' direct development to particular locations, though SPP para. 73 requires 5 years effective land supply at all times.

Therefore two categories of land supply would seem to be appropriate : for 5 years (more firmly designated) and for 10 years (less firmly designated).

- No houses have been allocated for the Rosneath Peninsula. Yet we are informed that the Peninsula is being considered as a self-contained HMA in the future. Failure to include the Peninsula in the housing allocations should be rectified in the opinion of HCC.

- Proposed housing allocations are insufficiently based on a vision for Helensburgh's future. In a separate submission, HCC has drawn attention to the inadequacy of the description of the town and its future given on page 10 (paras. 2.3.1 - 2.3.2).

- Sites which are vacant or will become vacant have been ignored in the housing allocations. That is in contradiction to SPP para. 80 which calls for 'directing development towards sites within existing settlements where possible'. (For details see 5b below.)

- Insufficient consideration has been given to the revival of Helensburgh town centre in allocating housing. Although infrastructure improvements are happening, there needs to be more retail and residential vitality in the town, including more housing in or near the town centre for elderly, young persons or others preferring access to transport and facilities. See SPP paras. 57- 61 and PAN 59 (especially page 25). Pushing houses to the periphery is

contrary to in-town revival. (See SPP para. 80.) Also, the Waitrose decision has put further strain on in-town retail. To counteract further town-fringe retail, HCC supports the proposal to allocate half of the remaining vacant business area for housing. (See 5b below.)

The HCC reasons for objection to the very high proposed allocations of new-build housing units for Helensburgh (and for the H&L area) may be summarised as a dearth of justification, inadequate recognition of the way that Helensburgh differs from the rest of A&B, insufficient vision for the town's future, too little consideration of existing and possible in-town sites and reliance on the convenience of greenbelt incursion contrary to SPP para. 159.

LDP 8 – CALA Homes (West) (01870)

The objector contends that Council needs to ensure that evidence has been prepared for the Proposed LDP confirming that they are establishing a generous housing land supply in compliance with the requirements of the SPP (as set by the Scottish Government).

The Objector states that the Council is required to maintain a 5 year effective housing land supply at all times (SPP, paragraph 73). The Proposed LDP presents a housing land requirement based on the evidence presented in the Argyll and Bute HNDA (paragraph 2.8.2). This equates to 9,590 homes over the next 10 years or 959 homes per annum. This housing land requirement accords with SPP, paragraph 70. CALA Homes (West) (The Objector) supports the Council in adopting this housing land requirement of 9,590 homes over the Proposed LDP period.

In order to accord with SPP, the Council needs to prepare a housing land audit. This is the method to measure whether a supply of effective land for at least 5 years is being maintained at all times (SPP, paragraph 75). This will ensure that a continuing generous supply of land for house building is being provided.

The Council needs to assess the allocations prior to the LDP Examination in order to determine the effectiveness of allocations, seeking guidance from the house building sector where appropriate. This is in accordance with guidance set out in PAN 2/2010.

CALA Homes (West) (the Objector) supports the Council in identifying 7,450 homes for allocation over the Proposed LDP period.

The objector states that maintaining a 5 year Effective Land Supply at all times SPP requires the LDP to allocate land on a range of sites which are effective or capable of becoming effective to meet the housing land requirement up to Year 10, ensuring a minimum of 5 years effective land supply at all times.

The objector states that in order to evaluate whether the allocations would be sufficient to maintain a 5 years land supply at all times, the Council must programme the expected annual delivery from proposed allocations with the effective land supply and test whether this meets the housing land requirement. This work and evidence should form part of the Council's finalised position for the LDP Examination through a Housing Land audit.

The Council therefore needs to implement a policy mechanism to ensure that a 5 year housing land supply is maintained at all times as well as identifying a mechanism to measure compliance and ensure an effective housing supply at all times.

D412 - Ms Suzanne McIntosh (01887)

The effectiveness of the land supply is questioned in the light of the allocated number of units falling short of the required number and the over-reliance on windfall sites to make up the shortfall.

The tables of housing sites do not identify those sites which have been carried forward from

the last plan, those which have been allocated for in excess of 10 years nor given an explanation of why they have not come to fruition within that plan period.

An in-depth analysis of the reasons for an underperformance on sites coming forward to development stage has not been provided in the LDP or referred to yet this is critical to achieving the vision in the plan and reversing the trend of population decline.

In the light of the current economic climate sites of over 80 to 100 units are not attracting investment/ builders throughout Scotland and by the very nature of their size are ineffective as a result. There is no consideration of this fundamental in the plan.

No reference is made to the costs and impact of infrastructure delivery on the effectiveness of sites. In order to provide a robust means of addressing population decline a more in depth analysis of the housing allocations and an exploration as to why sites have not come forward needs to be undertaken as a matter of urgency.

D414 - Mr Mike MacKenzie MSP (00984)

Housing is important as it has a direct bearing on the most significant and fundamental problem that Argyll and Bute suffers from which is population decline. This in itself reduces economic activity and compounds the long term trend of socio-economic decline which in turn leads to even greater population loss. Insufficient housing allocations within the planning system have been extensively documented for some years as being an impediment to economic and population growth and sustainability and have been identified as a particular problem in rural areas. (UK Barker Report, SG Firm Foundations report, MacKay Report, SP Rural Affairs Committee Report, The Rural Housing Question,(Satsangi, Gallent and Bevan)). For this reason there is a SG requirement to make provision within LDPs for a generous and effective housing allocation.

The Argyll and Bute Local Development Plan indicates a housing allocation sufficient for 7450 units over 10 years. It is suggested that this is enough to help reverse population decline but is below the figure of 9590 suggested in the Councils own Housing Needs and Demand Assessment (HNDA). There is a suggestion that this will be made up by better utilisation of empty stock but this seems unrealistic and it is unclear what policy mechanisms could effectively achieve this. It is acknowledged that this represents a significant increase over what was suggested in the Main Issues Report.

The Councils Local Housing Strategy (LHS) indicates a growth in households due to a national tendency towards smaller households. The LHS suggests a 2.6% growth over the next decade an estimate which is well below the Scottish average. It is not clear why this should be the case. General Registers of Scotland suggest a Scottish average of around 9.2% over the same period and 23% over the period 2010- 2035.GRoS suggest only a 1% increase in households for Argyll and Bute over the period 2010-35. If this become reality then a very difficult and painful future awaits Argyll and Bute, and Argyll and Bute Council because economic performance and population will continue to spiral downwards and there will be consequent reductions in the Council's budget.

It is necessary for the LDP then to ensure that lack of and cost of housing does not inhibit population growth in order to at least maintain parity with the rest of Scotland. This parity must be achieved no matter how well the general economy performs. The background to this is not good. The last decade (2001-2011)saw a shortfall of housing in Argyll and Bute by comparison with the Scottish average of approximately 1130 houses, with only 2938 actually built. Only 3 of these years were post credit crunch and the remainder were therefore at the height of the housing boom. There is no credible explanation for this underperformance except an overly restrictive planning regime in terms of both policy and practice.

Keeping pace with the rest of Scotland will (according to GRoS figures) require an increase in housing in Argyll of around 3812 units over the period of this LDP although GRoS suggest the population increase will be higher in earlier years and slow down thereafter, suggesting a greater housing requirement in the early years. Given that the LDP is predicated on the LHS and that the LHS assumes only a 2.6% household growth which equates to only 1077 households, then presumably delivering the necessary 3812 houses will require significantly

more housing allocations than are currently identified in the LDP. A pro-rata calculation would suggest a much larger number than is feasible, however, this logic suggests a significantly larger allocation than the current LDP allows.

The LHS strategy is heavily predicated on the Housing Needs and Demand Assessment (HNDA). This also assumes that the need will be for only a 2.6% increase of households and fails to take into account hidden demand in its various guises. It is also heavily reliant on existing and historical local housing market trends without any analysis of whether these represent any element of market failure. For example many communities have reached the critical point of decline whereby the Council recently (2011) proposed closing 26 (one third of its primary schools). This represents hard evidence of both market and policy failure and there is no evidence in the LDP of any policy initiatives designed to counteract this.

It is also necessary to ask how much of the current housing allocation proposed in the LDP is truly effective. It is not possible to answer this with reference to the LDP nor the associated documents , since insufficient information is provided to allow this analysis, and no robust critical evaluation of the effectiveness or failure of previous housing policy seems to have been undertaken.

Examination of the LDP maps reveals that many allocations included from previous development plans seem to have been included, some of which have remained undeveloped for many years. An analysis should be undertaken to identify allocations not built on for more than ten years, for whatever reason, and these should be excluded from the effective supply. A further analysis should be undertaken to examine which of the included allocations can only be unlocked with very significant infrastructure investments and may therefore be non-viable in the current economic climate. Another layer of analysis is required which looks at marketability of allocations which can only be developed by the private sector, acknowledging current economic and financial constraints. Unless this is done and involves genuine consultation and input from relevant stakeholders, the housing allocations cannot be said to be genuinely effective. A further problem is that many allocations are locked up in sites for 30 houses or more where the size of development alone suggest that these sites may not be viable. There is also a question over the distribution of the allocations since they do not seem to fully align with identified Housing Market Area (HMA) demand nor with the need to maintain the socio-economic sustainability of particular communities. Primary school viability is only one aspect of this. Examination of the maps seems to merely represent general slight increases to settlement areas for many of the smaller settlements and villages and many have no increased allocations. Instead there is a heavy concentration of allocations around the main towns and especially the Dunbeg Corridor. This indicates a centralising trend around main towns and a corresponding lack of allocations necessary to maintain viable communities in rural areas.

Modifications sought by those submitting representations:

D414 - Helensburgh and District Civic Society (00281)

These figures require a major change in the size of the allocations of new housing, and a commitment to review the population figures and plan accordingly. Also, a review of the geography of the allocations, with a view to reducing the impact on the Green Belt. This should be combined with a greater effort to find more residential space in or near central Helensburgh, so as to reinvigorate this area. We think a key feature must be the firm positive emphasis on the centre of town, to complement other measures in the Chord project.

D414 - Helensburgh Green Belt Group (00167)

a) Create a system of flexibility in the allocations of land for housing so that, although housing to year 5 is site-specific, that for year 10 is recognised but not defined on maps. That would appear to meet the criteria given in section 73 of Scottish Planning Policy.

b)In part, relate the housing need and demand for the Helensburgh strip to the housing need and demand of Dumbarton and the Vale of Leven, thereby reducing the overall housing allocations in H&L.

- c) Separate out the housing need and demand for the Rosneath Peninsula which, by the Proposed Local Development Plan, has no housing allocations at all.
- d) Assess the vacant in-town sites and those known to become vacant in the period covered by the Proposed Local Development Plan, in accord with section 80 of Scottish Planning Policy. HGBG agrees with the Study Group submission on section 2.12.1 which argues that these are not "windfall" sites ..
- e) Halve the number of houses for H&L projected for year 10 in table 2.1 (page 21) and the table of housing allocations on page 67. For the reasons above, that would still meet the criterion of "generous" supply mentioned in paragraphs 66 and 70 of the Scottish Planning Policy (2010).
- f) Include a new section in the Local Development Plan about means to increase residential provision in and close to town centres.
- g) Accept the allocations for the old Academy site. Accept the now-reduced housing allocation for Cardross, though perhaps with reduced density. Accept the two Blairvadach sites for housing but reduce density.
- h) Divide the large part (about 5 ha.) of the business site to the east of Helens burgh which remains vacant into two parts, the part nearest to Waitrose to be allocated for housing to prevent further retail incursion and to protect in-town retail.
- i) Reduce the extent of Green Belt incursion substantially. However, HGBG would appreciate the opportunity to discuss which specific parts of the Green Belt should not be allocated for housing.
- G) Meet with us to discuss the above.

D412 - Helensburgh Study Group (00166)

1. Substantially reduce the number of houses for H&L projected for year 10 in table 2.1 (page 21) and the table of housing allocations on page 67.
2. Reference to a "generous" supply mentioned in paragraphs 66 and 70 of the Scottish Planning Policy (2010) and elsewhere might be recognised as (a) not defined, (b) not obligatory, (c) open to being quite low for a local authority which has a diminishing population, as the 2011 Census results for local authorities show for Argyll and Bute, West and East Dunbartonshire and Inverclyde.
3. While still accepting the administrative arrangement that H&L is designated as our HMA, reduce the housing allocations for the Helensburgh corridor to make allowances for housing of Dumbarton and the Vale of Leven.
4. Introduce housing allocations for the Rosneath Peninsula which, by the Proposed Local Development Plan, has no housing allocations at all. Reduce allocations for Helensburgh by that number.
5. Create a system of flexibility in the allocations of land for housing so that, although housing to year 5 is site-specific, that for year 10 is recognised but EITHER not defined on maps OR defined on maps with a different colour or designation from the year 5 allocations. That would appear to meet the criteria given in section 73 of Scottish Planning Policy.
6. Assess the **vacant in-town sites** and those known to become vacant in the period covered by the Proposed Local Development Plan, as outlined in the Study Group representation on in-town housing.
7. Since our proposals would imply a reduction of allocations outside the current town boundaries, we would be pleased to discuss where green belt retention would be most appropriate, especially at site H 2004 on Map 4 which is the second largest allocation for the whole of Argyll and Bute and the largest in H&L.
8. We ask that it be acknowledged ***that the proposed 665 new-build houses for Helensburgh is excessive in total and should be reduced.*** We also refer to our

other submissions which urge more in-town housing and less green belt incursion.

If A&BC has carried out an urban capacity study dealing with the categories of vacant and adaptable sites mentioned in 5a above, we are not aware of it. If it has not been done, the Study Group urges its rapid completion so that it can be included in the 5-10 year housing plan. These would help to provide for housing need and demand, meet the criteria of SPP 52, 80, 81, 82, 84 and 159 and (perhaps especially important) help to revive the town centre.

Some of the Helensburgh sites which are currently vacant or expected to be vacant are listed below, with estimated numbers of houses that might be allocated to them. Those housing estimates are based on medium-density assumptions. There may be other sites as well.

The addition of those numbers of housing units to the allocations given on page 67 of the PLDP and a counterpart reduction of allocations from Helensburgh's green belt would enable the HSG to withdraw its objection.

- Derelict vacant flats at Jutland Court : potential 40 housing units
- Currently being vacated Council depot above Hermitage Park : potential 10 houses
- Vacant site at north-east of Churchill Estate (**Note 1** below) : potential 25 / 30 houses
- Vacant site at Hood Court (currently subject to a planning application for 12 flats)
- Half of vacant business site (**Note 2** below) : potential 70 houses
- Aros Road site (**Note 3** below) : potential 12 houses or more
- Vacant MoD flats uphill from Aros Road (**Note 4** below) : 40 housing units or more
- Seven soon-to-be-vacated Council offices (unknown potential number of housing units)

Between them, depending on circumstances, use of vacant land might amount to between 100 and 200 housing units, thereby reducing pressure on the green belt around Helensburgh.

Note 1. The vacant site at the north-east corner of the Churchill Estate has, seemingly, been leveled for housing (two levels) but the current Local Plan designates it as Greenbelt. However, there is no current defensible boundary, whereas the Garrawy Glen and stream to its east would provide a defensible boundary. It is not used or tended. The HSG assumes it belongs to the MoD, but (as its present Greenbelt designation shows) that does not preclude redesignation for housing. Access would be simple. It is suggested that the woodland to its west and south should be retained as an Open Space Protection Area.

Note 2. Please see the separate Study Group representation entitled "Helensburgh business site".

Note 3. Aros Road is in Rhu. This site is allocated in the current Local Plan for 30 houses, but we understand that it has been removed from the PLDP due to a gas pipe running through it. However, the HSG assumes that this would not preclude some housing. That is why 12 housing units has replaced 30 in the assessment above, but 12 is a guess.

Note 4. Over 40 (the HSG is unsure of the precise figure) apartments have stood vacant on this MoD site for many years. The Study Group assumes that they could either be refurbished or replaced, whether for military or civilian use.

IN ADDITION : please see the separate Study Group representations on housing listed at the head of this submission.

Conclusions. The Study Group considers that the above are not windfall sites but should be included in the housing allocations. There may be other similar sites we have not identified.

1. Para. 2.12.1 (page 22) of the Proposed LDP and the glossary (page 89) re-define windfall development sites as "Development sites which are not identified through forward planning processes such as this LDP but become available unexpectedly for

various ad hoc reasons. Sites known to be vacant or known to become vacant during the 10 year span of this Plan are not windfall sites.”

2. Institute an urgent but thorough urban capacity study (as advocated in SPP para. 81) for Helensburgh in order to include the sites and means to provide in-town residential facilities for the benefit of the town. The Study Group's separate submission on in-town housing might contribute to that procedure.

3. Include the vacant and about-to-be vacant in-town sites in the allocations.

4. Reduce the extent of proposed green belt incursion accordingly.

D412 - Helensburgh Community Council (00135)

The HCC proposes the following.

1. Delete the words 'larger scale growth' from the fourth bullet point of para. 2.3.2 of the Plan's written statement and replace it with 'moderate and restrained growth in keeping with the fundamental character of Helensburgh'. Then greatly reduce the number of allocations, especially those outwith the current Helensburgh town boundary. See the HCC representation headed 'Housing proposals in the Plan'. HCC would be pleased to discuss specifics.

2. Since housing allocations are based on a range of assumptions and uncertainties and since the Plan itself aims to be 'highly flexible' (para. 2.8.4) and 'under annual review', a much more tentative approach might be taken regarding the land allocations. While there is a requirement to have a 5-year effective land supply (SPP para. 73) the allocations for 10 years in the Plan need modification and an element of flexibility to respond to changing circumstances rather than site-specific delineation. The HCC is willing to enter discussions about how this might be achieved. A mechanism must be found to avoid the excessive land designations currently offered in the Plan.

3. Table 2.1 on page 21 requires to be modified in the Helensburgh and Lomond row. It is noted that the Year 10 figures are simply a doubling of the year 5 figures which is a crude estimate, especially when the base HMA data are so uncertain. It may be better to remove the Year 10 figures and add a statement below that credible numbers cannot be identified that far ahead.

4. The Housing Allocations numbers of units for H&L on page 67 are similarly open to question and should be decreased substantially. See the HCC representation headed 'Housing proposals in the Plan'. HCC cross-refers to the Helensburgh Study Group's representation on housing.

1. Delete the words 'larger scale growth' from the fourth bullet point of para. 2.3.2 of the Plan's written statement and replace it with 'moderate and restrained growth in keeping with The fundamental character of Helensburgh'. Adjust table 2.1 (page 21) and the allocations (page 67) downwards considerably.

2. While there is a requirement to have a 5-year effective land supply (SPP para. 73) the allocations for 10 years in the Plan need to be less site-specific and an element of flexibility to respond to changing circumstances introduced. The HCC is willing to enter discussions about how this might be achieved.

3. Carry out an urgent assessment, in conjunction with local community organisations, of intown sites which are currently vacant or which are known to become vacant in the 10-year span of the Plan. This would accord with SPP para. 80. The HCC offers the following as preliminary (not exhaustive) list with which such an investigation might start. (i) A&BC office land which will become vacant when offices are consolidated at the Clyde Street School site. (ii) Depot at the top of Hermitage Park and Walker's Rest which is almost entirely unused (iii) 42 empty housing units at Jutland Court. (iv) More than 40 empty housing units on Smuggler's Way. (v) Aros Road site, allocated in the current Local Plan for 30 houses but, we understand, unsuited to that number due to a gas pipe. Thus a lower number of houses (perhaps 12) on that site. (vi) Site seemingly leveled for housing (two levels) at the north-east corner of the Churchill Estate, currently greenbelt, but illogically so according to the Helensburgh Green Belt Group which has previously recommended its use for housing in

accordance with the current Structure Plan para. 3.19. (vii) NOTE : HCC supports the allocation of the old Academy site, the two parts of the Blairvadach area already designated, and, with possibly less density, the modified Cardross allocation, noting that the allocations have already been reduced by one-third in December 2012.

4. Other in-town options to be considered in such an investigation might include vertical development where previous 3 or 4 storey buildings are now single-storey ('broken teeth'), greater facility to convert unused or charity shops to residential use, and other means doubtless known to planners. Also use of part of the large vacant business site for residential purposes, to protect town centre retail. HCC cross-refers to the Helensburgh Study Group's representation on housing.

LDP 8 – CALA Homes (West) (01870)

The objector recommends that a new Policy is inserted into the as follows

LDP HL1 – HOUSING LAND FLEXIBILITY

The Council shall maintain a five years' effective housing land supply at all times to meet the housing land requirement of 9,500 housing solutions over a 10 year period. This will be monitored by an annual housing land audit. For this purpose the Council may grant planning permission for the earlier development of sites which are allocated or phased for a later period in the LDP.

Other sites for housing development proposals within the Development Management Zones may granted planning permission to maintain a five years' effective housing land supply if allocated or phased site cannot be developed earlier. These new housing developments need to meet the criteria set out in Policy LDP DM 1.

The Objector further recommends that the following amendments are made to Paragraph 2.8.4 after "Argyll and Bute"

"Policy LDP HL1 sets out the mechanism to maintain a 5 year effective land supply at all times."

And, the addition of the words "through a housing land audit" after the word "review"

D412 - Ms Suzanne McIntosh (01887)

Consideration should be given to the above.

D414 - Mr Mike MacKenzie MSP (00984)

None stated.

Summary of responses (including reasons) by planning authority:

D414 - Helensburgh and District Civic Society (00281)

D414 - Helensburgh Green Belt Group (00167)

D412 - Helensburgh Study Group (00166)

D412 - Helensburgh Community Council (00135)

The Housing allocations made in the plan have been informed by the Argyll and Bute Housing Need and Demand Assessment (HNDA). Paras 67 to 69 of SPP (see core document xxxx) confirm that the Scottish Government expects HNDA's to provide the evidence base for defining housing land supply targets in local housing strategies and allocating land for housing in development plans. The Argyll and Bute Housing Need and

Demand Assessment (see core document xxxx) has been approved as robust and credible, by the Scottish Governments Centre for Housing Market Analysis. SPP para 67 also advises that where the housing need and demand assessment is considered robust and credible by the Scottish Government, the approach used will not normally be considered at the development plan examination. The approved housing need and demand assessment indicates that there is a need for 9500 housing solutions over a ten year period, the methodology used to determine this followed the recommendations of the Centre for Housing Market Analysis, and has included surveys to assess the needs of existing and newly forming households, an assessment of the housing market and cross tabulation with census and GROS outputs. The assessment that the plan should seek to make provision for up to 7450 new housing units, has included an allowance for those existing households whose need could be addressed through *in situ* alterations, and also takes into account the responses the consultation on the Main Issues Report which indicated that the Council should seek as far as practicable to meet in full the assessed requirements. The ten year period reflects the time required to address the back log of housing needs identified in the HNDA, and is consistent with the requirement in SPP that a minimum of 5 years housing land supply should be available at all times, where as a result of the timescale of LDP process a minimum of an additional 2-3 years supply is advised. This approach also helps to give greater long term certainty to green belt boundaries as advocated in SPP para 162 (see core document xxxx). The HNDA has also looked in detail at the proportion of affordable and market housing required in each of the councils 9 housing market areas. These Housing Market Areas have been defined following analysis of the local housing system across Argyll and Bute and remain the same as those accepted by the reporters at the inquiry in to the Argyll and Bute Local Plan (see core document xxxx chapter 2.4). In the context of Argyll and Bute the HNDA assessment of housing market areas reveals that Helensburgh and Lomond is one of the most self contained. There are a number of factors which determine the level of need for affordable housing, and while average household incomes in Bute and Cowal may be lower than Helensburgh and Lomond, so are average house prices, this means that a greater proportion of households are able to meet their needs in the market in Bute and Cowal than Helensburgh. This combined with the greater availability (increased turnover) of existing social rented homes means that new build requirement for affordable homes in Bute and Cowal is much less than Helensburgh.

While it is acknowledged that the proportion of the population over 75 is increasing, many are choosing and are able to live in their existing homes for longer, while some may seek smaller more easily accessible homes in the centre of town, the opportunities to deliver these, are limited. The Housing Land Audit (see core document xxxx), identifies that for Helensburgh and Lomond as a whole the capacity of both large and small scale windfall opportunities is 179 units, of these, 50 are within the Helensburgh settlement area. There will no doubt be other opportunities for further windfall development (such as some of the sites identified by the objectors) in the Helensburgh area during the lifetime of this plan, however the rate at which these might emerge cannot be predicted. If they do come to fruition then these windfall sites are a bonus which add to the flexibility of the plan and can help to contribute to ensuring a generous supply of housing is available. However, windfall sites by their very nature cannot be relied upon so there is therefore a need to make additional allocations in locations that are, or can be made accessible by a variety of means.

LDP 8 – CALA Homes (West) (01870)

The Council will comply with the SPP to deliver an effective five year housing supply at all times. The Council already does this through specific housing numbers identified on clearly identified Allocations, PDAs and windfall development within acceptable sites within the Development Management Zones. The Council has published a Housing Land Audit in March 2013 and has consulted with Developers (**Core Doc. Ref. xxx**). This document shows clear programming for housing land release and the Council is committed to reviewing this document annually to ensure that an effective housing land supply is continuously delivered

throughout Argyll and Bute. The council can see no value to adding an additional policy statement as proposed by the Objector or amend Paragraph 2.8.4 of the plan's Written Statement to refer to the new policy.

In terms of the proposed addition of the words "housing land audit" in Paragraph 2.8.4 the Council would be content, if the reporter was so minded, to include a reference here to the housing land audit as it would add clarity to the intentions of the plan.

Ms Suzanne McIntosh (01887)

The Council does not accept the Objectors arguments with regard to the effectiveness of the housing sites. The Council has conducted a Housing Land Audit (**Core Doc Ref xxx**) and consulted with the housing industry and the Scottish Government with no objections raised. Allocations, some partially implemented have been carried forward from the current Local Plan (**Core Doc. Ref. xxxx**) which is standard planning practice given the current plan is still considered to be up to date. These Allocations have been clearly identified in the plan as they retain the same reference number with new allocations having new distinct references given to them.

The carrying forward of allocated housing sites that have not been fully developed into a future plan is normal planning practice where the council still considers these sites to be effective. The Council has committed to undertaking a Housing Land Audit on an annual basis to measure the sites' effectiveness. This information will be used to undertake future reviews of the plan and bring forward additional sites where necessary to maintain an effective housing supply.

The Housing Land Audit together with the published allocation schedules in the Written Statement and the published Draft Action Programme contains considerable information on a wide range of sites ranging from a single dwelling unit to sites with a capacity in excess of 100. At the Main Issues Report (MIR) (**Core Doc. Ref. xxx**) Stage the issue of increasing density on appropriate sites was put forward to help with economies of scale and making best use of available land and this received strong public support. This resulted in a number of sites having a higher density applied in the Proposed LDP including a number of sites being taken forward from the current Local Plan.

The Council also does not agree that larger sites are failing to be implemented and the objector has provided no evidence to substantiate this claim. Argyll and Bute has helped take forward larger sites of over 80 houses in numerous locations including Lochgilphead (former high school site and at Baddens) and with the Oban settlement area. The phased development of sites at Dunbeg Corridor (50 houses on site with a further 25 committed at this stage) has started with infrastructure support committed through the agreed Lorn TIF.

The Council considers therefore the availability of the Housing Land Audit that will be renewed on an annual basis provides the in depth analysis of the housing allocations requested by the objector (01887) and as such considers that no amendment be made to the Proposed LDP.

Mr Mike MacKenzie MSP (00984)

The Scottish Government recognises the importance of housing provision in Local Development Plan's and requires housing land provision within them, to be informed by a Housing Need and Demand Assessment (HNDA). The Scottish Governments Centre for Housing Market Analysis (CHMA), oversees the preparation of HNDA's by local housing authorities. HNDA's are required to be signed off by CHMA as robust and credible, once they have been signed off as such then the outputs from this are not normally subject to

inquiry. The Argyll and Bute HNDA (see core document xxxx) has been approved as robust and credible by the CHMA. The figure of 9590 contained in the HNDA is the number of households who are projected to have a need or demand for housing over a 10 year period. This figure does not take into account, the number of households who can have their requirements met by the existing housing supply either through re lets or resale of existing housing. The policy of reduction of HNDA need is quite explicit in both HNDA & Local Housing Strategy (LHS) and was approved by Scottish Government & CHMA – up to 75% of unmet need does not require new build solutions and the last 2 years of implementing LHS have upheld this, with substantial reduction in homeless figures and also a drop in waiting list. The figures identified for the housing allocations in the LDP takes these into account, and are more than generous.

The LHS/HNDA does not prescribe levels growth or set any kind of target for population or household increases. They do however, consider the levels of household growth indicated by GROS/NRS, and it is these figures which were used in both the HNDA and LHS. The General Registers of Scotland figures for population and household projections are estimates and reflect a wide range of demographic indicators. The Local Development Plan has little control over these indicators, and in particular, the attribution of migration in and between authorities in Scotland.

The HNDA included a specially commissioned household survey and does take in to account various types of hidden demand, calculations for newly forming households, rolled forward for 10 years, expressed demand from existing households and hidden households are also included in the calculations, as is demand from in-migration. Housing does have an important role in sustaining and generating growth, but other factors are perhaps more important, such as birth rates and mortality, or a healthy economy and employment opportunities. Reference to the Councils 2011 consultation exercise in relation to school closures does not equate to housing market or housing policy failure. The schools included in the consultation exercise were in a wide variety of communities, some of which had a wide range of housing allocations and opportunities within them, while other communities had fewer.

We have conducted a housing land audit (see core document xxxx) of all of the existing and proposed housing allocations. The audit provides a programme for the delivery of sites, and this has been prepared in conjunction with the owners/developers of sites included within it. Factors such as the availability of infrastructure are taken in to account in the audit, as is the general marketability of sites. In identifying allocations and the size that individual allocations should be, the plan has had regard to, and sought to balance, the opportunities provided by the physical characteristics of the land, size of settlement, demands of infrastructure and servicing, potential for economies of scale, and capacity of the local construction industry; in a way which provides opportunities to meet the housing needs and demands of Argyll and Bute in the most effectively.

The HNDA identifies 9 Housing Market Areas (HMA's) across Argyll and Bute. These HMA's have been accepted by the CHMA as the basis for the HNDA and have been signed off as robust and credible. The LDP seeks to make the required levels of provision as far as possible within each HMA. In making provision across each HMA, the LDP has sought to build upon the socio-economic strengths of communities, for example by identifying key rural settlements where there are generally a broad range of facilities, services, and employment opportunities available, and reflect the proposed settlement strategy which seeks to promote a sustainable development pattern.

The decline in economically active populations is not confined to rural areas. Those rural areas which are identified as economically fragile in the LDP, are those which have been identified by Highlands and Islands Enterprise. The LDP seeks to provide a positive

framework for sustainable economic development throughout the plan area, and within the Economically Fragile areas SG LDP BUS 5 allows for a variation in the scales of development considered acceptable.

Conclusions

In view of all the above the Council recommends that no modification to the proposed LDP be undertaken as a result of these objections made to the proposed LDP.

Reporter's conclusions:

Reporter's recommendations:

ISS401	Strategic Issue - Key Rural Settlements	
Development plan reference:	Strategic Issue - Key Rural Settlements	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Helensburgh and District Civic Society (00281) Mr Allan Macaskill (00264) Cairndow Community Council (00120) Rosneath Peninsula West Community Development Trust (01257)</p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>Helensburgh and District Civic Society (00281)</p> <p>The Objector is opposed to the concept of Key Settlements in the plan be utilised as growth centres as opposed to 1970s planning concept that sought to retain local services in at least one village or community in the face of a falling population. In particular, the arrangement of those on the Kilcreggan Peninsula seems to be misguided. First, the Objector contends that there are too many of them, including Cove, Kilcreggan, and Rosneath, with Garelochhead on the border. This looks dangerously like declaring all the villages of the area to be Key, which defeats the idea of collecting resources and investment.</p> <p>Mr Allan Macaskill (00264);</p> <p>The Objector contends that Key Rural Settlements are missing including Ellenabeich, Balvicar, Kilchrenan, Kilmelford, Dalavich, Connel, North Connel and Bridge of Orchy.</p> <p>The objector also points out that smaller settlements in Mid Argyll have been included as Key Rural Settlements even though they are smaller.</p> <p>Cairdow Community Council (00120)</p> <p>Expression of support for the inclusion of Cairndow as a Key Rural Settlement in the plan.</p> <p>Rosneath Peninsula West Community Development Trust (01257)</p> <p>Expression of support for the intention to steer significant new developments to particular areas, including the local Key Rural Settlements including Cove and Kilcraggan (see Paragraph 1.6.2 of the LDP Written Statement).</p>		
Modifications sought by those submitting representations:		
<p>Helensburgh and District Civic Society (00281)</p> <p>The objector requests either the explaining of the role of these settlements and the difference in meaning from the original applied many years ago, or, preferably, going back to this original understanding which would entail reduction in number of Key Rural Settlements and attention to their geography, so as to make them the central settlement in a group which is</p>		

reducing in the provision of services, and provide a "strongpoint" where these services will continue.

Summary of responses (including reasons) by planning authority:

Helensburgh and District Civic Society (00281); Mr Allan Macaskill (00264);

The concept of Key Rural Settlements is not related to the 1970s planning concept the objector refers to in his objection. The concept of Key Rural Settlements was consulted on as part of the Main Issues Report (MIR) (Core Doc. Ref. xxx) and this received widespread support from people who responded to the consultation. The opportunity to object to the inclusion or omission of settlements was at the MIR stage and letters of representation were submitted for the settlements identified by objector (00264) and there were no objections for the inclusion of key settlements in the Helensburgh and Lomond area. In terms of Kilmelford the community objected to the inclusion of this settlement as a Key Rural Settlement and as a consequence of this the settlement was removed from the list. Other communities such as Cairndow held votes on whether their community should be included as a key rural settlement and we have taken account of this to inform the plan. See representation (00120).

The settlements referred to by objector (00264) Ellenabeich, Balvicar, Kilchrenan, Kilmelford, Dalavich, Connel, North Connel and Bridge of Orchy (all in Lorn) all scored low on the matrix established to inform the contents of the MIR. No representations were made to have them included at the MIR stage by their respective communities and consequently they have not been included. It should be noted that development will still be possible in these communities but generally at a smaller scale which is generally more suited to their capacity to accommodate additional growth.

Key Rural Settlements are "small settlements that offer a range of services and some potential for up to medium scale growth, including delivery by masterplans and or community led action plans." They were selected using a matrix that scored each settlement for suitability on capacity to absorb additional development, presence of affordable housing, key rural services and sources of employment land or buildings. In these settlements up to medium scale development is permitted provided it satisfies all relevant policies and supplementary guidance of the LDP.

The idea behind the identification of Key Rural Settlements is to try to help focus more significant growth in communities with some capacity to successfully absorb new development and at the same time help sustain rural services that are under pressure of being lost and help stop the drift of our rural population to the Main Towns and Key Settlements.

The Council considers that the objectors have not provided any compelling evidence or credible alternative to change the stance towards the Key Rural Settlements which is considered by the Council to be a key part of the settlement strategy that was fully consulted on at the MIR stage of the plan process. Consequently, the Council cannot support any amendment to the plan based on these objections.

Reporter's conclusions:

Reporter's recommendations:

ISS402	LDP 6 - Supporting the Sustainable Growth of Renewables	
Development plan reference:	LDP 6 - Supporting the Sustainable Growth of Renewables (See also representations made to LDP 5)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Coriolis Energy (01968) E.ON Climate Renewables (01932) Burcote Wind Ltd. (02129) SSE (02128) Infinergy (01915) Scottish Power (02127) RWE npower Renewables (02126) RES UK and Ireland Limited (01007) Banks Renewables (01905) PI Renewables (01934) RSPB (00040) Mr Damon Kenneil (02011) Scottish Natural Heritage (01587) Scottish Salmon Producers Organisations (01118) Helensburgh Study Group (00166) Helensburgh Green Belt Group (00167) Mr and Mrs Metcalfe (01748) Mrs GH Dalton (01520) Ms Moira McClymont (02035) Mr Andrew Russell (02070) Ms Agnes Wilkie (02099) Mr Cameron McClymont (02033) Mr Phil Connor (01963) Mr John Cowan (01973)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<u>General Policy and Wind Map Objections</u>		
Coriolis Energy (01968)		
In paragraph 185 of SPP local authorities are directed to 'ensure that the development plan or supplementary guidance clearly explain the factors that will be taken into account in decision making on all renewable energy generation developments'. In paragraph 4.11.4 of the LDP 6 justification the LDP sets out that the while the Council supports the growth of renewables there is a need to protect and conserve other aspects of the landscape, natural and built heritage and communities from 'potential adverse impacts as a result of proposed renewable energy developments'.		

This wording is inconsistent with national planning policy guidance and the general recognition that it is 'significant adverse impacts' that must seek to be avoided or mitigated through the further growth of renewable energy development. Elsewhere in the LDP written statement reference is made to 'significant adverse impacts'. It is important in policy interpretation terms that there is a consistent policy approach for assessing levels of impacts or effects introduced through wind energy development.

LDP 6 - E.ON Climate Renewables (01932)

Objection to LDP 6 on the basis that the SPP actually requires spatial frameworks to be prepared for developments over 20 MW generating capacity (rather than referring to turbine height), albeit authorities may incorporate wind farms of less than 20 MW in their spatial frameworks if considered appropriate. It is therefore queried why such an approach, based on turbine height, has been used. The policy then notes that the spatial strategy identifies:

- Broad Areas of Search;
- Protected Areas; and
- Potentially Constrained Areas.

These definitions / terminology differ from that identified within SPP and the PPSF. The corresponding definitions are:

- Areas of search (stage 3 of the PPSF)
- Areas requiring significant protection (stage 1 of the PPSF); and
- Areas with potential constraints (stage 2 of the PPSF).

The Wind Farm Policy Map defines these areas and is available on the council's website. However, the map should form an integral part of the statutory LDP, and specifically the Written Statement rather than the Supplementary Guidance. This requirement is stipulated within the PPSF where it makes reference to Circular 1/2009 Development Planning. E.ON considers that the most appropriate place to situate the map would be at pages 40 / 41 of the Written Statement and reference to the map should also be explicitly made within policy LDP 6.

It is also requested that the methodology relative to the spatial framework and the associated map be fully explained within this section of the LDP. In this respect, the PPSF deals with the preparation of spatial frameworks. It states that "Stages 1, 2 and 3 will normally be map based." Such a map based approach would be very useful in understanding the methodology employed by the council on a step-by-step basis. Further commentary and suggestions in relation to the approach taken and how it relates to the PPSF is provided below.

Section 4.11 of the Written Statement is the justification for policy LDP 6. It is considered that the justification should make reference to the Scottish Government's commitment and associated targets in relation to generating 100% of Scotland's electricity demand equivalent by 2020. This should also note that on 30 October 2012 a new interim target was announced and renewable generation should account for the equivalent of 50% of Scottish demand by 2015. Both targets should be noted within the LDP.

LDP 6 – PI Renewables Ltd. (01934) Burcote Wind Ltd. (02129); SSE (02128)

The objectors' contend that the drafting of this policy is of a significant concern. The drafting of the policy is found to be contrary to the policy advice within SPP, despite the stated recognition at para 4.12 of the proposed LOP that the policy is drafted in accordance with

SPP.

The policy explicitly provides support for development proposals where there are no significant adverse effects" on a number of environmental resources as referenced within the policy. At paragraph 187 of SPP it states that a "planning authority should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed" (emphasis added). This particular part of SPP does not provide any form of presumption against development that would result in a significant adverse environmental effect. The test set out within SPP is whether environmental effects can be satisfactorily addressed (paragraph 187). Considering the vast number of planning decisions on commercial scale wind energy development proposals (both at Local Authority and Scottish Government level) it is clear from those planning **decisions that** a development proposal is capable of being found in accordance with SPP whilst still resulting in significant adverse environmental effects. The SPP policy test is whether such effects are acceptable or not. On this basis, the policy drafting is considered to be inconsistent with SPP and the statement at paragraph 4.12 of the LDP in that the policy conforms to SPP is unacceptable. In short, it is unrealistic to require wind energy developments to have no significant adverse effect on landscape character and visual amenity. Significant adverse effects will almost inevitably arise and their presence does not automatically imply that the effects will be unacceptable.

LDP 6 - Infinergy (01915)

This policy states that the Council will support renewable energy development where they are consistent with sustainable development and it can be adequately demonstrated that there is no significant adverse effect upon environmental receptors. As per the commentary provided in relation to Policy STRAT 1, it is misleading to state that it must be demonstrated that there are no significant adverse effects before support can be given. This is especially pertinent when considered alongside paragraph 4.11.1 of the Proposed LDP, where it is stated that "the Council is keen to ensure that Argyll and Bute continues to make a positive contribution to meeting the Scottish Government's targets for renewable energy generation".

It is also acknowledged that the Council has prepared a spatial framework strategy for wind energy development of over 50 metres in height to blade tip. It is understood that this 50 metres is based upon findings contained within the Argyll and Bute Landscape Wind Energy Capacity Study, however we believe that this merits a more detailed explanation.

LDP 6.-. Scottish Power (02127)

The objector welcomes the clear support stated for renewables but we note that the test applied is can be adequately demonstrated that there is no significant adverse effect. This test, along with Policy LDP 3 and SG LDP REN 3, would set a very high barrier to many forms of renewable energy development, on and offshore. We suggest that the test applied should be where environmental and cumulative impacts can be satisfactorily addressed as laid out in SPP paragraph 187. We would also suggest a specific statement of support for community renewables (see comments to LDP 5).

LDP 6 - RWE npower Renewables (02126)

RWE NRL are supportive of these policies as they recognise the importance of the onshore wind farm industry in contributing to the success of the local economy in the Argyll and Bute Council area. Whilst wind farm proposals should be given consideration on an individual basis, it is important to acknowledge the economic advantages of a growing regional renewable energy industry.

Equally, it is important to provide a justified and transparent policy framework for determining applications for onshore wind farms, in order for these economic advantages to be realised, in particular through addressing the issues we have raised in relation to the Wind Farm Policy Map. We recommend that these economic policies should be a key consideration in determining planning applications for wind farms, as development of onshore wind is an important element in the on going success of the economy in the Argyll and Bute Council area.

LDP 6 - RES UK and Ireland Limited (01007)

RES finds Policy LDP6 generally supportive of renewable energy development there are some important contentions with the Scottish Government's national planning policy guidance we would wish to highlight.

1. The policy identifies two classes of search area for turbines based on height at 50m-80m and >80m.

This would appear to be based on the referenced "Argyll & Bute Onshore Wind Landscape Capacity Study" (LCS) and whether the landscape can accommodate this height of turbine. Such an assessment should be made during the development management process whereby the LCS would be a material consideration for the determination of planning applications.

2. The Council's spatial framework for wind farms generally accords with Scottish Planning Policy's (SPP) three staged approach, as supplemented by the online guidance. However, there is one important contention in respect of the "Areas Requiring Significant Protection" which are in accordance with the land use designations specified in SPP with the exception of the inclusion of SNH areas of search for wild land. Based on the current SPP policy we would therefore object to the inclusion of SNH areas of search for wild land within the Areas Requiring Significant Protection.

3. In accordance with SPP's three staged approach land use designations relating to historic environment, regional and local landscape and natural heritage, tourism and recreational interests, communities, aviation and defence interests and broadcasting installations should be considered in

Potentially Constrained Areas. It would appear that the draft LDP has taken a more broad brush approach which goes beyond such designations and that there are some areas within proposed Potentially Constrained Areas that could alternatively be included within areas of search. The policy focuses on guiding developers towards broad areas of search. However, areas excluded from the broad areas of search which are considered 'potentially constrained' may not be constrained as per the SPP's three stage approach and thus should be subject to assessment for acceptability through the development management process.

4. The policy states "for all wind farms, regardless of scale, the issues raised by the following must be satisfactorily addressed". It is unclear to what 'satisfactorily addressed' means. With all large wind turbine projects there will always be some form of environmental impact and it is for the determining body to decide if those impacts are acceptable for the development proposed. It is not reasonable to require all individual impacts of a development to be 'satisfactory' or neutral as may be the council's intention by 'satisfactorily addressed'.

LDP 6 – Banks Renewables (01905)

The reasons for the height criteria chosen are not clear and appear somewhat arbitrary. We are concerned that such an approach is overly prescriptive and can oversimplify the highly technical nature of wind turbine developments where other attributes such as numbers, capacity or most crucially design in the landscape should be given consideration. This is contrary to SPP and we would urge you to change this policy (and the supplementary guidance) to acknowledge that height alone should not be used to presume acceptability of location in your spatial development strategy for wind farms. Every proposal should be judged on its own merits.

Landscape Capacity Study

We are concerned that disproportionate emphasis is being placed on the Argyll and Bute Landscape Wind Energy Capacity Study dated March 2012 prepared for the Council and SNH by Carol Anderson and Alison Grant, Landscape Architects.

With regard to site specific proposals, too much significance may be placed on the overall "capacity" that has been assigned to each Landscape Character Type as expressed in the section entitled Guidance on Development. Statements such as "there is no scope to accommodate the large typology in this character type" are necessarily generalised to apply to the overall area of the LCT but in our view the danger is that could be read as definitive judgements without looking closely enough at the detailed factors which underlie this conclusion. On the other hand, the "Sensitivity Assessment" section for each LCT, which includes a more fine grained level of analysis, picks up relatively effectively and efficiently much of the variation in landscape and visual sensitivity and value which occurs across each type. While it is acknowledged that it is not intended to apply at site specific level, this information is at a much more appropriate level to contribute to the "appraisal of individual wind farm and wind turbine proposals" and we believe that this should be clearly explained and emphasised.

Application to Spatial Strategy/Framework

We also wish to flag up that landscape capacity is only one of a number of aspects which need to be taken into account into consideration when drawing up the proposed spatial framework and there is a risk that the existence (and content) of the Study may lead to landscape capacity being given undue emphasis.

In this regard it is worth noting that landscape capacity is not explicitly identified as a constraint or consideration in the updated 2012 Scottish Government guidance "Process for preparing spatial frameworks for wind farms"
<http://www.scotland.gov.uk/Resource0040/00400726.pdf>

In addition, this document includes the statement that "Areas of search ought not to be reduced in extent by factors beyond those identified in the SPP three-stage approach. It would be inappropriate for example to restrict areas of **search on the basis of a perceived sensitivity to wind farm development in locally significant non-designated natural heritage areas**. Such considerations are more appropriately dealt with at development management stage where mitigation might be possible through careful siting and design."

The section above which we have highlighted in bold type applies to the great majority of the Landscape Character Types in Argyll and Bute outwith the National Park and National Scenic Areas and the subsequent sentence emphasises our previous point regarding landscape sensitivity being more appropriately dealt with at a project proposal level. The same guidance identifies matters relating to regional and local landscape and natural heritage designations as Stage 2 constraints where proposals will be considered on their individual merits against identified criteria. This again reinforces our view that landscape sensitivities

are in themselves an inappropriate category of criterion with which to define "no-go" areas for specific development typologies.

We believe that landscape sensitivities should only be used at Stage 2 to inform the criteria against which individual proposals will be assessed.

LDP 6 - RSPB (00040)

Objection to the policy as the broad areas of search for windfarms and wind turbine development are based principally on an Argyll-wide landscape assessment and not potential impacts on biodiversity. It appears the map does not consider bird sensitivities outwith designated sites, despite important species and habitats occurring throughout Argyll and Bute and policy SG LDP ENV1 stating that consideration should be given to a broad range of species.

Further details of our objection are contained within our response to SG LDP REN 1 on a separate form.

LDP 6 - Mr Damon Kenneil (02011)

Objection to the wind farm policy map on the grounds that it opens the way for more applications that take no account of the fact that areas, previously designated as unsuitable, are included. The objector asserts that the map fails to take into account the damage to the landscape, and thus the damage to the local economy that ill thought out development of windfarms, particularly in the Northern part of Kintyre, would cause. The map also encourages applications from organizations that are motivated by financial gains, to such an extent, that the damage to the quality of life, for the people living in the areas, is ignored.

Scottish Natural Heritage (01587)

It is unclear how the extent of the Broad Areas of Search have been informed by the Capacity Study Particularly their boundary and extent. For example, in Kintyre the Capacity Study refers to specific sensitivities at the northern and southern ends of the interior hills.

Constraints/ sensitivities include the more complex knolly hills south of Lussa Loch (Southern Kintyre) and development affecting the hill edges which is relevant to Northern Kintyre. Similarly, for example, the Broad Area of Search at Knapdale extends to the coastal edge and the NSA boundary where there is likely to be heightened sensitivity. It is also unclear how cumulative impacts will be taken into account. There are often issues of large scale wind energy development impinging on adjacent small scale, more sensitive character types and the coast. Although the sensitivities of each landscape character type and its relationship to adjacent areas is taken into account in the Capacity Study; the sensitivity of adjacent character types and their sensitivity to, for example, the effects of large scale turbines in close proximity will not be apparent from this Windfarm Policy Map and may be open to misinterpretation.

The Broad Areas of Search for both >80m and 50-80m turbine tip height are too large in terms of the Capacity Study, which clearly states that the restriction of the landscape being impacted on should dictate the height of turbines, not the location of the turbines. Hence the peripheral parts of these two policy zones are unlikely to be able to sustain this size of wind turbines on landscape grounds due to impacts on neighbouring landscape character areas.

The Protected Areas have not included consideration of any areas where the cumulative impact of existing and consented wind farms limit further development, in line with Scottish Government advice on locational strategies for wind energy. This in turn could affect the extent of Broad Areas of Search. Account should be taken of offshore wind energy

developments in the assessment of cumulative landscape impacts.

There is a need to consider how this policy map will be reviewed and updated, especially in the light of any further wind farm consents.

The Broad Areas of Search do not take into account the potential constraint of birds, particularly golden eagle. A golden eagle core territory should be considered a Potentially Constrained Area. In addition, you should be aware that the Habitat Regulations were reviewed in 2012 and under Regulations 3A(8), 3A(2), 3A(3) and 3A(6) new duties were introduced in relation to wild bird habitat which have implications for Local Authorities. In short the amendments include;

- The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in Scotland in implementation of Article 3 of the Wild Birds Directive (including by means of the upkeep, management and creation of such habitat, as appropriate), having regard to the requirements of Article 2 of that Directive.
- In considering which measures may be appropriate for the purpose of securing or contributing to the objective in paragraph (3), regard may be had to economic and recreational requirements.
- So far as lies within its powers, a competent authority must use all reasonable endeavours to avoid pollution or deterioration of habitats of wild birds in Scotland.

These various activities are largely “wider countryside” in nature and sit alongside measures being taken within the network of Special Protection Areas. As such proposals will need to be screened for likely significant effect on wild bird habitats in addition to the existing Habitat Regulation provisions in the HRA. We note that the wind farm map currently only takes into account landscape constraints.

LDP 6 - Scottish Salmon Producers Organisations (01118)

Reference to existing marine planning policy

Although not covered by the Proposed LDP, the National Marine Plan and the Offshore Renewable Energy Plans being developed by the Scottish Government ought to be referred to in this policy given the potential impacts on :- the environment locally; other land uses; and, more particularly, aquaculture. The potential conflicts between marine renewables and aquaculture development ought to be managed through proper planning mechanisms, including the LDP.

Helensburgh Green Belt

LDP 6 - Helensburgh Study Group (00166)

The Helensburgh Study Group (‘the Study Group’) supports lines 3 to 10 of section 4.11.4 of the Proposed Local Development Plan which refers to ‘protecting and conserving our outstanding environment’ and most, but not all, of Policy LDP 6 on page 40 of the Written Statement. It also notes the discussion of wind turbines in the Supplementary Guidance, including SG LDP REN 2 concerning wind turbines up to 50 metres high (SG page 43). The Study Group has read the conclusions of the Argyll and Bute Landscape Wind Energy Capacity Study of March 2112, especially pages 38 - 45 and Character Type Key Map - 5. Open Ridgeland.

With regard to possible proposals for wind turbines close to Helensburgh, there appears to be tension between the above and the terms of Policy LDP 3 on page 27 of the LDP Written Statement, categories (A) through to (D). Also, the amount of new evidence emerging

concerning the inefficiency of wind turbines, their shorter-than-claimed effective life, the additional release of carbon dioxide when constructed on peat soil and other data questioning the value of wind turbines has presumably emerged since the wording of the A&B Council's Proposed LDP was drawn up. The Study Group recognises the difficulties of preparing a Local Development Plan section which is subject to rapidly changing evidence. Yet it considers that adaptation would be appropriate.

LDP 6 - Helensburgh Green Belt Group (00167)

The objector states that the arguments against wind turbines close to settlements are increasing and the special significance of the two main hills behind Helensburgh has been emphasised by the Ironside Farrar Report on Green Belt landscape (pages 16-17) as integral to its setting. Controversy is also increasing about subsidies to local communities close to wind farms helping to impose adverse impact on neighbouring communities.

Loch Awe Area

LDP 6 - Mr and Mrs Metcalfe (01748)

Objection to the Wind Farm Capacity Map and areas of search for wind farms relating to Loch Awe and Lochavich for reasons below. Bearing mind that Landscape study states 'There is no scope to accommodate the large typology in this character type, and scope to accommodate medium size typologies is likely to be limited to areas where they would not intrude into skylines overlooking Loch Awe, or into key views to and from the Loch, its islands, historic features and panoramas of the mountains' – nonetheless, Loch Awe and surrounding areas are being viewed by developers as having capacity for very large wind farm developments despite the existence of three, two of which have applications pending for (in essence) large and potentially damaging extensions i.e. Ardconnel for An Suidhe from RWE and Musdale for Carraig Gheal from Infinis. Effects if approved, will be to further industrialise the increasingly vulnerable ridges, lower sides and wider environments of Loch Awe. Costs to this area from losses of habitat, sensitive environments and to the tourist economy would rapidly become unsustainable. Already the previously unbroken skylines are lost to the moving intrusion of An Suidhe and Carraig Gheal turbines, as are areas of natural beauty, and increasingly important sensitive habitats.

LDP6 4.11.4 states :- 'Whilst the council seeks to support the further development of renewables throughout Argyll and Bute There is also a need to take a sustainable approach by protecting and conserving our outstanding environment, including our landscape and protected species, our local communities and other sectors of our economy from potential adverse impacts as a result of proposed renewable energy developments'. As maps on pages 15 & 39 show Loch Awe as a 'Tourism Development Area,' that statement conflicts completely with the designation of both sides of Loch Awe Broad Areas of Search on the windfarm policy map. Attention must be also be given to losses due to FCS plantations and activities. These are badly underestimated as impacts for Loch Awe are already being felt from the policy of granting exclusive rights of search to major wind power developers throughout the FCS estates. Due to permitted development rights, FCS avoid certain areas of normal planning requirements for access roads to wind farms through FCS land. This 'avoidance' affects public participation issues.

Lochavich is fully subject to Type 7 constraints, and should be re-classified as Type 7a, with the glen & the Inverliever Ridge being included in a Protected Area due to its compatibility with the Type 7a definition of Craggy Upland with Settled Glens, together with that of areas with a more complex landform, e.g. irregular craggy ridges, steep slopes, narrow valleys and

areas with a particularly intricate pattern of lochans and rocky knolls which would be highly sensitive to all development whether sited directly within these areas or nearby. Community Benefit offers attached to applications used not be a material consideration, but such offers are now commonly made public before or together with applications, so the ability to resist this appears to have vanished with the planning system being left poorer as a result. Pressure on those Councillors with the ability to overturn planning decisions, is obvious. As claims surrounding emissions savings and benefits can't be quantified or proven, where does this leave the validity of either offering or expecting communities to accept such payments? At best it provides very questionable short term gain - but in the long term, pain from construction of excessive numbers of developments.

Public Health: The UK Government is a signatory to the Rio Declaration which requires the Precautionary Principle to be invoked where there is uncertainty about the safety and wellbeing of human kind, animals and plant life. Compliance with this legal duty would mean the prohibition of wind turbines near to people's dwellings and the introduction of a wide buffer zone until such time as the scientific evidence confirms there is no risk to human health. Under present Broad Area of Search, and within current and proposed plans, the Community of Dalavich and others are expected to endure the unavoidable sight and sound of turbines, as any consented within the nearby Wind Farm Policy Map Broad Area of Search will be nearer than those already only too visible. This raises the problems of property blight, negative tourism effects and most importantly, the increasingly documented and reported adverse health effects to near neighbours from wind turbines. Direct links below will help to demonstrate reasons for concern:- see this link for full appreciation of issues driving the longer term pathophysiology.

Sound energy of all frequencies are potentially damaging to health from long enough and high enough dosage of exposure. What aren't known, are current household exposures from existing developments. Frey Haddon Report Tissue changes with ILFN exposure. Internoise 2012 conference Clear evidence exists for night time noise, both audible (ie greater than 200 Hz) and low frequency noise (20 - 200Hz). Acousticians agree re levels of disturbance/annoyance than higher frequencies at the same SPL. Also existing is Steven Cooper's 1985 later evidence that wind turbine generated infrasound can travel 10 km, measuring emissions 8km from the out of sight but audible 3MW turbines. Those acoustic emissions were clearly measured. Therefore a more robust adherence to the precautionary principle is required, especially in respect of human health. Ignoring information/known facts could open a liability for damages in the future. Internationally recorded adverse effects relating to both human and animal physiology should be recognised within PLDP3.

Reports attached :- Health Canada Comments (Peer reviewed) Sept.7. 2012.
Wind turbine noise and health: Special issue of Bulletin of Science, Technology & Society Horse Evidence. T.Curto Wind Turbines.

Inverliever ridge: Lochavich is fully subject to Type 7 constraints and should be re-classified as Type 7a with the glen & the Inverliever Ridge being included in a Protected Area. Its compatibility with the Type 7a definition renders it highly sensitive to all development whether sited directly within these areas or nearby. Lochavich hosts a British Geological Survey Seismology station, chosen for its particular suitability, requiring ring fencing from seismic disturbance for a minimum radius of 10 kilometres. Such stations are of national importance for earthquake monitoring. Argyll is a known 'hot spot' for earthquakes (strongest recorded Scottish Earthquake- Argyll. 1880. Mag.5.2) Hence our need for such monitoring. The existence of this station is therefore a material consideration/constraint for wind farm applications within or on the fringes of the 10 kilometre zone - affecting the planned Infinis s.36 Musadale proposal and extension to Carriag Gheal wind farm. Protection for the landscape, sensitive habitats and other considerations of

communities and households within this radius would result.

The designation 'Area of Local Landscape Importance' which applied to Lochavich and the Inverliever ridge has been removed, but all the conditions leading to a refusal of a previous wind farm application remain, being magnified with the cumulative effects of Carraig Gheal and An Suidhe developments. The Inverliever ridge is marked as a Potentially Constrained Area within a Broad Area of Search but developers will be led to believe that this can be safely ignored due to confusing maps.

The landscape Study Appendix Report and the Guidance on Development confirm that the steep slopes, small hills, and skyline ridges forming the immediate backdrop and setting to Loch Awe, Loch Avich and its settled fringes should be avoided for new wind farm developments. This is totally incompatible with the Windfarm Policy Map. It is also beyond unacceptable to inflict this permanent level of uncertainty/stress upon anyone, especially a vulnerable resident known to be suffering from MND.

Impacts are important when considered in relation to areas of natural heritage interests. E.g. where the impact of a wind farm within a preferred area is completely beyond the capacity of Another adjacent and/or sensitive area to accommodate such as the Inverliever ridge. Removal of the Broad Area of Search from the PLDP is further justified as it shares Characteristics with Stacain/Glen Shira. Our representations to this Consultation will hopefully help to produce an improved LDP.

LDP 6 - Mrs GH Dalton (01520)

The objector was under the impression that after commenting on the draft local plan consultations that I attended in Lochgilphead that the Inverliever ridge was safe from windfarm developments. Scottish Power was refused permission in 2005 as their application for 16 turbines on this ridge broke the planning regulations. I attended the Kilchrenan and Dalavich community council meeting on 2 April 2013 where maps from the Council's website were displayed. The colour codes are confusing and it's not clear which shade of pink indicates an area of Broad Search or area of Potential Constraint. It appears the Council have changed the original designations of Loch Awe and the Inverliever ridge as this area was last described as Very Sensitive Countryside and a local landscape of Importance. The landscape has not changed so why has its designation?

These gentle uplands that frame Loch Awe – Avich are rich in their peatlands, known territory for support raptors and lochans for the divers. It is an accessible area for tourists to enjoy on foot, bicycle or car. The John Muir Trust in November 2012 reported in a survey that 26% of tourists won't return to areas with wind farm developments. It is important to protect these areas from development as the heights of turbines increase and therefore would be even more out of scale, imposing and intrusive.

The established wind farms on Loch Awe side are already having a greater visual effect on the communities than first anticipated. The cumulative effect on more development will turn this area into an industrial zone and have an unacceptable adverse effect on communities and homes. The objector states that they were approached by the British Geological Survey and asked if we would be prepared to become a possible broadband recording station for earthquake monitoring. Their tests proved satisfactory and we now have their equipment installed on our land. One of the reasons they came here was that there were no wind farms nearby. This is vital monitoring information for the MOD and earth movements requires a peaceful area. The outlying homes and communities of people who live in this area now face the increasing push by developers to grab land where they can. We will lose confidence in our Councillors if they slip in their duty to protect us, the economy and the landscape.

Kintyre Wind Policy Map Objections

LDP 6 - Ms Moira McClymont (02035)

Objection to the wind farm policy map referred to in LDP6. The broad area of search in Kintyre is too large and compromises the development pattern which has already been established and approved on the Kintyre peninsula. The map includes area specifically referred to in the 2012 Argyll and Bute Wind energy capacity study as being unsuitable for wind farm development, areas highly visible from all tourist access routes to the peninsula which has a fragile economy more and more dependent on tourism. If approved it will result in an increase in speculative development applications which will result in a significant number of working hours devoted to preparing, examining, reviewing, processing these applications.

LDP 6.-. Ms Agnes Wilkie (02099)

Objection to the wind farm policy map referred to in LDP6 and SG LDP REN1 (Wind farm and wind turbine development over 50 metres). The broad area of search in Kintyre is too large and does not accord with the Argyll & Bute Wind Energy Landscape Capacity Study which specifically refers to the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as being unsuitable for large wind turbines. The "views to the mountains of Arran from the B8001" are also mentioned as a constraint.

LDP 6.-. Mr Cameron McClymont (02033)

Objection to the wind farm policy map referred to in LDP6 and SG LDP REN1 (Wind farm and wind turbine development over 50 metres). The broad area of search in Kintyre is too large and does not accord with the Argyll & Bute Wind Energy Landscape Capacity Study which specifically refers to the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as being unsuitable for large wind turbines. The "views to the mountains of Arran from the B8001" are also mentioned as a constraint. The wind farm policy map should clarify matters not reintroduce the possibility of development to areas already indicated as unsuitable. Generally the new wind farm policy map opens up the whole area of the Kintyre to speculative planning applications that if approved will destroy the natural beauty and tourism industry throughout the area. Applications will swamp the local planning departments and SNH and will dominate the lives of all those effected.

LDP 6.-.Mr Phil Connor (01963)

The wind farm policy map is designed to identify areas where A+BC believe wind farms are sustainable and suitable for development. The broad area of search for turbines greater than 80m stretching down the spine of Kintyre is one such area. I would support wind farm development in this area as long as the few residents are not plagued by developments too close to their properties. I would go further and suggest that the Authority should actively try and match developers with land-owners in order that developments are carried forward as efficiently as possible. However, the map fails in its' purpose by identifying large areas in Kintyre which are 'potentially constrained'. What does this statement mean and how does it help to guide developers and prevent them from wasting huge sums of money on failed planning applications and how does it give residents in these areas the peace of mind that their quality of life and property values are not going to be ruined by developments too close to where they live. The 'potentially constrained' area alongside the B8001 is one such region and is the site of the proposed Freasdail development. Areas like this should be protected because they are important tourist routes, the B8001 is extremely busy, particularly in the summer with tourists from the Arran Ferry and the Carradale road. This area is ideal for

tourist development and would be ruined by the presence of a windfarm.

LDP 6 - Mr John Cowan (01973)

I strongly feel that there should be a complete moratorium upon any wind turbine developments larger than 20Kw situated anywhere south of Campbeltown and the A843 to Machrihanish. Otherwise, if we allow industrial sized turbines absolutely everywhere, then what are we protecting? South Kintyre and the Mull is a major historical landscape and a developing tourist destination. Both sides in the wind farm debate can quote statistics supposedly proving their point of view as regards effects upon both tourism and residents. But, when it comes down to it, it is surely wrong to allow turbines to appear upon absolutely all of our precious scenery? Let us have some areas designated as allowable for wind turbines, whilst others are kept free. The rest of Kintyre is already covered – there is only this one bit left!

LDP 6 - Mr Andrew Russell (02070)

I am very concerned about the considerable extension to the area in North Kintyre in which windfarm development could be permitted. The new category "Broad Area of Search" appears to replace the earlier categories of "Sensitive" and "Very Sensitive" Countryside and the contrast in direction of policy, from one of extreme caution - fully justified in my view - to one of encouragement for proposals, as indicated in supplementary guidance SG LDP REN1.

The pattern of windfarm development in Kintyre is now well established, with turbines set well back from the downward sloping escarpments, on the highest ground, and there is still plenty of undeveloped land of this type. The new category, "Broad Area of Search" for machines over 80 metres in height includes ground of a completely different character, including not just the higher ground but also extending to land sloping generally downwards towards the sea, and towards the Skipness Road in the north. The area in this category is far too large.

Furthermore, the 2012 Argyll & Bute Wind Energy Capacity Study, on which the ink is barely dry, emphasises the need to protect the "more complex smaller scale hills and occasional narrow glens on the fringes of this broad upland plateau" as well as the "views to Arran from the B8001". The new windfarm map includes areas specifically referred to in the document as being unsuitable for this kind of development. Residents like us are naturally confused and concerned by such a radical contradiction in policies, over such a short time.

The new category would, include the site of the highly controversial Freasdail Windfarm, now under consideration by the planning authority. In addition to objections from my household (which are even more valid in respect of the new map), SNH has commented on Freasdail "that the scale and design of the proposal cannot be accommodated in this sensitive pivotal location at the north end of Kintyre without significant adverse impacts." The letter also repeats my point above that "the introduction of Freasdail will compromise the development pattern which has been established on the Kintyre peninsula."

I would refer you to the Environmental Impact Statement (EIS) accompanying the Freasdail proposals. Though drawing bizarre conclusions from its own analysis, the analysis acknowledges significant, in some cases very significant, adverse effects on a whole range of sensitive receptors along the length of West Loch Tarbert, particularly on the north shore where we live. These include the ferry route down the entire loch and all exposed lengths of the Kilberry Road. SNH has also commented on the potential adverse effects on these sites in trenchant terms. The point I am making is that if Freasdail attracts these comments and objections, so do large parts of the new Broad Area of Search in North Kintyre. The plan contravenes existing policies in such a fundamental way that one wonders whether the left hand in the planning authority knows what the right hand is doing. It is not as though existing

policies are old or outdated, either.

In summary, I ask that the Broad Area of Search in North Kintyre in the new draft Local Plan is reviewed and made to shrink back from the sensitive downward sloping land on both sides of the peninsular, and from land where turbines are close to and visible from coastal settlements. Generally the plan should accord with what is already established, with Cour being the northern marker for Windfarm developments, and projects being confined to the higher ground. This will avoid further divisive and unnecessary conflicts over planning applications on unsuitable sites.

Modifications sought by those submitting representations:

LDP 6 - Coriolis Energy (01968)

None stated see above.

LDP 6 - E.ON Climate Renewables (01932)

LDP Recommended Change 2: Policy LDP 6 should refer to the Wind Farm Policy Map and the map should be fully integrated into the LDP's Written Statement. Details of the methodology for preparing the map should be provided, ideally via a three-stage map based approach.

LDP 6 - PI Renewables Ltd. (01934); Burcote Wind Ltd. (02129); LDP 6 - SSE (02128)

In order to achieve a position whereby the policy would be in accordance with SPP, as well as the Scottish Governments wider renewable energy policy framework, it is recommended that the word 'unacceptable' is placed before the word "significant" within the 5th line of the policy.

LDP 6 - Infinergy (01915)

None stated see above.

LDP 6 - Scottish Power (02127)

None stated see above.

LDP 6 - RWE npower Renewables (02126)

RWE NRL have the following suggestions to improve the usability of this Map as a working policy document.

- ☐ The Wind Farm Policy Map should include background mapping in order for the different areas to be accurately defined. Without a background map the Map is a weak working document for both wind farm developers and members of the public.
- ☐ We suggest that the Map boundaries are ill defined, in part due to the absence of background mapping, but also due to the scale used which lacks detail. We suggest that the finalised Wind Farm Policy Map should have background mapping at a helpful scale, and be more detailed.
- ☐ We suggest that once published the Wind Farm Policy Map should be available in GIS format, in order for this to be a usable working document.

LDP 6 - RES UK and Ireland Limited (01007)

1. Turbine heights should not be controlled in such a prescriptive manner; the landscape and visual capacity for each project should be assessed as part of the development management process, whilst considering the "Argyll and Bute Onshore Wind Landscape Capacity Study" (LCS).

2. SNH areas of search for wild land should not be included within the areas requiring significant protection. In addition, SG LDP ENV 9 should be amended so that development within or adjacent to wild land should only be resisted by the Council where the effects on the wild land are considered unacceptable for the development. It is for the determining body to decide if those effects are acceptable or not considering all aspects of the development. It is suggested that the following is incorporated into ENV 9 (as is currently included at ENV 13) 'unless it is adequately demonstrated that any significant adverse effects on the wild land are clearly outweighed by social, economic or environmental benefits of national or regional importance'.

3. The spatial framework should be reconsidered in terms of the potentially constrained areas identified, increasing the areas of search in some locations and at the very least give recognition that sites within 'potentially constrained areas' will be determined upon their own merits and the development management process used to assess whether a project is acceptable, rather than a prejudice to development from the outset. Not taking this approach may potentially cause confusion with the public and give false impressions as to what areas might be developed.

4. It should be considered that it is for the decision maker to decide and justify on whether those effects of a development are acceptable in the planning balance. The wording "satisfactorily addressed" should be removed.

LDP 6 – Banks Renewables (01905)

The second paragraph should be changed to say over 50 metres and up to around 130 metres to tip. Reference to SG LDP REN 1 should also be reworded to say the same.

Wind Farm Policy Map and its key also need changed to reflect this.

LDP 6 - RSPB (00040)

None stated see above and objection to SG LDP REN 1

LDP 6 - Mr Damon Kenneil (02011)

Exclude from the map all parts of Kintyre North of Tayinloan, and all parts of Knapdale between Kilberry and Torinturk.

Scottish Natural Heritage (01587)

The Broad Areas of Search should be consistent with the advice contained in the Capacity Study.

There should be a cross-reference to the paragraph in the Capacity Study which explains how this study should be used and its limitations. It should be made explicit that any map can only be indicative, given the variation of sensitivity within landscape character types and the constantly changing cumulative situation which will need to be re-evaluated.

To reflect the guidance in the Capacity Study, the extent of the Broad Areas of Search should be graduated on the periphery in terms of colour from the Potentially Constrained Zone with a reduced area of solid pure >80m and 50m - 80m zone colour. Alternatively there should be a clear statement in the key to the map that the capacity for wind turbine size is dictated by area of impact and not location, so the Broad Areas of Search are likely to be smaller than depicted in the map.

A statement should be included that Broad Areas of Search have not taken into account any bird sensitivities (whether or not qualifying features of Special Protection Areas elsewhere) which may in practice be a constraint on development. In particular any Golden Eagle Core Territories located within the Broad Areas of Search should for policy purposes be regarded as a Potentially Constrained Area instead.

We recommend the wind farm map is reviewed to take account of wild bird interests. In doing so you may find the 2006 RSPB/SNH report Bird Sensitivity Map to provide locational guidance for onshore wind farms in Scotland a useful tool to add the wild bird constraint to the wind farm map. This will result in a map that guides developers to areas which not only fits in with the Argyll & Bute Landscape Wind Energy Capacity Study (2012) but also brings this part of the plan inline with the revised Habitat Regulations.

LDP 6 - Scottish Salmon Producers Organisations (01118)

Reference to existing marine planning policy

Reference to relevant marine policy in Policy LDP 6

LDP 6 - Helensburgh Study Group (00166)

Suggested addition 1 : Reference might be made to frequency of viewing of wind turbines. While supporting the protection of wild areas, the LDP might add that countryside close to main settlements is especially sensitive because of the frequency with which turbines would be seen every day if they are visible from near and in towns. That would be in keeping with the European Landscape Convention (to which the UK is a signatory), with the Scottish Landscape Forum's report (2007) and with pages 16-17 of the Ironside Farrar Green Belt Landscape Study for Argyll and Bute Council (2010).

Suggested addition 2 : Give recognition to emerging new evidence and modify the LDP by adapting the Wind Farm Policy Map area behind Helensburgh and Rhu to be entirely pale blue (Protected Areas). Also, it is suggested that the land north of Rhu and Helensburgh up to the boundary of the National Park, from Aldownick Glen in the west to the main road from Helensburgh to Loch Lomond in the east be designated as Greenbelt and Local Nature Conservation Site.

Suggested addition 3 : More emphasis should be given to the matter of visibility of turbines from other areas and authorities such as from across the Clyde and from the National Park. Suggested addition 4: The Association for the Protection of Rural Scotland has recently Proposed adoption of "substantial" visual buffer zones between wind turbines and protected areas such as National Parks, local landscape areas, Greenbelts and a list of other valued land. That might be considered as a general policy by Argyll and Bute Council.

LDP 6 - Helensburgh Green Belt Group (00167)

1. At present most of the land behind around Helensburgh and Rhu is designated as "Protected Area" (pale blue). It is proposed that all land around and beside

Helensburgh and Rhu be designated as "Protected Area".

2. Reference might also be made to the frequency-of-viewing test. Due to astute lobbying as well as sound arguments, the move to protect wild areas has gathered pace. While supporting that, we consider that it has overshadowed the extent to which turbines are viewed by many people daily on sites close to settlements. Frequency of viewing might be added to Policy LDP 6 as a strong criterion for refusing wind farms.

We support the policy advocated by the Association for the Protection of Rural Scotland to adopt substantial visual buffer zones between wind turbines and protected areas such as Green Belts

That might be included in Policy LDP 6, but with a minimum (but not a maximum) distance between turbines and protected areas. That minimum might be 10 km.

ATTACHMENT: Attached to this submission are copies of pages 1 and 3 of the April 2013 edition of the HGBG newsletter Greenery (No. 37) which are relevant to this topic. They assess the rapidly changing evidence about wind turbines and the potential relevance to proposals for Helensburgh.

Loch Awe Area

LDP 6 - Mr and Mrs Metcalfe (01748)

1. Removal of areas of search for wind farms around Loch Awe & Lochavich due to adverse risks to health & environmental impacts.

2. Protection for existing BGS seismic monitoring stations from new wind farms within a 10km radius.

3. Revision of effects from permitted development applications by FCS for access routes to wind farm developments.

LDP 6 - Mrs GH Dalton (01520)

Change the designation of the Inverliever ridge from a potential constraint area within the Broad Area of Search to a Protected Area and enlarge to each side of the actual ridge.

LDP 6 - Ms Moira McClymont (02035)

Revise the area of search in line with the already approved Argyll and Bute energy landscape capacity study.

LDP 6 - Mr Andrew Russell (02070)

I would like to see the Broad Area of Search in North Kintyre made much smaller, so as to exclude land generally visible from coastal settlements and from the Skipness Road. Land sloping generally down to the sea on either side of the peninsular should be excluded. Cour should be the northern marker for Windfarm development, and sites between it, Beinn an Tuirc and Deucheran Hill be used as a model for future projects.

LDP 6 - Ms Agnes Wilkie (02099)

The wind farm policy map should clarify matters not reintroduce the possibility

of development to areas already indicated as unsuitable.

LDP 6 - Mr Cameron McClymont (02033)

Wind farm policy map should be removed or substantially revised

LDP 6 - Mr Phil Connor (01963)

Change the Wind Farm Policy map to show areas for development and increase the amount of protected areas around tourist routes and properties. 'Potentially constrained' is a ridiculously vague statement which helps neither developers or residents.

LDP 6 - Mr John Cowan (01973)

None Stated see above.

Summary of responses (including reasons) by planning authority:

Coriolis Energy (01968)

Policy LDP 6 states that the Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there is no significant adverse effect. As such the policy is entirely consistent with the objectors interpretation of SPP. Para 4.11.4 refers to potential adverse impacts in a generic sense, it will be the planning assessment against Policy LDP 6 which will determine whether potential impacts are significant adverse impacts or not.

E.ON Climate Renewables (01932), - Infinergy (01915), - RES UK and Ireland Limited (01007)

Para 189 of Scottish Planning Policy (see core document **xxxx**) states "Authorities may incorporate wind farms of less than 20 megawatts generating capacity in their spatial framework if considered appropriate." In the context of Argyll and Bute taking to account both existing and potential renewable energy developments, and the landscape capacity study which was used to develop the windfarm policy map the Council considered it appropriate to extend the spatial framework to include proposals for windfarms which could have outputs of less than 20 megawatts, as it considers that the impacts (particularly cumulative) are influenced by turbine height, and number of turbines, and not the output from them.

E.ON Climate Renewables (01932)

The wind farm policy map forms part of the proposals maps for the Proposed Local Development Plan, and therefore forms an integral part of the Local Development Plan as required by SPP Para 189.

The methodology for the spatial framework as detailed in the windfarm policy map is as set out in paragraphs 189 to 191 of SPP and follows the approach as set out in the online guidance (see production **xxxx**). In the interests of brevity the methodology is not set out in the LDP, although reference to the LDP maps such as Our Outstanding Natural Environment, and Growing our Economy Together will confirm the methodology used.

The Council is keen to ensure that Argyll and Bute continues to make a positive contribution to the renewable energy targets set by the Scottish Government and this is stated in para 4.11.1 of the plan. However, these targets have changed from time to time, and are set at a

national level, acknowledgement of specific national targets for particular periods of time, would add little to the positive framework set by the plan. Indeed the online guidance (see core document **xxxx**) states “*No renewable energy targets have been set for local authority areas and judgments about the proportionality of an authority’s contribution to the achievement of national targets are not a relevant consideration*”.

PI Renewables Ltd. (01934); Burcote Wind Ltd. (02129); SSE (02128); Infinergy (01915); Scottish Power (02127)

The Council does not agree with the objectors assertion that significant adverse effects will almost inevitably arise, nor that Para 187 to 191 of Scottish Planning Policy seek to promote wind farm developments regardless of significant impacts. Para 187 refers to “where....environmental and cumulative impacts can be satisfactorily addressed” but it also refers in its concluding sentence to “ the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised. Para 190 refers to the extent of constraints and the factors which should be satisfactorily addressed to enable development to take place, and Paragraph 191 which refers to areas of search where there are no significant constraints still recognises that within these areas site may be constrained by other natural heritage interests, including habitats of high nature conservation value. Accordingly it is considered that SPP seeks to avoid windfarm developments which would have a significant impact, and that where significant impacts are identified through an EIA process that these are mitigated, such that their impacts are no longer assessed as significant.

Scottish Power (02127)

The Council is keen to support community renewable development initiatives and will seek to promote this through its renewable energy action plan, however, the impacts on the wider environment from a community renewables scheme is no different than a commercially promoted one, in planning policy terms it is therefore not considered appropriate to make a distinction between the type of ownership of proposed turbines.

RWE npower Renewables (02126); RES UK and Ireland Limited (01007)

The Council welcomes the general support expressed for the Wind Farm Policy Map, the map has been developed in accordance with SPP paras 189 to 191 and following the advice contained in the online guidelines published by the Scottish Government. The protected areas comprise the international and national designations such as SPA, SSSI and National Scenic Areas, the Broad Areas of Search are those areas outwith the protected areas which the Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document **xxxx**) had identified as of medium sensitivity to large scale wind turbine development , and the Potentially constrained areas include those landscape typologies which the WECS assessed as being of high-medium or above sensitivity to large scale wind turbine development, plus those landscape typologies which were of medium sensitivity, but were included within a Tourism Development Area as defined by the proposed local development plan. Tourism being one of the factors which the Scottish Government’s online guidance requires to be taken into consideration when preparing spatial development plans for wind turbines. In so doing the Council has sought to recognise the significant economic contribution which both the renewable energy industry and the tourist industry make to the economy of Argyll and Bute including the economic advantages that sustainable growth in both of these industries can provide. This approach is recognised in policy LDP 5 which seeks to support the development of new industry and business which helps deliver sustainable economic growth where both tourism and renewables are identified as main potential growth sectors as well as the renewables policy LDP 6. Supplementary Guidance also provides further advice on the factors which the Council will take into consideration when

assessing planning applications SG LDP REN1 and SG LDP REN 2 being the most relevant to wind turbine developments (see Core Document xxxx) and confirms that proposals outwith Broad Areas of Search will be subject to assessment for acceptability through the development management process. It is SG LDP REN 1 which refers to "for all wind farms, regardless of scale, the issues raised by the following must be satisfactorily addressed", and this follows the form of wording recommended by the Reporters following the last Local Plan inquiry (see core document xxxx chapter xxxx)

LDP 6 - RES UK and Ireland Limited (01007)

The identification of Areas Requiring Significant Protection follows the methodology advocated in SPP 2010. The Council has specifically not included SNH areas of search for wild land in this process. Closer examination of the extant of existing international and national designations such as SPA, SSSI, and National Scenic and the areas of search proposed for wild land proposed by SNH, will reveal that those areas proposed as wild land in Argyll and Bute are almost entirely contained within one or more, of those designations which SPP para 189 states should be used to define protected areas.

LDP 6 – Banks Renewables (01905)

In order to inform the assessment of wind turbine applications and to guide the preparation of policy on such developments the Council commissioned a landscape capacity study, the study assessed the sensitivity of landscapes to accommodate four different windfarm/wind turbine typologies, these being differentiated in terms of height of turbine to blade tip. The Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document xxxx) seeks to develop an approach to wind turbine developments which recognises the effect which cumulative impacts, can have on the capacity of areas to accommodate them. By adopting an approach based on scale of turbine relative to scale of landscape, and promoting a consistent correlation between the two, greater capacity to accommodate them can be achieved. This is reflected in the wind farm policy map which accompanies the Proposed Local Development Plan, where the extent of the Broad Areas of Search for wind turbines over 80 metres is greater than the broad areas of search in the Windfarm Policy Map which accompanies the adopted Local Plan, and with an additional area identified, adjacent to the Knapdale National Scenic area as a broad area of search for turbines between 50m and 80m high.

The three stage approach advocated in SPP states in para 190 that planning authorities should consider areas designated for their regional and local landscape or natural heritage value, as well as tourism and recreation interests, and likely impacts on communities; it is these factors which the council has taken in to consideration when designating the potentially constrained areas.

LDP 6 - RSPB (00040)

The Windfarm Policy Map has been prepared in accordance with the advice in SPP paras 189 to 191 (see Core Document xxxx) this enables authorities to include national and internationally designated sites within the protected areas category. Neither the SPP or the on line guidance (see core document xxxx) permit areas of search to be limited by the presence of non-designated natural heritage interests, which are considered to be more appropriately dealt with at development management stage, where mitigation measures might be appropriate.

LDP 6 - Mr Damon Kenneil (02011)

The Windfarm Policy Map reflects the advice and guidance contained within SPP and the

Scottish Governments Online guidance. It has sought to recognise the importance of tourism to the Argyll and Bute economy by excluding those areas identified as Tourism Development Areas in the Local Development Plan from the Broad Areas of Search as such an approach is permitted by the SPP. Much of the acceptability of any development is based on individual design and sighting, the supplementary guidance which accompanies this plan provides more detailed policies which allow an assessment of these to be made as part of the development management process.

Scottish Natural Heritage (01587)

The methodology for the spatial framework as detailed in the windfarm policy map is as set out in paragraphs 189 to 191 of SPP and follows the approach as set out in the online guidance (see production xxxx). The findings of Argyll and Bute Landscape Wind Energy Capacity Study (WECS), (see core document xxxx) was one of the factors which was taken in to consideration in defining the Broad Areas of Search, with those landscape typologies identified as medium sensitivity or lower for turbines over 50 metre and over 80 metres to tip height, considered suitable for inclusion, further sieve mapping of potential constraints as advised by SPP and online guidance (such as Tourist Development Areas) was then applied. In addition those areas which have designations forming the criteria for identification as protected areas are also excluded. This means that the Broad Areas of Search do not correspond with the landscape typologies identified as of lower sensitivity in the WECS, and are smaller in extent. The windfarm policy map is intended to provide strategic guidance to potential windfarm developers, any proposed development would be subject to much more detailed assessment, including consideration against the more detailed landscape sensitivities and descriptions contained within the WECS, where impacts on adjacent landscape character types would be taken into consideration.

The windfarm policy map has sought to indicate where there are currently operational or consented wind farms, the issue of cumulative impacts is currently under further consideration, and the Council has commissioned a study which will help to inform this in due course. The windfarm policy map will be reviewed and updated as part of the LDP review process, in advance of this a Cumulative Impact Study and associated mapping could be approved by the Council as a Technical Appendix, to be taken into consideration when applications for windfarm / wind turbine development are made.

Neither the SPP or the on line guidance (see core document xxxx) permit areas of search to be limited by the presence of non-designated natural heritage interests, which are considered to be more appropriately dealt with at development management stage, where mitigation measures might be appropriate. The duties of the Habitat Regulations with regard to wild bird habitat will be addressed by the Council through its Habitats Regulation Appraisal of Plans process, and are supported in this plan through Policy LDP 3 (see core document xxxx).

LDP 6 - Scottish Salmon Producers Organisations (01118)

While the draft National Marine Plan and draft Offshore Regional Locational Guidance for marine renewables have been considered when developing the Proposed LDP these documents are still undergoing public consultation by Scottish Government and are therefore not yet finalised and approved. The only reference that can be added to section 4.12 (Policy LDP 6) is Sectorial Marine Plan for Offshore Wind Energy in Scottish Waters, published in 2011 - Reference - BLUE SEAS – GREEN ENERGY A Sectorial Marine Plan for Offshore Wind Energy in Scottish Territorial Waters (2011). In terms of managing potential conflicts between marine renewables and aquaculture development through proper planning mechanisms, the LDP SG AQUA 1 considers the potential for new aquaculture development to impact on areas of marine renewable resource or renewable development. It would be for

future regional marine plans to manage the potential conflict from marine renewable development affecting aquaculture development or resource.

LDP 6 - Helensburgh Study Group (00166); Helensburgh Green Belt Group (00167)

The Local Development Plan policy on renewables and the Windfarm Policy Map reflects the advice and guidance contained within SPP and the Scottish Government's online guidance. This specifically does not allow for additional constraints or buffer zones to be identified beyond protected areas as advocated by the study group (00166). Many of the issues raised concerning the acceptability of any specific development is based on individual design and siting, and the supplementary guidance which accompanies this plan provides more detailed policies which allow an assessment of these to be made as part of the development management process, however issues such as efficacy of turbines in terms of output or operational lifespan are not matters which the planning process is designed to adjudicate.

Mr and Mrs Metcalfe (01748); Mrs GH Dalton (01520); Ms Moira McClymont (02035); Mr Andrew Russell (02070); Ms Agnes Wilkie (02099); Mr Cameron McClymont (02033); Mr Phil Connor (01963); Mr John Cowan (01973)

The council has developed the renewable energy policy and the Windfarm Policy Map in accord with the SPP and online guidance from the Scottish Government. It has taken into account those factors which the SPP and online guidance recommend be used when preparing a spatial strategy for windfarms with regard to the identification of Protected Areas, Potentially Constrained Areas, and Broad Areas of Search. Some of the issues raised, such as the efficacy of turbines, and their effect on public health are beyond the scope of the planning system or the LDP process. Many of the issues raised by objectors have been taken in to consideration as far as they are able, or are more appropriately dealt with through the development management process, where detailed assessment of impacts can be assessed, and alternatives and mitigation measures can be fully explored. The Supplementary Guidance which accompanies this plan contains more detailed policy guidance which can be used to assess proposals for wind turbine development together with other material considerations such as the detailed technical advice on landscape provided by the Argyll and Bute Landscape Wind Energy Capacity Study (core document xxxx).

Conclusions

In view of all the above the Council recommends that no modification to the proposed LDP be undertaken as a result of these objections made to the proposed LDP.

Reporter's conclusions:

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Reporter's recommendations:

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ISS600	Policy LDP - STRAT1 – Sustainable Development	
Development plan reference:	Policy LDP - STRAT1 – Sustainable Development	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
E.ON Climate Renewables (01932) PI Renewables Ltd. (01934) Burcote Wind Ltd (02129) CALA Homes (West) (01870) Scottish Power (02127) Ms Fiona Baker (01895) Infinergy (01915) SSE (02128) Coriolis Energy (01968)		
Provision of the development plan to which the issue relates:	Policy LDP - STRAT1 – Sustainable Development	
Planning authority's summary of the representation(s):		
LDP STRAT 1 - E.ON Climate Renewables (01932) The objector contends that a new additional criterion should be considered that refers to an in-principle support for development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed on a proposal specific basis. This would be in general accordance with paragraph 187 of SPP.		
LDP STRAT 1 - PI Renewables Ltd. (01934); Burcote Wind Ltd (02129); SSE (02128) The objectors contend that in terms of policy criterion E, it is recommended that there should not be a policy presumption against the use of locally important good quality agricultural land but that the presumption should be against development that would sterilise good quality agricultural land. The Objector recommends that this is integrated within a re-drafting of this policy criterion.		
LDP STRAT 1 - CALA Homes (West) (01870) The objector contends that this policy needs to acknowledge that sustainable development, accessible by public transport, can be delivered equally on both brownfield and greenfield land. Accessibility is about location and not the nature of the site to be developed.		
Sustainable development is about locations which have walkable distances to local services and amenities (1,600m or no more than 20 minute walk) and the presence of bus services within 400m of the new development.		
LDP STRAT 1 - Scottish Power (02127) The objector contends that clarity is required on the commitment to "avoid the use of locally important good quality agricultural land". In particular, we would point out that an onshore wind farm typically takes no more than 2% of total land within its boundaries, but can add		

significantly to the economic sustainability of an agricultural unit. We also note and welcome in principle the requirement to complete a sustainability check list. But we would argue that the draft checklist is flawed in that it addresses only local issues. This would automatically prejudice projects which are designed to produce national/international environmental and social benefits such as large scale renewable energy development whose prime purpose is to mitigate climate change.

A checklist which examined local, regional, national and international aspects of sustainable development would be more valuable. (These comments also apply to Policy LDP 10 - Maximising our resources and reducing our consumption).

LDP STRAT 1 - Ms Fiona Baker (01895)

The Objector contends that this policy is contravened by the proposals for Helensburgh and Lomond in particular points b, c, e, g, h and i. The LDP does not avoid agricultural land or avoid recreational space or respect landscape character and built environment.

LDP STRAT 1 - Infinergy (01915)

The objector contends that part (e) of the policy states that Argyll and Bute Council are to adopt avoiding "the use of locally important good quality agricultural land" as a determination consideration. We would seek a caveat to this, as whilst preserving good quality agricultural land is important, it must be weighed up against competing needs and as such 'locally important' land should not necessarily be given precedent over development which might be in the national interest. Further, it is not stated or cross-referenced to what constitutes "locally important good quality agricultural land". Whilst we do not disagree that important agricultural land should be preserved, we believe that simply because a seemingly arbitrary classification is awarded to it, this should not preclude its development where appropriate.

The objector further contends in relation to part (h), this contains one of a number of instances throughout the Proposed LDP and the Supplementary Guidance relating to the use of the term "significant adverse effects". Part (h) states that Argyll and Bute Council would adhere to the principal of avoiding "significant adverse impacts on biodiversity, natural and built heritage resources" when considering development proposals. Whilst this is perhaps an understandable stance to take, the word 'significant' should not be employed within a planning context. Given that many developments, wind energy in particular, will be supplemented by EIA, then the inevitable consequence of an Environmental Statement (ES) is that some effects will be significant, particularly relating to landscape and visual assessment. This is inevitable given that an ES provides evidence based on the 'worst case' scenario, and in landscape and visual terms this is based on an assumption that the visual impact of a wind farm is negative when in fact the concept is subjective. In this regard it is worth noting Section 25 of the Town and Country Planning Act (Scotland) 1997, which states that a decision by the Planning Authority must be made in accordance with the Development Plan unless material considerations suggest otherwise. This suggests that in essence, the skill of the planner should be to weigh up the competing positive and negative aspects of any development proposal and apportion an appropriate weight to these aspects when making a decision.

As such, the use of the term 'significant' within Policy LDP Strat 1 and throughout The Proposed LDP and Supplementary Guidance is misleading and when taken in the context of EIA does not allow a planner to comply with the spirit of Section 25 of The Town and Country Planning Act (Scotland) 1997.

LDP STRAT 1 - Coriolis Energy (01968)

The objector contends that in Paragraph 1.6.1 of the LDP Written Statement an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

Modifications sought by those submitting representations:

LDP STRAT 1 - E.ON Climate Renewables (01932)

The Objector recommends that Policy LDP STRAT 1 should make reference to an in principle support for development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed.

LDP STRAT 1 - PI Renewables Ltd. (01934); Burcote Wind Ltd (02129)

The objector requests that the presumption should be against development that would sterilise good quality agricultural land and that this is integrated within a re-drafting of this policy criterion.

LDP STRAT 1 - CALA Homes (West) (01870)

The objector recommends that criterion b) of this Policy is amended as follows

Criteria b) Make efficient use of available vacant and/or derelict land including appropriate buildings or make efficient use of greenfield land in an accessible location close to existing facilities and infrastructure.

The objector further recommends that the following concluding sentence is added to this Policy as follows: The Council will consider the development of both brownfield and greenfield sites so long as it meets the sustainable development principles set out in this policy and accords with other relevant LDP policies.

LDP STRAT 1 - Scottish Power (02127)

The checklist needs to examine local, regional, national and international aspects of sustainable development would to make it more valuable.

LDP STRAT 1 - Ms Fiona Baker (01895)

None stated.

LDP STRAT 1 - Infinergy (01915)o;

The objector requests an amendment to point (e), or justification text which states:

"Avoid the use of locally important good quality agricultural land (inserting appropriate cross reference to definition of locally important) unless there is considered to be an alternative land use which offers equal or greater sustainable benefits".

The objector further requests that within Policy LDP STRAT 1, the words "significant adverse impacts" are removed and replaced by "unacceptable effects". This should apply to the Proposed LDP and Supplementary Guidance in their entirety.

LDP STRAT 1 - SSE (02128)

The objector contends that the presumption should be against development that would sterilise good quality agricultural land.

LDP STRAT 1 - Coriolis Energy (01968)

The objector requests that in Paragraph 1.6.1 of the LDP Written Statement an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

Summary of responses (including reasons) by planning authority:

E.ON Climate Renewables (01932)

The Council does not wish to address the needs of specific developments through LDP STRAT 1. . Detailed policy advice for on-shore wind is dealt with through LDP Policy 5 and 6 together with associated SG.

LDP STRAT 1 - CALA Homes (West) (01870)

The Council is keen to encourage a sustainable approach to development, and while it accepts that sustainable locations can be those which are accessible by public transport, and are within walking distance to local services and facilities, however, it considers that for the most part, brownfield sites are more likely to meet these criteria than greenfield locations. Land is a finite resource, and previously developed brownfield land should where possible be considered in advance of greenfield sites.

LDP STRAT 1 - Scottish Power (02127)

The Council considers that LDP STRAT 1 and its associated criteria takes into account local, regional, national and international impacts and as such cannot support any amendment to the policy as a result of this representation.

LDP STRAT 1 - Ms Fiona Baker (01895)

The Council rejects the arguments put forward by the Objector in terms of STRAT 1 and criteria b, c, e, g, h and i in relation to the development proposals for Helensburgh and Lomond.

Taking each criteria in turn the Council has a presumption in favour for development in the settlement areas subject to the satisfaction of all relevant policies and SG of the Proposed LDP. This includes taking forward new development on derelict sites and the re-use of derelict buildings. The need to identify locations on greenfield sites adjacent to the boundary of existing settlements has been done in order to fulfil the housing requirements as set out in the Argyll and Bute Housing Needs and Demand Assessment (Core Doc. Ref. (xxx) that has been formally approved by the Scottish Government. The inclusion of these allocations will help to grow the main population centres of Helensburgh and Cardross that have a range of services available including retail, schools, health centres, libraries etc. All of the allocations in the plan are within easy walking distance of these types of facilities and close to public transport corridors including rail lines/stations and bus routes. The allocations are also located in locations where adequate infrastructure is in place for water and sewerage facilities and avoid designated sites for nature. In addition, the chosen sites respect the landscape character of the area, avoid areas at risk of flooding and achieve sufficient economies of scale to deliver much needed affordable housing in the local area.

In terms of criteria e) wherever possible the Council has tried to avoid the loss of good

agricultural land but when considering new development. For example, housing Allocations in Helensburgh and Lomond are located on the brownfield Hermitage site, the Helensburgh Golf Course, the former Dobbie's garden centre site at Ardencaple and at Blairvaddach utilising a predominately brownfield site and historic house. There are however insufficient sites available in the Helensburgh and Lomond area to meet the requirements of the Housing Needs and Demand Assessment (Core Doc. Ref. xxx) and regrettably a number of greenfield sites with current agricultural use are required to be allocated for housing. LDP STRAT 1 consequently seeks to take a balanced view taking all of the criteria listed when decisions are taken on the acceptability or otherwise of a proposal. On this occasion the Council made the decision that in order to help achieve a number of the Key Objectives of the plan including A and F together with meeting the requirements of our agreed housing targets with the Scottish Government locally important agricultural land will have to be developed on this occasion.

LDP STRAT 1 - Infinergy (01915); SSE (02128); PI Renewables Ltd. (01934); Burcote Wind Ltd (02129); SSE (02128);

The Council wishes to point out that LDP STRAT 1 does not include the words presumption against and can see no advantage in referring to the term "sterilise" in criteria e) that deals with agricultural land. The Council is also mindful of the limited amount of land taken up through on shore wind energy developments and also acknowledges that the development of on-shore wind can help support the viability of agricultural units in Argyll and Bute. That said, the Council cannot support any amendment to e) on the basis of this objection.

LDP STRAT 1 - Coriolis Energy (01968)

The Council considers that the inclusion of the words "reducing our carbon footprint" is sufficient with regard to the challenges we face in delivering sustainable development as such cannot support any amendment to LDP STRAT1 as a result of this proposed objection and suggested amendment to the LDP.

Reporter's conclusions:

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Reporter's recommendations:

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ISS601	LDP – DM1 - Development within the Development Management Zones	
Development plan reference:	LDP – DM1 - Development within the Development Management Zones	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p> Burcote Wind Ltd. (02129) CALA Homes (West) (01870) The Mountaineering Council of Scotland (00375) Mr George Paton (01776) Sportscotland (01865) Scottish Power (02127) SSE (02128) Helensburgh Green Belt Group (00167) Scottish Sea Farms (00920) Scottish Salmon Producers Organisations (01118) RSPB (00040) </p> <p>(See also Strategic ISS402 that deals with objections raised to renewables)</p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>Burcote Wind Ltd. (02129)</p> <p>Insofar as this policy addresses 'Very Sensitive Countryside' BWL supports the position that renewable energy related development is to be encouraged within Very Sensitive Countryside. The objector also considers that Area Capacity Evaluations would not be appropriate to undertake for wind energy development that is subject to Environmental Impact Assessment.</p> <p>CALA Homes (West) (01870)</p> <p>The objector contends that this policy needs to acknowledge the requirements set out in Scottish Planning Policy (SPP). SPP requires local development plans to ...identify the housing land requirement and allocate a range of sites which are effective or capable of becoming effective to meet these requirements up to year 10 beyond the predicted year of plan adoption, ensuring a minimum of 5 years effective land supply at all times. Local development plans outwith city regions should also provide an indication of the possible scale and location of housing land up to year 20 (paragraph 73). Further, planning authorities should ensure ...supply of effective land for at least 5 years should be maintained at all times (paragraph 75).</p> <p>SPP also requires that green belt ...inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and green belt boundary (paragraph 162). The Council therefore needs to acknowledge SPP's policy requirements in setting out the policy framework in Policy LDP DM1.</p> <p>The Mountaineering Council of Scotland (00375)</p>		

The objector contends that it is inconsistent to describe areas as "very sensitive countryside" with, as stated in the glossary, "extremely limited ability to successfully absorb development" but then to state that within such areas "encouragement (my emphasis) shall be given to" renewable energy and telecommunication development, even with the weasel qualification "on appropriate sites".

Mr George Paton (01776)

The objector contends that the inclusion of the sentence "There is a presumption against development that seeks to extend an existing settlement into the Countryside Zone." is unnecessary and it removes the test of appropriateness otherwise available when assessing development against policy LDP DM1 (E). If the sentence is to be retained it is therefore becomes incumbent on the Planning Authority to publish the criteria against which settlement boundaries are assessed and defined.

This assessment and application needs to be undertaken and published for all settlement boundaries. This assessment would then demonstrate that the defined boundaries are justifiable, defensible and also illustrate what visual or environment harm would be caused by development outwith the defined boundaries. The inclusion of the above sentence removes the ability of any prospective developer to challenge the settlement boundary line without being given the defence "is it where it is", all boundaries need to be clear and well defined. Clarity and openness of the decision process is required.

Sportscotland (01865)

The objector considers that clause (F) applying to very sensitive countryside should be amended to allow for outdoor sport and recreation development compatible with and requiring a specific location within this zone. This would bring the policy into line with the policy intent of the SPP which advocates a positive approach to new development in rural areas and the need to encourage growth and diversification. It would also bring the policy into line with the approach taken in clause (G) of Policy DM1 which recognises the locational needs of some forms of outdoor sport development in the green belt, another sensitive zone. We do not propose that all forms of outdoor sport development will be appropriate in the very sensitive countryside but do consider that some types of development will be compatible.

Scottish Power (02127)

Expression of support

SSE (02128)

Expression of support with the caveat that the ACE process should not apply to on shore wind developments.

Helensburgh Green Belt Group (00167)

The objector contends that there is a problem regarding wind turbines. Latest evidence suggests that they are inefficient, have a life of less than the 25 years originally assumed, require mounting maintenance after 10 years, release carbon dioxide in construction and installation (especially on peat soil), are getting ever larger in height, are multiplying in worrying numbers are increasingly criticised for adverse effects on landscapes, and a range of other adverse aspects, while alternative forms of renewable energy are improving. The wording of Policy PDP DM 1, sub-section (F) regarding Very Sensitive Countryside is closely similar to that in the 2002 Structure Plan's STRAT DC 6. Yet circumstances have altered

greatly since 2000, as indicated above. It is no longer logical to retain wind turbines in a category that claims to be very sensitive. There may be reason to reconsider telecommunication masts as technology increases, but we do not have sufficient evidence to make a recommendation. The objector refers to their separate submission on renewable energy.

Expression of support for the Green Belt designation.

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

Representations have identified that Policy LDP DM1 should make reference to aquaculture development.

RSPB (00040)

LDP DM 1 F (i) – objector suggests that more detail/guidance is needed here on what type/scale of renewables development would be appropriate and what assessments would be required to be submitted with any planning applications as opportunities for sustainable development are likely to be limited.

Modifications sought by those submitting representations:

Burcote Wind Ltd. (02129)

None stated see above

CALA Homes (West) (01870)

The objector recommends that criterion G) of this Policy is amended as follows

(vii) Housing development on the edge of settlements
where it can be demonstrated that :

There is existing housing need and demand;
A 5 year effective land supply is not maintained at all times;
The development is in a sustainable and accessible location;
The development is in scale and kind to the existing built environment;
The inner boundary of the Green Belt is tightly drawn against the settlement edge; and
Provides essential infrastructure to make the site effective.

The Mountaineering Council of Scotland (00375)

Remove (F)(i) and (F)(ii) from DM I

Mr George Paton (01776)

The removal of the sentence in question.

Sportscotland (01865)

Clause (F) should be amended to add an additional sub clause (iv) small scale outdoor sport and recreational development.

Scottish Power (02127)

None stated

SSE (02128)

None stated

Helensburgh Green Belt Group (00167)

It is suggested that the words "(i) Renewable energy related development" be removed from Policy LDP DM 1, sub-section (F) and be replaced by "(i) Renewable energy related development other than wind turbines." - or some other wording that meets the reasons given.

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

There should be a reference to aquaculture development in Policy LDP DM1.

RSPB (00040)

See above

Summary of responses (including reasons) by planning authority:

Burcote Wind Ltd. (02129)

The ACE process is and will not be applicable to on shore wind proposals.

CALA Homes (West) (01870)

The Council has published a Housing Land Audit (HLA) (Core Doc Ref. xxx) and consulted with the housing industry on it with no objections received. The HLA contains a full breakdown of the programming for all development sites in the LDP including windfall sites. The HLA will be updated each year and where it is demonstrated that the Council is not maintaining an effective five year supply of housing land additional land will be brought forward on a fully justified basis. Given this the Council considers that the proposed amendment to policy DM1 as suggested by the objector would undermine the settlement strategy that has been clearly set out in the LDP and also remove the certainty that the LDP offers to local communities, infrastructure providers, Key Agencies and indeed other Developers when they are making their investment decisions. Consequently the Council can see no merit in amending the LDP due to this objection.

The Mountaineering Council of Scotland (00375)

The Council recognises that there are some types of development which have a specific locational or operational need, such as telecommunications developments and also renewable energy schemes. Proposals for such developments will also require to be assessed against the other policies of the plan including LDP 3, LDP 5, and LDP 6 and the Windfarm Policy Map as appropriate.

Mr George Paton (01776)

The Council does not agree with the objection raised by (01776). The settlement boundaries in the proposed LDP have been informed by the current Argyll and Bute Local Plan (Core Doc. Ref. xxx) that clearly identifies settlement boundaries for each settlement. These settlement boundaries were identified by qualified planners taking into account key features

of the settlement including its settlement pattern, presence of natural features and defensible boundaries. The settlement areas identified are often generous to allow for new development at an appropriate scale and the restriction placed on development adjoining the settlement edge provides considerable certainty in the decision making process and deters applications based on continued rounding off arguments that can sometimes lead to undesirable forms of development such as ribbon development.

The Council is committed to regular review of the Local Development Plan as per statutory guidelines. As part of this process (call for sites stage) developers, landowners and their agents have the ability to include sites for development that could involve the expansion of a settlement boundary. Where a site has not been included by the Council in its role as Planning Authority there is also a right to object to the plan at the MIR and Proposed LDP stage. Objector (01776) has done this and his objection is currently being dealt with in Issue **xxx**.

Sportscotland (01865)

The Council acknowledges that outdoor sport and recreation takes place in the Very Sensitive Development Management Zone very often with no need for a planning consent or any form of development for example hill walking or mountain biking. The Council also acknowledges that it has listed possible developments in (F) that are associated with the natural resources of the area such as renewable energy. Consequently, given the Council is supportive of the sustainable growth of tourism and associated recreational activity such as hill walking etc. the Council would be content, if the Reporter was so minded, to include the amendment to Clause (F) to add an additional sub clause (iv) small scale outdoor sport and recreational development as suggested by the objector. The Council considers that this will aid the clarity of the plan and better support Key Objectives B and D.

Scottish Power (02127); SSE (02128)

The ACE process is and will not apply to on-shore wind.

Helensburgh Green Belt Group (00167)

The objector's opinion on the merits of on shore wind would be better addressed at a national level and not through the LDP process. That said, the Council still considers that it is appropriate to mention the possibility of on shore wind being sited in the Very Sensitive Development Management Zone as it often is associated with upland and mountain areas where there is sufficient wind to make a wind farm economically viable. These zones were established through the Structure Plan (Core Doc. Ref. xxx) and the Argyll and Bute Local Plan (Core Doc. Ref. xxx) and not changed in the Proposed LDP.

Siting on shore wind farms in the Very Sensitive Countryside Development Management Zone, which the Council acknowledges, has limited capacity to successfully absorb development is subject to strict control and site selection that is informed by landscape capacity studies, all relevant policies (LDP 5 and 6) and Supplementary Guidance of the plan (SG LDP REN1 and 2) together with the Wind Energy Proposals Map that forms part of the LDP's Proposals Maps. A number of objections to these policies and the wind energy proposals map are being dealt with under Strategic Issue 402.

The Council considers that these Policies and SG together with the wind energy Proposals Map are the principal tools to help determine planning applications for on shore wind and not the presence of the Very Sensitive Development Management Zone. On shore wind development does on accession happen in this zone given the presence of wind resource and the Council considers that it would be disingenuous of the plan not to acknowledge this

in LDP DM 1. Consequently the Council can see no merit in amending the plan to take account of the objections raised by (00167).

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

Policy LDP DM1 guides development within Development Management Zones which cover land and not marine waters. In relation to aquaculture related development this policy can therefore only guide onshore aquaculture development.

The Council considers that part F (iii) of Policy LDP DM1 identifies exceptions for development within Very Sensitive Countryside or Isolated Coast which could apply to development which directly supports aquaculture as an established activity. In view of the foregoing the Council recommends no modification to the proposed LDP.

RSPB (00040)

The Council considers that the detail of what is or what is not appropriate for renewable energy is dealt through LDP 6, the Wind farm Policy Map and associated SG. (F) (i) in Policy LDP DM 1 simply states that renewable energy developments might be considered acceptable in Very Sensitive Areas on appropriate sites as they correspond to upland areas where most renewable energy developments are proposed. (H) of LDP DM 1 states that Developments are also subject to all other policies and supplementary guidance of the Local Development Plan. Consequently, the Council does not consider that an amendment of this policy should be made on account of this representation.

Reporter's conclusions:

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Reporter's recommendations:

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ISS602	Aquaculture	
Development plan reference:	Chapter 1 – Introduction Chapter 2 - Settlement and Spatial Strategy Chapter 4 – Creating a Sustainable and Growing Economy Together	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Sea Farms (00920) Scottish Salmon Producers Organisations (01118)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p><u>CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development</u></p> <p>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) The LDP identifies itself as a 'land use planning document' and does not identify that the plan and the Council's role as a planning authority also covers aquaculture development extending into the marine area out to 3 nautical miles.</p> <p><u>CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies</u></p> <p>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) Representations ask that the LDP make reference to a number of national and European policy documents and strategies which are considered important to setting the context for aquaculture development.</p> <p><u>CHAPTER 2 (D428) - Reference to economic importance of aquaculture</u></p> <p>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) Both representations identifying that there is no reference in Chapter 2 of the LDP to the importance of aquaculture to the future economy of the Oban Lorn and the Isles and the Mid Argyll, Kintyre and the Islands planning areas.</p> <p><u>CHAPTER 1 (D425) - Sustainability checklist</u></p> <p>Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) The requirement for medium and large scale development to complete a Sustainability checklist is identified in paragraph 1.8.2 in Section 1 of the Proposed LDP. Objectors have stated that medium and large scale should be defined in this paragraph.</p> <p><u>CHAPTER 4 (D430) - Aquaculture Industry Locations</u></p> <p>Scottish Salmon Producers Organisations (01118) The 'Growing Our Economy' spatial diagram on page 39 of the LDP identifies 'Key</p>		

Aquaculture Industry Locations'. The representation states that it is not clear whether these locations represent existing developed or undeveloped sites or suggested locations where new aquaculture development would be encouraged.

Modifications sought by those submitting representations:

CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

Include appropriate reference in Chapter 1 (Introduction) to the fact the LDP also deals with aquaculture development in the marine environment.

CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

That reference is made to relevant UK documents including the Marine (Scotland) Act 2010 (Core Doc. XXX); 'A Fresh Start' The Renewed Strategic Framework for Scottish Aquaculture (Core Doc. XXX), The National Food and Drink Policy (Core Doc. XXX) and UK Marine Policy Statement (Core Doc. XXX) and relevant European policies and strategies such as 'Building a Sustainable Future for Aquaculture' (European Commission COM (2009)162) (Core Doc. XXX). The references to UK and European documents should be made in Chapter 1 (paragraphs 1.3.6 & 1.3.8) of the LDP and UK documents in the Policy LDP 5.

CHAPTER 2 (D428) - Reference to economic importance of aquaculture

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

Sections 2.4 and 2.5 of the Proposed LDP should refer to the importance of aquaculture to the future economy of the area.

CHAPTER 1 (D425) - Sustainability checklist

Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118)

A clear definition of 'medium' and 'large' scale development to be identified.

CHAPTER 4 (D430) - Aquaculture Industry Locations

Scottish Salmon Producers Organisations (01118)

Clarification on what 'Key Aquaculture Industry Locations' are.

Summary of responses (including reasons) by planning authority:

CHAPTER 1 (D425) - Recognition that LDP covers marine waters for aquaculture development

While the LDP does include policy relevant to marine aquaculture development it is acknowledged that it would be worthwhile identifying that the LDP also covers aquaculture in the marine environment in Section 1 of the LDP.

The Council would be content in the interests of clarity, if the Reporter was so minded, to amend paragraph 1.1.1 to – *'The Argyll and Bute Local Development Plan (henceforth referred to as the LDP) is a planning document focussing on land use and aquaculture development in marine and fresh water, that sets out a settlement strategy and spatial framework for how the council wants to see Argyll and Bute develop to 2024 and beyond, excluding the area of Argyll and Bute covered by the Loch Lomond and Trossachs National Park that has its own plan.'*

CHAPTER 1 (D425) - Referencing relevant documents, policies and strategies

Paragraphs 1.3.6 and 1.3.8 are designed to identify the main national strategies and policies and international legislation which is relevant to a range of economic sectors, not just aquaculture. Policy LDP 5 covers a wide range of economic sectors and the Council does not consider it appropriate to reference every relevant policy document for each sector in the

justification of this policy.

The Council considers that the individual UK and European policy documents which are requested by objectors to be referenced in the LDP would be more appropriately referenced in the relevant SG documents, in particular LDP SG CST 1 and LDP SG AQUA 1. These SG documents already reference the majority of these documents.

Issue **ISS607** recommends an amendment to paragraph 1.3.6 of the Introduction to include the Marine (Scotland) Act, as relevant national legislation which the LDP has taken account of and an amendment to make reference to the UK Marine Policy Statement in the justification of Policy LDP 4.

In view of the foregoing the Council recommends no modification to the proposed LDP.

CHAPTER 2 (D428) - Reference to economic importance of aquaculture

If the Reporter is so minded, the Council would be content with the inclusion of the following statement to paragraphs 2.2.1, 2.4.1 and 2.5.1 in order to more clearly define the economic importance of aquaculture in Bute and Cowal, Oban, Lorn and the Isles and Mid Argyll, Kintyre and the Islands – *Potential for sustainable growth of a well established aquaculture industry including marine sites, and supporting onshore hatcheries and processing.*

In the interest of clarity, **Issue ISS608** recommends an amendment to the LDP which will add a footnote defining the different food and drink sectors wherever 'Food and Drink' is listed in the LDP. Food and Drink is mentioned in Section 2.5 and the inclusion of a footnote defining aquaculture as a food and drink sector will highlight the economic importance of aquaculture.

CHAPTER 1 (D425) - Sustainability checklist

Section 1.8.2 of the LDP identifies the requirement for a sustainability checklist to be completed for medium and large scale development. The representations from objectors ask for medium and large scale to be defined in relation to aquaculture development. As the planning application information requirements for aquaculture development are detailed and most finfish development requires EIA it is not intended for the Sustainability Checklist to apply to aquaculture development. The Council therefore recommends no modification to the proposed LDP in relation to definition of scale for aquaculture development.

CHAPTER 4 (D430) - Aquaculture Industry Locations

The 'Key Aquaculture Industry Locations' identified in the 'Growing our Economy' diagram on page 39 of the LDP are showing where the industry is focussed at present and so represents areas where developed and to a lesser degree undeveloped sites exist. The Council agrees that the diagram is not clear in this respect, and in the interest of clarity would be content, if the Reporter was so minded, to amend the key for Aquaculture to 'Existing Key Aquaculture Industry Locations'.

Reporter's conclusions:

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Reporter's recommendations:

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ISS603	LDP PROP 1 - The Settlement Plans	
Development plan reference:	LDP PROP 1 - The Settlement Plans	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mr Euan MacLachlan (01170) Mr and Mrs David and Janice Cowan (00287):		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
LDP PROP 1 - Mr Euan MacLachlan (01170) General expression of support for the policy.		
LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287). Objection to large scale housing proposed for the green belt in Helensburgh and Lomond. The Objectors contend that this will be a grave misjudgement of strategy. How can such a strategy assist to revitalise the currently deteriorating town centre and make full use of the many potential housing and retail developments currently existing within the town centre envelope. How can such a strategy have been created when you indicate that the predicted population of this area will decrease from 26,050 in 2010 to 24,850 in 2023 and that there are a large amount of unsold properties in the area? The objectors also draw attention to "the potential disaster which could hit the area in 2014 if the Scottish people vote for a nuclear free independent Scotland." The objectors contend that none of these real situations, which have been very well understood for the past five years, have been embraced in the Proposed Local Development Plan.		
Modifications sought by those submitting representations:		
LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287). The objectors request a Local Development Plan which addresses these important matters.		
Summary of responses (including reasons) by planning authority:		

LDP PROP 1 - Mr and Mrs David and Janice Cowan (00287).

The level of allocations in the LDP for Helensburgh and Lomond has been determined by the housing needs identified through the Argyll and Bute Housing Needs and Demand Assessment that has been endorsed by the Scottish Government (Core Doc. Ref. xxx). This document identifies a need for 1,200 units to be provided during the plan period in the Helensburgh and Lomond area which is being achieved in the plan through the identification of a network of housing Allocations, PDAs and windfall development in all of the development management zones.

While the Council acknowledges the negative population trends for Helensburgh and Lomond the Council wishes to counter these trends by providing a generous supply of new housing land within the settlement boundaries on previously used sites wherever it can and elsewhere on greenfield locations that are adjacent to the existing settlement boundary, close to public transport and active travel routes and also key public and private facilities such as schools and retail facilities. The Council notes in Oban Lorn and the Isles that this area's population has grown by 6% in the same period as Helensburgh and Lomond's population has fallen. The Council considers that one of the main reasons for this has been a historic and sustained constrained land supply as a result of the Green Belt's boundary being tightly drawn around the settlements of Helensburgh, Rhu, Cardross and Shandon.

The Council considers that the projected decline in total population is a real threat to the economic and social viability of the area (including Helensburgh and Lomond that has experienced the sharpest falls in population) with a potential to adversely impact on the economy/wealth creation, workforce availability and efficient service delivery. The overall objective of the Council's Single Outcome Agreement/Community Plan (SOA) (Core Doc Ref. xxx) that has been approved by the Scottish Government for the 10 years to 2023 is "Argyll and Bute's economic success is built on a growing population." (see page 12 of the SOA). This outcome is in turn entirely supportive of the 6 national policy priorities set out in the national guidance on community planning and will also see Argyll and Bute contribute to the national outcomes for Scotland. The LDP can assist this overall outcome in a number of ways including providing for a generous supply of land for new housing sites in places where people want to live through the proposed LDP. A stable and growing local population will also help sustain Helensburgh's Town Centre which the Council is investing in excess of £6 million in public realm improvements (through CHORD) with further funds allocated to refurbish the former East Clyde Street Centre for Council offices and regenerate the pier with flood defences, new community facilities, improved car parking and retail space (See Production Ref. xxx – Helensburgh Pier Masterplan).

Helensburgh and its neighbouring communities have real potential for growth to assist in meeting the overall objective of the SOA. The lack of available land to allow the building of new housing at a larger scale has been a significant factor in the current population decline and this LDP proposes to tackle this by having sufficient housing allocations to meet our housing needs and contribute to retaining and growing our population.

The location of these allocations have also been guided by a landscape capacity study (Core doc. Ref, xxx) and are supported by private developers who responded for a call for sites to inform the contents of the Main Issues Report (MIR) and then the Proposed LDP. The plan also supports the redevelopment of windfall sites as suggested by the objectors but these are too limited to meet all of our housing needs.

The people of Scotland are not voting for a "nuclear free" independent Scotland in 2014 they are taking part in a national referendum that concerns the question over whether Scotland will become an independent country or remain part of the United Kingdom. The question over the future of the Faslane Base has yet to be determined and while the current Scottish

Government have published their intentions to remove Trident from Faslane by 2020 this will be subject to a further decision on whether the people of Scotland wish to agree to this or not. The Scottish Government have also identified Faslane to be the home of the Scottish Navy in the event of a yes vote in the independence referendum. Again, this will be subject to future decisions outwith the scope of this LDP.

In any case this LDP will be reviewed by 2019 (prior to 2020) in line with current legislation requirements and that this will provide a further opportunity to revise the plan in terms of housing supply.

Conclusion

Given all of the above and the fact the objectors have not provided any alternative to the delivery of providing a sustainable future for Helensburgh and Lomond the Council cannot support any change to the Proposed LDP based on these objections.

Reporter's conclusions:

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Reporter's recommendations:

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ISS605	LDP PROP 3 - The Proposed Potential Development Areas	
Development plan reference:	LDP PROP 3 - The Proposed Potential Development Areas	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146); Mr John Whiston (01833); Scottish Natural Heritage (01587):		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146) <p>Comment recorded regarding the PDAs in Tarbert "We look forward to seeing the "mini-briefs" for the PDAs when they are available and hope that they will indicate how their development will link in with the adjacent Housing and Business allocations, as well as the Areas For Action to the north and south of the town of Tarbert."</p> <p>Mr John Whiston (01833)</p> <p>The objector contends that the identification of Potential Development Areas runs contrary to the certainty which is sought through the Plan-led system. The purpose of consulting upon and promoting a Local Development Plan is to allow those parties who will be affected by development proposals in the Plan to comment on the proposals and to know what land will come forward for what type of development over the life of the Plan.</p> <p>It is clear from the Plan that PDAs are not required to meet the effective land supply requirement as this is done through the proposed Allocations. It is not, therefore, clear what status PDAs are to have. Are they only to be developed once the proposed Allocations have been built out? If that is the case then LDP PROP 3 requires to make this clear and to specify the circumstances in which the land will be released.</p> <p>The objector is concerned that development briefs have not been prepared for each PDA and that there is a risk that PDAs are given development plan status through adoption of this LDP without members of the public having been given the opportunity to comment upon the use or range of uses considered appropriate, the constraints that need to be resolved or the main LDP policies and supplementary guidance that will be taken into account if these sites are to come forward.</p> <p>The objector further contends that none of the PDAs can therefore be included in the LDP at this time as the definition of Potential Development Areas on page 87 of the Plan makes it clear that insufficient work has been done at this stage to be able to confirm that these sites are appropriate for development.</p> <p>Identification of the sites and the current wording of the related policy will consequentially give the PDAs a "preferred" status for development purposes which is inappropriate when the issues have not been clearly explored through the LDP examination.</p>		

Scottish Natural Heritage (01587)

The objector contends that PDAs in the current Local Plan are viewed as equivalent to gaining outline planning permission (planning permission in principle). Therefore there is resistance later by developers to carrying out further surveys etc. to establish whether planning permission can be granted, especially as regards the possible presence of protected species. This text does explain that constraints exist for PDAs and that mini development briefs apply for each PDA site which presumably set out development factors and developer requirements, such as the need for protected species surveys and mitigation plans. However given past difficulties in regard to PDAs and protected species, we believe specific mention should be made of this.

Modifications sought by those submitting representations:**Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146)**

None stated

Mr John Whiston (01833)

The Objector seeks the removal of the Potential Development Areas and related Policy LDP PROP 3 from the LDP. Failing that, full information requires to be exhibited for each of the PDAs and time given to objectors to comment thereon. Furthermore, Policy LDP PROP 3 then requires to be amended to specify the circumstances in which the PDAs will be released for development and when.

Scottish Natural Heritage (01587)

The Objector requests that a sentence be added after need to be taken into account as follows:- Identification as a PDA does not for example remove the need for a species survey and if necessary mitigation plan to accompany a planning application where the site habitat is considered likely for protected species to be present.

Summary of responses (including reasons) by planning authority:**Mrs Jenny Carlile (Tarbert and Skipness Community Council) (00146)**

The Council notes the comments from (00146) and will continue to work with the community council to bring forward development in Tarbert in a co-ordinated way.

Mr John Whiston (01833);

The Potential Development Areas (PDAs) are a concept that has been carried forward from the current Local Plan (**Core Doc. Ref. (xxx)**). The Council makes it clear in Paragraph 2.11.1 that "PDAs are areas where the specific development opportunities may be supported through the life of this LDP where known constraints can be overcome." The PDAs help provide considerable certainty in the plan by identifying the potential uses clearly in the schedules of the Proposed LDP's Written Statement for each of the Council's four administrative areas in a similar manner to the Allocation Schedules, the Areas For Action and Traffic/Road Development Actions. These schedules have all been subject to public comment and objection over a three month period, including by individuals, groups and the Key Agencies such as SEPA and SNH. The Mini briefs will also be published prior to the adoption of the plan for a six week period to allow plan stakeholders to comment on their content with regard to identified constraints. The Mini briefs for the PDAs have been informed by comments received during the three month public consultation on the proposed LDP. Once known constraints have been overcome PDAs can be developed prior to Allocations. The Council notes that the objector (01833) is also objecting to PDA 1002 that is being dealt with under issue ISS025.

PDAs are all subject to these constraints being satisfactory addressed together with all relevant policies and SG of the LDP before they are considered to be effective. There are 31 new PDAs in the proposed LDP with the remainder being carried forward from the current Local Plan.

The PDAs have proved highly useful in helping to deliver a generous supply of housing and business land that supports the aims of the Scottish Government and the Council as expressed in the Single Outcome Agreement/Community Plan. (Core doc. Ref. (xxx) in terms of delivering the document's overall key objective of achieving sustainable economic growth and reversing population loss. The PDAs also allow for a co-ordinated approach to development of a particular area as all PDAs are subject to requiring a masterplan to inform their development when a detailed consent only covers part of the site in question. This ensures that the best use of the land is made.

Scottish Natural Heritage (01587)

The Council makes it clear in Paragraph 2.11.1 that "PDAs are areas where the specific development opportunities may be supported through the life of this LDP where known constraints can be overcome." They do not have outline planning status and have never been treated in this manner by the Council. PDA mini briefs have been prepared for all PDAs and included in the Draft Action Programme that has been subject to six weeks of consultation after being informed by comments received during the proposed plan stage including comments by SNH. To comply with SG requirements the mini briefs will also be subject to a further six week public consultation prior to the adoption of the proposed LDP. Where requested the need for additional surveys or taking into account protected species have been included in the mini brief. The PDAs are a valuable tool to bring additional flexibility in the land supply for Argyll and Bute and also supports the Scottish Government's call for a generous supply of developable land. Consequently, the Council can see no justification for any amendments to Paragraph 2.11.1 of the LDP Written Statement.

Conclusion

The PDAs have proved highly useful in helping to deliver certainty and a generous supply of housing and business land that supports the aims of the Scottish Government and the Council as expressed in the Single Outcome Agreement/Community Plan. (Core doc. Ref. (xxx) in terms of delivering the document's overall key objective of achieving sustainable economic growth and reversing population loss. The Council has committed to publish the mini briefs for the PDAs prior to the adoption of the plan and this should address objector (01833) concerns. Given all of the above the Council proposes to make no amendment to the Proposed LDP.

Reporter's conclusions:

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Reporter's recommendations:

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ISS606	Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment	
Development plan reference:	Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p> Scottish Natural Heritage (01587) Isle of Coll Community Council (00002) Royal Society for the Protection of Birds (00040) Scottish Power (02127) Sportscotland (01865) Infinergy (01915) Mr And Mrs P S Metcalfe (01748) Mrs G H Dalton (01520) Helensburgh Green Belt Group (00167) Scottish Salmon Producers Organisations (01118) </p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p> Scottish Natural Heritage (01587) The Objector contends that Clause (D) of Policy LDP 3 states that development proposals will not be supported where they have a significant adverse effect on the special qualities or integrity of designated sites. This does not tally with policy wording in Scottish Planning Policy (SPP) (Core Doc. Ref. xxx) for international and national designated sites (i.e. Natura 2000, Ramsar, NSAs, SSSIs, NNRs) which refers instead to avoidance of adverse effects on site integrity or special qualities (see paragraphs 134 and 137 of SPP). </p> <p> Isle of Coll Community Council (00002) Coll Community Council requests that Argyll and Bute Council include the words "Dark Skies" in policy LDP3 and that the Council adopts the Lighting Management Plan as a supplementary guidance note. </p> <p> Royal Society for the Protection of Birds (00040) Para 3.4 - Quite how the LDP will facilitate the LBAP is unclear as the focus seems to be on protecting sites, species and habitats from impacts rather than delivering positive measures and outcomes for biodiversity. This should be clarified. </p> <p> Para 3.6 - We suggest an additional objective is added to consider potential cumulative impacts of windfarms on the natural environment to ensure the delivery of sustainable renewable energy development. </p> <p> The objector suggests text is added to support developer contributions towards projects which contribute towards national and local biodiversity objectives. This approach would be consistent with Section 126 of SPP which highlights that 'where possible, planning authorities should seek benefits for species and habitats from new development including the restoration of degraded habitats'. </p>		

The objector considers that this is essential as 'sustainable economic growth' is a key element of the plan however the impacts of this development may not always be possible to mitigate on site as a planning condition. Contributions towards enhancement work off site may be required and would meet the tests set out by Planning Circular 1/2010. See also our comments on SG LDP PG1.

Scottish Power (02127)

The Objector supports the broad aims of this policy but as worded it does not, in our view, adequately address the central challenge described above. A strict interpretation of this policy would be that it lays down a set of absolute tests which would in effect rule out development which might be of significant benefit in achieving economic growth without assessing the relative merits of development against adverse impacts, nor would it allow for mitigation (which is specifically allowed for in EIA regulations), derogation or compensation. It also gives little guidance relating to how to balance short term adverse environmental impact against long term environmental benefits.

We also consider that this policy needs to be stress tested against Policy LDP 5 (Supporting the sustainable growth of our economy) which states that the Council will help deliver economic growth ... by taking full account of the economic benefits of any proposed development ... SPP paragraph 6 states that the planning system has a critical balancing role to play when competing interests emerge in the consideration of future development.

It is essential to recognise that planning issues, by their very nature, will often bring differing interests into opposition and disagreement and the resolution of those issues will inevitably disappoint some parties. The planning system cannot satisfy all interests all of the time. It should, however, enable speedy decision making in ways which are transparent and demonstrably fair. The objector does not feel that LDP 3 does not adequately reflect this balancing role

Sportscotland (01865)

We note the reference to the precautionary principle in this policy. It is essential that a fully understood and consistent approach is taken to the application of the precautionary principle. To this end we recommend that a definition of the precautionary principle and how it will be applied is given in the development plan. We support the advice of paragraph 132 of the SPP which • clarifies that the principle should only be applied to nationally or internationally significant landscape and natural heritage resources

- clarifies its application only where there is sound evidence for believing that significant and irreversible damage will occur
- stresses the need for its application to be justified
- highlights the requirement to look at modifications to a proposal which could negate the need to apply the precautionary principle.

We support the advice of the SPP on the precautionary principle and that the principle should not be used to unnecessarily impede development and that where the principle is applied, i.e. on the basis of uncertainty, research should be commissioned to remove that uncertainty. We do not consider that uncertainty forms a strong basis for decision making, especially in the longer term.

It should also be noted that the precautionary principle was developed to apply to the natural environment; it is not clear therefore how applicable the principle is to the built or human environment as detailed in the policy?

Infinergy (01915)

The objector contends that the phrasing of Policy LDP 3 is immediately negative and

presumes against development, stating "a development proposal will not be supported when it". We believe that this is counter-productive to encouraging sustainable development which is outlined as a main objective of the policy, and as such is contrary to SPP paragraph 33, which states that "planning authorities should take a positive approach to development".

Part (B) of Policy LDP 3 states that "a development proposal will not be supported when it does not protect, conserve or where possible enhance the established character and local distinctiveness of the landscape". As per our comments in relation to Policy LDP Strat 1, the way in which this policy is worded may potentially discriminate against wind energy development. Although great effort is employed in designing a wind farm so that effects are kept to a minimum, there are effects inherent to the construction and operation of wind farms upon visual amenity. The valency of such effects is open to interpretation, however as stated for the purposes of EIA this must be assessed as being negative. Therefore, to presume against a development because, despite significant effort to design a wind farm in accordance with good practice, it does not 'protect' the landscape and visual amenity of the area (in some opinions) is ultimately unjust. We believe that the negative wording of the overall policy contributes to this, and instead it may be more prudent, pro-development and in accordance with SPP paragraph 33 if part (B) of Policy LDP 3 was worded in a way which suggests that 'there would be a presumption in favour of development where the established character and local distinctiveness of the landscape is respected'.

In relation to the long list of supplementary policies to LDP 3, although the rationale for containing multiple policies as supplementary guidance may be taken as a de-cluttering exercise, in reality it leads to a confused reality whereby multiple documents require to be referenced simultaneously.

The objector believes it would be easier if several of the policies contained within the Supplementary Guidance document were transferred into the Proposed LDP for ease of reference. Of these policies listed within Policy LDP 3, many would be expected to form part of a Local Plan or LDP, such as those concerned with ecological impacts of development proposals, and we see no reason for 'relegating' them to another document.

We are pleased to see that paragraph 4.3 of page 35 of the Proposed LDP cites renewables as a major growth sector supported by the LDP. It further states that "it is imperative for the LDP to take a more flexible approach to ensure that economic opportunities can be fully realised". However, this positive aspiration is somewhat negated by what we interpret as a negative and restrictive Policy LDP 3.

As per the 'Key Actions' contained within section 4.8 of the Proposed LDP we are welcoming of Argyll and Bute Council's intention to update and implement the Argyll and Bute Renewable Energy Action Plan, and we hope that it may borrow from the positive aspirations contained for renewable energy within the Proposed LDP. However in the intervening period and beyond, despite the LDPs explicit support for renewables, as per our comments throughout this representation we believe that policy could do more to assist in this aim.

Mr And Mrs P S Metcalfe (01748)

See Renewables Issue (xxx)

Mrs G H Dalton (01520)

See Renewables Issue (xxx)

Helensburgh Green Belt Group (00167)

Expression of support.

Scottish Salmon Producers Organisations (01118)

Policy LDP3 should include a reference to balancing considerations, such as the social and economic benefits of development, which might outweigh a significant impact on the built, human and natural environment.

Modifications sought by those submitting representations:

Scottish Natural Heritage (01587)

The Objector requests that to avoid confusion Clause (D) should be sub-divided between (i) international and national, and (ii) local designated sites, with the policy wording for the former being that a development proposal will not be supported when it has an adverse effect etc., with the policy wording for the latter being that a development proposal will not be supported when it has a significant adverse effect etc.

Infinergy (01915)

The negative wording of the overall policy contributes to this, and instead it may be more prudent, pro-development and in accordance with SPP paragraph 33 if part (B) of Policy LDP 3 was worded in a way which suggests that 'there would be A presumption in favour of development where the established character and local distinctiveness of the landscape is respected'.

Summary of responses (including reasons) by planning authority:

Scottish Natural Heritage (01587);

The Council considers that this proposed amendment to the policy at (D) as suggested by the Objector (01587) would not alter the intention of the policy statement but rather aid its clarity in terms of dealing with international/national sites and between locally designated sites. The Council would have no objection, if the Reporter was so minded, for this amendment to be made with (D) being amended to read

(D) has an adverse effect, including cumulative effect, on the special qualities or integrity of international and national designated natural and built environment sites.

And the creation of a new clause (E) in Policy LDP 3 that states:-

(E) has a significant adverse effect, including cumulative effect, on the special qualities or integrity of locally designated natural and built environment sites.

Isle of Coll Community Council (00002)

The Council does not consider amending the plan at Policy LDP DM 3 to include the term "dark skies" is appropriate. The Council notes and is supportive of Coll being awarded dark skies status and this will instead be communicated to the development management staff to take into account this issue when planning applications are being considered on the island of Coll.

Royal Society for the Protection of Birds (00040)

The council does not consider that this policy is the right place to insert requirements for planning gain relating to the natural environment. The Council does work with developers in terms of planning

We seek a clear definition of the a definition of the precautionary principle and how it will be applied based on the policy intent of the SPP. This definition should either come in the glossary of the development plan, in the SG or in the justification to Policy LDP3.

Mr And Mrs P S Metcalfe (01748)

See Renewables Issue (xxx)

Mrs G H Dalton (01520)

See Renewables Issue (xxx)

Scottish Salmon Producers Organisations (01118)

The Council considers that this balance is already provided by other LDP policies that would also need to be considered for any development proposal, including other relevant economic policies such as Policy LDP 5. Accordingly the Council recommends no modification to the proposed LDP as account of this representation.

Reporter's conclusions:

Reporter's recommendations:

ISS607	Coastal Development and marine planning	
Development plan reference:	LDP 4 – Supporting the Sustainable Development of our Coastal Zone Chapter 1 – Introduction Chapter 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118) Mr Andy Robinson (Royal Society for the Protection of Birds) (00040) Ms Nicola Abrams (Scottish Environment Protection Agency) (00981) Mr C Gerrard (Sport Scotland) (01865) Mr Robert Reilly (Scottish Sea Farms) (00920)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p><u>POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone</u></p> <p>Royal Society for the Protection of Birds (00040)</p> <ul style="list-style-type: none"> Consider that the items listed in paragraph 3.9.5 of Policy LDP 4 are key issues rather than criteria and that this should be clarified in the policy. List of 'other relevant documents' identified in Policy LDP 4 should include forthcoming Regional Marine Plans. <p>Scottish Environment Protection Agency (00981); Support expressed for the references to the Argyll and Clyde RBMP Area Management Plans and the reference in 3.9.5 for applications for coastal development to meet criteria relating to flood risk and ecological status.</p> <p>Scottish Salmon Producers Organisations (01118)</p> <ul style="list-style-type: none"> Policy LDP4 should set out the principles for locational guidance in any aquaculture supplementary guidance, as required by SPP (Core Doc. XXX). Policy LDP 4 should contain references to the Draft National Marine Plan (Core Doc. XXX), UK Marine Policy Statement (Core Doc. XXX) and other relevant policy documents. The word 'would' is missing from paragraph 3.9.4. <p><u>CHAPTER 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together</u></p> <p>Royal Society for the Protection of Birds (00040)</p> <ul style="list-style-type: none"> List of 'other relevant documents' identified in Policy LDP 4 should include forthcoming Regional Marine Plans. <p><u>Relationship between marine and terrestrial planning</u></p>		

Sport Scotland (01865)

In relation to Policy LDP 4 and supporting SG (SG LDP CST 1), Sport Scotland question whether there is a need for a more specific policy and guidance on the interaction between marine and terrestrial planning. Such a policy could consider the impacts on the terrestrial environment from marine development, including coastal landscapes, coastal processes and access. The representation states that Sport Scotland are unsure whether such policy consideration is needed in the LDP or whether this should be covered by policy in forthcoming regional marine plans.

Scottish Salmon Producers Organisations (01118); Scottish Sea Farms (00920)

The LDP can guide only aquaculture development in marine waters, but future regional marine plans will guide not only aquaculture planning decisions but also all other decisions by public authorities on activities at sea. The Council will be obliged to determine aquaculture planning applications according to the LDP and appropriate marine plans unless relevant considerations indicate otherwise. The existence of two plans for fish farm development raises two concerns:

- (i) Potential for conflicting policy between the LDP and the appropriate marine plans and;
- (ii) Risk of an uneven playing field between fish farming and other marine development if the different standards are applied in the marine plan and in the LDP.

Royal Society for the Protection of Birds (00040)

- Reference should be made in paragraph 1.3.6 of the Introduction to the LDP, to the Marine Act (**Core Doc. XXX**) which requires local authorities to make decisions on applications in accordance with the relevant marine plans.
- Suggest the final sentence of paragraph 3.5 is updated to reflect the importance of the marine environment in a European context, not just the UK. The marine environment includes areas of search for SACs and SPAs, as well as proposed MPAs. This paragraph should stress the fact that any development in coastal locations should be sustainable.

Modifications sought by those submitting representations:POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone**Royal Society for the Protection of Birds (00040)**

- Clarification that items listed are key issues not criteria. Item '(k) Marine Planning' should be changed to 'Demonstrates compliance with the relevant marine plan'.
- Identify forthcoming Regional Marine Plans under 'Other relevant documents' in Policy LDP 4.

Scottish Environment Protection Agency (00981);

None stated

Scottish Salmon Producers Organisations (01118)

- LDP to set out principles for locational guidance in any aquaculture supplementary guidance.
- Policy LDP 4 should contain references to the Draft National Marine Plan (**Core Doc. XXX**), UK Marine Policy Statement (**Core Doc. XXX**) and other relevant policy documents.
- Correction of typo on page 31, paragraph 3.9.4.

CHAPTER 3 – Protecting, Conserving and Enhancing Our Outstanding Environment Together**Royal Society for the Protection of Birds (00040)**

Update paragraph 3.5 of Chapter 3 to reflect importance of marine environment in a European context and stress the fact that any development in coastal locations should be sustainable.

Relationship between marine and terrestrial planning

Sport Scotland (01865)

Content with whatever decision the Council makes.

Scottish Salmon Producers Organisations (01118); Scottish Sea Farms (00920)

The Proposed LDP to set out how any policy conflicts should be resolved and, to ensure a level playing field between aquaculture and other offshore activities, do so by giving preference to policies in the marine plans, once they have been adopted.

Royal Society for the Protection of Birds (00040)

Reference should be made in paragraph 1.3.6 of the Introduction to the LDP, to the Marine Act (**Core Doc. XXX**) which requires local authorities to make decisions on applications in accordance with the relevant marine plans.

Summary of responses (including reasons) by planning authority:

POLICY LDP 4 – Supporting the Sustainable Development of our Coastal Zone

a) Policy criteria

It is the Council's view that the list in paragraph 3.9.5 are criteria and not 'key issues' and therefore no change is required. To provide further clarity the Council would be agreeable, if the reporter was so minded, to amend criteria '(k) marine planning' to read 'consistency with relevant marine plans', as sought by objector (**00040**).

b) Setting principles for Aquaculture SG

This objection from SSPO/Scottish Sea Farms focusses on the Scottish Planning Policy (SPP) (**Core Doc. XXX**) requirements for marine aquaculture. Policy LDP4 covers development on land and not marine aquaculture, although would be relevant to onshore fish farms, oyster farms or land-based infrastructure to support aquaculture. The SPP requirement for spatial guidance is therefore not relevant to this policy. It is however relevant to Policy LDP 5, which does set out the principles for which SG may give further guidance and identifies relevant SG which provide the mechanisms for delivery of this policy.

If the reporter is so minded, the Council recommends the following changes to Policy LDP3 in order to provide greater clarity on the principles for relevant SG and to improve clarity over which LDP policy sets the framework for Aquaculture Development:

- Move text from paragraphs 3.9.5 and 3.9.6 into the policy wording
- Remove reference to SG AQUA 1 in the policy wording
- Remove list of 'Other relevant documents' from policy as covered by new policy text (3.9.6)

c) Reference to UK Marine Policy Statement and Marine Plans

The Council will need to take account of the National Marine Plan, which is consistent with the UK Marine Policy Statement and any future regional marine plans when making planning decisions which may affect the marine environment. Therefore, if the reporter is so minded, the Council is content in the interests of accuracy to amend Policy LDP 4 to replace 'marine spatial plans' with 'National Marine Plan and forthcoming Regional Marine Plans' to the end of the last sentence of the policy (**Production X**).

d) *Correction of typo*

The representation from objector (01118) correctly identifies a missing word in the justification of Policy LDP 4 (paragraph 3.9.4). If the reporter is so minded, the Council supports the suggested correction, adding the word 'would' to the first sentence of this paragraph – *'The Coastal Development Strategy, as supplementary guidance, sets out through a range of Development Criteria, where coastal development would, or **would** not, be acceptable and the types of development that might be accommodated.'*

e) *Definition of Coastal Zone*

The Council has incorrectly defined the 'Coastal Zone' in this policy, which was mistakenly taken from a description of the geographical area to be covered in a Coastal Development Strategy which is currently in preparation. The area defined for this strategy extended to 1km inland to allow a consistent approach to presentation of maps and data but was not intended to be a hard and fast definition of a coastal zone and therefore a definition of a zone within which Policy LDP 5 applies.

The influence of the coast can penetrate far in land in some areas and not so in others. In terms of assessing individual development proposals adjacent to the coast, planning officers will make a judgement as to whether Policy LDP 5 applies. Considerations in determining the landward limit of the coastal zone will include the extent to which it is affected by coastal processes, the intervisibility between land and sea, and the potential for development to adversely affect the special qualities of the coast.

Proposed LDP representations on PDA 1002 (Issue no. ISS025) highlight uncertainty as to when Policy LDP5 applies and the Council would not like any confusion to remain. If the reporter is so minded the Council would be content with the following change to the definition of the Coastal Zone in Policy LDP5 and SG CST 1 to correct this error and improve clarity over when this policy would apply.

Coastal Zone definition in policy – Strip of land between Mean Low Water Springs (MLWS) and a maximum of 1km landwards. In many cases the coastal zone will extend only a short distance inland, and this distance depends on whether the land exerts an influence on the uses of the sea and its ecology, or the land uses and ecology are affected by the sea. Whether this policy applies to a particular development application is at the discretion of the Council's Planning Department.

CHAPTER 3 (D429) – Protecting, Conserving and Enhancing Our Outstanding Environment Together

In response to the requested modification of paragraph 3.5, the Council considers that there is no need to state that development has to be sustainable as this is inferred by the second last sentence of this paragraph. The Council would be content in the interests of clarity, if the reporter was so minded, to amend the last sentence in paragraph 3.5 to read - *'Similarly the marine environment is one of the richest in terms of biodiversity in the UK and Europe, in order to reflect the importance of marine environment in a European context.'*

Relationship between marine and terrestrial planning

a) *Consideration of land-based impacts from marine development*

The Council does not consider it appropriate for the LDP to include policy which considers land-based impacts from marine development, with the exception of marine aquaculture development which is under planning control. The SG chapter on Aquaculture Development (SG LDP AQUA 1) considers and identifies potential land based impacts from marine aquaculture development. The forthcoming Coastal Development Strategy

as SG, will consider this relationship and will identify potential land based impacts that could result from marine development which the Council would wish to see considered in the development of Regional Marine Plans and relevant marine licensing decisions. In view of the foregoing the Council recommends no modification to the proposed LDP.

b) Policy conflict between LDP and marine plan policies

The Council considers that it is more appropriate for the Coastal Development Strategy (in preparation) as SG, to provide guidance on how any policy conflicts between the LDP and relevant marine plans will be addressed.

Scottish Government thinking has progressed since publication of the Proposed LDP with a draft Marine Planning Circular (Core Doc. XXX) published for public consultation in (August 2013) which provides specific guidance and additional clarity on the relationship between marine and terrestrial planning, as defined in the Marine (Scotland) Act (Core Doc. XXX). The most relevant paragraphs of this document (13; 22; 32 & 33) clearly identify a two-way process where both planning processes work together to deliver consistent policy where possible and plans that are equally compatible with each other.

The Council does not agree that preference should be given to marine plan policies. Marine plans and LDPs have an equal footing and Argyll and Bute Council will work with marine planners to ensure marine plans and policies are consistent with our own policy and where issues arise agreement will be reached and our own SG can be amended if appropriate. In view of the foregoing the Council recommends no modification to the proposed LDP.

c) Reference to Marine (Scotland) Act

The Proposed LDP has taken account of the Marine (Scotland) Act (Core Doc. XXX) which is particularly relevant to aquaculture development. The Council therefore would be content in the interests of accuracy, if the Reporter was so minded, for the amendment suggested by objector (XXXX) to be made, with the second sentence of paragraph 1.3.6 being amended to read:

The LDP also takes account of planning advice notes (PANs), other national strategies including the government's economic strategy and relevant national legislation such as the Climate Change (Scotland) Act (2009), Nature Conservation (Scotland) Act 2004 and Marine (Scotland) Act (2010).

Conclusion

The Council would be content to include the above amendments to the Proposed LDP, if the Reporter is so minded, as they are not considered to be a material change in policy direction, but have been accepted in order to bring additional clarity to; and will improve the accuracy of the LDP.

Reporter's conclusions:

Reporter's recommendations:

ISS608	LDP 5 – Supporting the Sustainable Growth of Our Economy	
Development plan reference:	LDP 5 – Supporting the Sustainable Growth of Our Economy	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Salmon Producers Organisations (01118) Tarbert and Skipness Community Council (00146) Scottish Power (02127) Helensburgh Community Council (00135) Royal Society for the Protection of Birds (00040) Scottish Sea Farms Ltd (00920) RWE npower Renewables (02126)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
LDP 5 – Scottish Salmon Producers Organisations (01118) Welcomes the Council's support for the fish farming industry as expressed in Section 4 and Policy LDP 5. Page 35. Para. 4.3 contains the first reference to food and drink industries so the definition of this "(includes agriculture, aquaculture, fishing and whisky)" should appear here. LDP 5 – Tarbert and Skipness Community Council (00146) Tarbert and Skipness Community Council consider Tarbert to be a key tourist destination, not only because of the wide range of services but also because of the newly repaired, community-owned royal castle and the expansion of the harbour for pleasure craft. The Community Council understand that appreciate that official figures do not necessarily show this as few establishments are registered with Visit Scotland. Figures from the harbour board show that the growing number of pontoons now attract 3,500 visiting boats a year (i.e. approx 10,500 people) plus a further 1,000 sailors for the Scottish Series. Also there are 115 boats permanently moored here by people from outwith the area. Between Easter and September 20122 the counter installed at the newly-repaired castle of Robert the Bruce showed 40,000 visitors. Some of these will have come down the same way and be counted twice and some, of course, will have been local. An adjusted figure is 14,000 visitors to the castle during the season. Tarbert Community Council fully supports the proposal for a Tourism Development Area in and around Tarbert and Skipness as well as the West Loch. LDP 5 – Scottish Power (02127) Scottish Power supports this policy. They suggest, however, that there should be specific support for community businesses, including community renewable energy projects. They		

state that this form of development has proved to be very successful in harnessing economic growth to support the retention and growth of our population. This would also support LDP Policies 6, 8 and 10. Scottish Power also point out that any community benefit funds (normal practice for onshore windfarms and supported and encouraged by Argyll and Bute Council) are not material in planning terms.

Helensburgh Community Council (00135)

The objector states that the small reference in the LDP to tourism in Argyll & Bute in general and Helensburgh and Lomond in particular is inadequate and does not do justice to the important contribution this sector makes to the economy and employment of Argyll and Bute. The objector considers that the LDP takes little no account of the wide range of the varied tourist offerings across. The objector considers that Helensburgh and its surrounding areas should be differentiated from the rest of Argyll and Bute.

Reasons for the importance of tourism have been highlighted, including:-

- Failure to make new investment and build on existing economic strengths causes decline, stagnation and decay.
- Tourism brings trade to accommodation providers, local retailers, restaurants, cafes and other local businesses. It does not challenge the town's essential character and brings money directly to the town.
- Tourism touches many facets of the local economy creating jobs at all levels.
- Helensburgh's tourism offering in many ways is different from elsewhere in Argyll & Bute. (On the edge of the Scotland's largest conurbation, proximity to the National Park, established attractions, town centre shops, basic tourism, growing network of local paths giving many miles of safe walking and cycling.

RSPB (00040)

The words 'but must be balanced against environmental impacts' should be added to the end of this paragraph. The importance of the area's environment to tourism should be emphasised, particularly wildlife tourism on islands such as Mull. The objector suggests a wording change to 'well-sited, environmentally sustainable renewable energy related development' in the first sentence. It is important that Spheres of Influence and Key Ports are properly assessed, as well as offshore development.

RWE npower Renewables (02126)

Expression of support. Recommend that these economic policies should be a key consideration in determining planning applications for wind farms, as development of onshore wind is an important element in the on-going success of the economy in the Argyll and Bute Council area.

Scottish Power (02127)

Support expressed for this policy. We would suggest, however, that there should be specific support for community businesses, including community renewable energy projects. This form of development has proved to be very successful in harnessing economic growth to support the retention and growth of our population.

Modifications sought by those submitting representations:

LDP 5 – Scottish Salmon Producers Organisations (01118)

Definition of food and drink required.

Scottish Sea Farms Ltd (00920)

Definition of food and drinks industry made available

LDP 5 – Tarbert and Skipness Community Council (00146)

The Community Council suggest the Council add a star to the Map on Page 39 of the Written Statement indicating that Tarbert has a Key Tourist Attraction.

LDP 5 – Scottish Power (02127)

None stated see above.

LDP 5 - Helensburgh Community Council (00135)

Much greater recognition be given in the LDP to the importance tourism makes to the overall economy of Argyll and Bute. Helensburgh and Lomond current and potential tourist offering is so distinct that it should be given its own section within the LDP.

RWE npower Renewables (02126)

None stated.

Summary of responses (including reasons) by planning authority:**LDP 5 – Scottish Salmon Producers Organisations (01118)**

The Council considers that food and drink is a well-recognised industry in Scotland including aquaculture but to strictly define it in terms of what it contains could give rise to problems and for that reason the Council considers that there should be no definition in the plan.

LDP 5 – Tarbert and Skipness Community Council (00146)

The Key Tourist Attractions, shown as stars on the “Growing our Economy Together” Diagram in the Written Statement were derived from information in the Visitor Attraction Monitor 2009 prepared for Visit Scotland (Production Ref XXX). Their purpose is to highlight the tourism resource across the area and they were used, in part, to derive the boundaries of the Tourism Development Areas which have related policy in the PLDP and Supplementary Guidance. In themselves they do not have any related policy. Tarbert is situated within a Tourism Development Area. Given the evidence of the scale of the attractions, supplied by the Community Council, the Council would be content, if the Reporter was so minded, to add an icon to the economy map on page 39 of the Written Statement to indicate Tarbert as a Key Tourist Attraction.

LDP 5 – Scottish Power (02127)

The Council makes no distinction between community and commercial on shore wind as they are both assessed equally in terms of the plan’s wind farm map, policies and SG as required by the SPP (Production Ref XXX). More detailed responses with regard to objections received to Policy LDP 6 Supporting the Sustainable Growth of Renewables is dealt with in Strategic Issues ISS402 and ISS609.

LDP 5 – RSPB (00040)

The Council considers that there is no need to add additional words here as the plan does seek to balance environmental, social and economic needs by requiring to take into account all relevant policies and SG of the plan. Any additional text will simply lead to a larger document which is against the thrust of Government guidelines on the length of any plan. The issue of spheres of influence is dealt elsewhere in the schedule 4s (Ref xxx) and our key Ports are already established and have no need for further assessment. Offshore development will be properly assessed as and when proposals come forwards. The spheres of influence do not give any presumption in favour of renewable energy applications in the areas covered by the spheres.

LDP 5 - Helensburgh Community Council (00135)

The importance of tourism to the economy of Scotland is recognised in the Government's Economic Strategy (Core Document Ref XXX) and Scottish Planning Policy (Core Document Ref XXX). The particular significance of this sector for Argyll and Bute is noted in the Single Outcome Agreement (Core Document Ref XXX) and the Economic Development Action Plan (Core Document Ref XXX). The Monitoring Report (Core Document Ref XXX) highlights the degree of importance of this sector within Argyll and Bute. The PDLP sets out 5 potential main growth sectors of which one is tourism. (Core Document Ref XXX). Tourism is supported in policy LDP 5 in the PLDP which also links to 3 further Supplementary Guidance policies.

The distinctive importance of Helensburgh and Lomond as a visitor destination is specifically noted in Chapter 2 of the PLDP para 2.3.2 (Core Doc ref XXX), related to its proximity to the Glasgow conurbation, its outstanding natural and built heritage, its role in tourism relating to being adjacent to the Loch Lomond and the Trossachs National Park and as a day tripper destination and the green networks. Helensburgh and Lomond Area contains a Tourism Development Area as identified in the "Growing our Economy Together Diagram" in the PLDP.

It should also be noted that the information supplied by the community council in their representation will also help inform the formation of specific tourist strategies for the Helensburgh and Lomond area and specific actions for the local Economic Development Action Plan that the Council is currently working on.

Consequently, to ensure that the PLDP remains a focussed and effective document, a balance is required in terms of the detail included. It is considered that tourism is dealt with effectively by the plan and that the specific local characteristics relating to Helensburgh and Lomond have been highlighted within the PLDP. In view of the above it is considered that no change is required to the Local Development Plan in respect of this objection.

RWE npower Renewables (02126)

These policies and associated SG are a key consideration in the determination of applications for windfarms as are all other relevant policies and SG of the PLDP.

Reporter's conclusions:

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Reporter's recommendations:

ISS610	LDP 8 – Supporting the Strength of Our Communities	
Development plan reference:	LDP 8 – Supporting the Strength of Our Communities	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
CALA Homes (West)) (01870) Ms Suzanne McIntosh (01887)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
LDP 8 – CALA Homes (West) (01870) <p>The objector contends that Council needs to ensure that evidence has been prepared for the Proposed LDP confirming that they are establishing a generous housing land supply in compliance with the requirements of the SPP (as set by the Scottish Government).</p> <p>The Objector states that the Council is required to maintain a 5 year effective housing land supply at all times (SPP, paragraph 73). The Proposed LDP presents a housing land requirement based on the evidence presented in the Argyll and Bute HNDA (paragraph 2.8.2). This equates to 9,590 homes over the next 10 years or 959 homes per annum. This housing land requirement accords with SPP, paragraph 70. CALA Homes (West) (The Objector) supports the Council in adopting this housing land requirement of 9,590 homes over the Proposed LDP period.</p> <p>In order to accord with SPP, the Council needs to prepare a housing land audit. This is the method to measure whether a supply of effective land for at least 5 years is being maintained at all times (SPP, paragraph 75). This will ensure that a continuing generous supply of land for house building is being provided.</p> <p>The Council needs to assess the allocations prior to the LDP Examination in order to determine the effectiveness of allocations, seeking guidance from the house building sector where appropriate. This is in accordance with guidance set out in PAN 2/2010. CALA Homes (West) (the Objector) supports the Council in identifying 7,450 homes for allocation over the Proposed LDP period.</p> <p>The objector states that maintaining a 5 year Effective Land Supply at all times SPP requires the LDP to allocate land on a range of sites which are effective or capable of becoming effective to meet the housing land requirement up to Year 10, ensuring a minimum of 5 years effective land supply at all times.</p> <p>The objector states that in order to evaluate whether the allocations would be sufficient to maintain a 5 years land supply at all times, the Council must programme the expected annual delivery from proposed allocations with the effective land supply and test whether this meets the housing land requirement. This work and evidence should form part of the Council's finalised position for the LDP Examination through a Housing Land audit.</p> <p>The Council therefore needs to implement a policy mechanism to ensure that a 5 year</p>		

housing land supply is maintained at all times as well as identifying a mechanism to measure compliance and ensure an effective housing supply at all times.

LDP 8 – Ms Suzanne McIntosh (01887)

The objector questions the effectiveness of the land supply in light of the allocated number of units falling short of the required number and the over-reliance on windfall sites to make up the shortfall. In addition, the tables of housing sites do not identify those sites which have been carried forward from the last plan, those which have been allocated for in excess of 10 years nor given an explanation of why they have not come to fruition within that plan period.

An in-depth analysis of the reasons for an underperformance on sites coming forward to development stage has not been provided in the LDP or referred to yet this is critical to achieving the vision in the plan and reversing the trend of population decline.

It is considered that in the light of the current economic climate that sites of over 80 to 100 units are not attracting investment/builders throughout Scotland and by the very nature of their size are ineffective as a result of the economic climate. There is no consideration of this fundamental in the plan.

In addition, in relation to infrastructure delivery, costs and impact on the effectiveness of sites no reference is made.

Modifications sought by those submitting representations:

LDP 8 – CALA Homes (West) (01870)

The objector recommends that a new Policy is inserted into the as follows

LDP HL1 – HOUSING LAND FLEXIBILITY

The Council shall maintain a five years' effective housing land supply at all times to meet the housing land requirement of 9,500 housing solutions over a 10 year period. This will be monitored by an annual housing land audit. For this purpose the Council may grant planning permission for the earlier development of sites which are allocated or phased for a later period in the LDP.

Other sites for housing development proposals within the Development Management Zones may granted planning permission to maintain a five years' effective housing land supply if allocated or phased site cannot be developed earlier. These new housing developments need to meet the criteria set out in Policy LDP DM 1.

The objector further recommends that the following amendments are made to Paragraph 2.8.4 after "Argyll and Bute"

"Policy LDP HL1 sets out the mechanism to maintain a 5 year effective land supply at all times."

And, the addition of the words "through a housing land audit" after the word "review"

LDP 8 – Ms Suzanne McIntosh (01887)

In order to provide a robust means of addressing population decline a more in depth analysis of the housing allocations and an exploration as to why sites have not come forward needs to

be undertaken as a matter of urgency.

Summary of responses (including reasons) by planning authority:

LDP 8 – CALA Homes (West) (01870)

The Council will comply with the SPP to deliver an effective five year housing supply at all times. The Council already does this through specific housing numbers identified on clearly identified Allocations, PDAs and windfall development within acceptable sites within the Development Management Zones. The Council has published a Housing Land Audit in March 2013 and has consulted with Developers (**Core Doc. Ref. xxx**). This document shows clear programming for housing land release and the Council is committed to reviewing this document annually to ensure that an effective housing land supply is continuously delivered throughout Argyll and Bute. The council can see no value to adding an additional policy statement as proposed by the Objector or amend Paragraph 2.8.4 of the plan's Written Statement to refer to the new policy.

In terms of the proposed addition of the words "housing land audit" in Paragraph 2.8.4 the Council would be content, if the reporter was so minded, to include a reference here to the housing land audit as it would add clarity to the intentions of the plan.

LDP 8 – Ms Suzanne McIntosh (01887)

The Council does not accept the objector's arguments with regard to the effectiveness of the housing sites. The Council has conducted a detailed Housing Land Audit (**Core Doc Ref xxx**) and consulted with the housing industry and the Scottish Government with no objections raised. Allocations, some partially implemented have been carried forward from the current Local Plan (**Core Doc. Ref. xxxx**) which is standard planning practice given the current plan is still considered to be up to date. These Allocations have been clearly identified in the plan as they retain the same reference number with new allocations having new distinct references given to them. The same is applicable for PDAs.

The carrying forward of allocated housing sites that have not been fully developed into a future plan is normal planning practice where the council still considers these sites to be effective. The Council has committed to undertaking a Housing Land Audit on an annual basis to measure the sites' effectiveness. This information will be used to undertake future reviews of the plan and bring forward additional sites where necessary to maintain an effective 5 year housing supply at all times.

The Housing Land Audit together with the published allocation schedules in the Written Statement and the published Draft Action Programme (**Core Doc Ref xxx**) contains considerable information on a wide range of sites ranging from a single dwelling unit to sites with a capacity in excess of 100. At the Main Issues Report (MIR) (**Core Doc. Ref. xxx**) Stage the issue of increasing density on appropriate sites was put forward to help with economies of scale and making best use of available land and this received strong public support. This resulted in a number of sites having a higher density applied in the Proposed LDP including a number of sites being taken forward from the current Local Plan.

The Council also does not agree that larger sites are failing to be implemented and the objector has provided no evidence to substantiate this claim. Argyll and Bute has helped take forward larger sites of over 80 houses in numerous locations including Lochgilphead (former high school site and at Baddens) and with the Oban settlement area. The phased

development of sites at Dunbeg Corridor (50 houses on site with a further 25 committed at this stage) has started with infrastructure support committed through the agreed Lorn TIF.

The Council considers therefore the availability of the Housing Land Audit that will be renewed on an annual basis provides the in depth analysis of the housing allocations requested by the objector (01887) and as such considers that no amendment be made to the Proposed LDP on account of this objection.

Reporter's conclusions:

Reporter's recommendations:

ISS611	LDP 9 - Development Setting, Layout and Design	
Development plan reference:	LDP 9 - Development Setting, Layout and Design	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Helensburgh Community Council (00135)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>LDP 9 - Helensburgh Community Council (00135)</p> <p>The objector contends that Argyll & Bute Council's Sustainable Design Guidance is a widely acclaimed document which takes Scottish Government policies on building layout and design and applies them across A & B.</p> <p>Tiree apart, however, the Council document is one size fits all and fails to recognise the wide range of different settlements within A&B many with their own design heritage and characteristics. To fill this gap for Helensburgh HCC has produced its own Helensburgh Design Statement and Helensburgh Landscape Statement which translate Scottish Government and the Council's design guidance policies into the design characteristics it wishes to see for the town – architecture which is distinctive, varied and which integrates with the local landscape etc.</p> <p>Helensburgh was a New Town in the early 19th century and its legacy today is an outstanding array of Victorian and Edwardian buildings along with significant Art Nouveau and Arts & Craft work. Bland, developer led, “could be anywhere” uniformity in style and detail is not part of this heritage. The common language running through them is that they are within an architectural tradition incorporating a range of styles, materials and ornamentation that sits comfortably within its own local and West of Scotland landscapes.</p> <p>Many of Scotland's finest architects of the time have left their mark on Helensburgh - William Leiper, A.N. Paterson, Alexander “Greek” Thomson, Sir Roland Anderson, John Honeyman, M. H. Baillie Scott, Robert Wemyss and William Spence. Charles Rennie Mackintosh's world renowned masterpiece, the Hill House. Is Helensburgh's crown jewel. What makes Helensburgh unique is its combination of architectural scale and variety within a fine south facing landscape setting over the River Clyde. The distinctive street grid pattern contrasts with the “country park” ambience of the private gardens and wide tree lined streets. For these reasons the area surrounding the Hill House and an extensive part of upper Helensburgh were awarded Conservation Areas status in 1971 and 1994.</p> <p>Unfortunately most post 1918 development has not maintained this tradition. Rather than individual plots being developed singly developments in Helensburgh have tended to be of a larger scale and developer led. What they have put up has been uniform and bland. It is rarely distinctive and is of a “could be anywhere” design. It is clear for all to see that it has proved impossible for the planning authorities to secure a standard of design excellence from developers which carries forward the heritage of past and applies it to developments of today.</p>		

On the other hand where buildings have been developed singly or in small numbers they often do have a stand out quality of design excellence about them.

Modifications sought by those submitting representations:

LDP 9 - Helensburgh Community Council (00135)

The objector recommends that to turn around the erosion of its design excellence A&BC produces a separate Sustainable Design Guide for Helensburgh. This to be based on SG LDP Sustainable Setting and Design Principles of new Housing in Settlements and SG Argyll & Bute Sustainable Design Guides.

Summary of responses (including reasons) by planning authority:

LDP 9 - Helensburgh Community Council (00135)

The Council notes the comments submitted by the objector (00135) but would like reassert our view that the very diversity of the architecture in Helensburgh does not lend itself to a specific design guide. As the objector refers to in his submission to the Proposed LDP the Council has prepared specific design guides for particular locations such as Tiree (Core Doc. Ref xxx) and the Ross of Mull where there is a distinct architectural identity that can be followed i.e. Tiree's black house and its modern variations.

That said, the Council's design policy (LDP 9) and SG, including our suite of award winning, generic design guides (**Core Doc Ref. (xxx)**) call for a "high standard of appropriate design" to be applied throughout Argyll and Bute with specific advice offered on aspects such as dealing with large and small scale residential, incorporating renewable energy and undertaking works in the context of the historic environment. The Council will continue to apply this policy and the SG together with national design policy to Helensburgh taking full account of designated sites such as Helensburgh's two outstanding conservation areas but does not see the merit of taking forward a specific design guide for the town.

Given all the above the Council does not see any merit in an amendment to the plan being made through this objection.

Reporter's conclusions:

Reporter's recommendations:

ISS612	Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption	
Development plan reference:	Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Coriolis Energy (01968) SEPA (00981)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
LDP 10 - Coriolis Energy (01968) The objector contends that the policy context of Paragraph 6.1 of the Written Statement seeks to ensure that carbon sinks (i.e. peat lands) are protected. Policy LDP 10 details that the Council will support all development proposals that seek to maximise (renewable) resources where they 'avoid the disturbance of carbon rich soils'. Clear reference is required at this point linking the statement to the detailed policy contained in SG LDP ENV 11 'Protection of Soil and Peat Resources', which sets out to clarify this statement further.		
LDP 10 - SEPA (00981) The objector seeks the removal of the reference to "Area Waste Plans" in the action "To support the development of the area Waste Strategy by examining its land use implications and the subsequent investigation of the identification of sites for appropriate facilities." Identified on page 54 of the LDP Written Statement.		
Modifications sought by those submitting representations:		
LDP 10 - Coriolis Energy (01968) Include a direct reference in Policy LDP 10 to SG LDP ENV 11.		
LDP 10 - SEPA (00981) Replace "Area Waste Plans" with "Zero Waste Plan".		
Summary of responses (including reasons) by planning authority:		
The Council agrees with the objector (01968) and, if the Reporter is so minded, would be content if SG LDP ENV 11 is referenced in Policy LDP 10 – Maximising Our Resources and Reducing Our Consumption in the interests of clarity and accuracy.		
The Council agrees with the Objector (00981) and if the Reporter is so minded, would be content with the substitution of the words "Area Waste Plan" with "Zero Waste Plan" in the third action identified on page 54 of the LDP Written Statement in the interests of accuracy.		
Reporter's conclusions:		

Reporter's recommendations:

ISS613	LDP 11 - Improving our Connectivity and Infrastructure	
Development plan reference:	LDP 11 - Improving our Connectivity and Infrastructure	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Canals (01926): Scottish Government (01930) Tarbert and Skipness Community Council (00146)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>LDP 11 - Scottish Canals (01926)</p> <p>The objector states that the Map – Improving our Connectivity Pg. 63 should highlight the Crinan Canal in the key as an important piece of infrastructure in addition to being recognised as part of a Sea Kayak Trail which Scottish Canals support.</p> <p>LDP 11 - Scottish Government (01930)</p> <p>The Proposed Plan includes a map on page 63, Chapter 7 entitled 'Improving our connectivity'. It includes a 'proposed vehicle ferry route' and 'improved passenger ferry route' between Campbeltown and Ballycastle. The Proposed Plan text does not refer to this route and it is not included within any Policy or within the Action Programme or Supplementary Guidance, therefore details surrounding the delivery of the new and improved routes are unknown.</p> <p>The Scottish Government has published the Scottish Ferry Services Ferries Plan (2013-2022): The Ferries Plan, which outlines the strategic guidance for the provision of ferry services in Scotland over the next 10 years. A proposed new vehicle and improved passenger ferry route between Campbeltown and Ballycastle are not included within The Ferries Plan.</p> <p>The Proposed Plan includes a map on page 63, Chapter 7 entitled 'Improving our connectivity'. The map includes references to 'improving strategic roads' and 'improving railways' with the map highlighting trunk road and rail lines and some local roads within the entire Council area. This representation refers to the trunk roads and rail lines elements only. The Proposed Plan text does not refer to these improvements and they are not included within any Policy or within the Action Programme or Supplementary Guidance, therefore details surrounding the nature, delivery or the funding of any improvements to the strategic road and rail network are unknown.</p> <p>LDP 11 - Tarbert and Skipness Community Council (00146)</p> <p>Verbatim Comment:</p> <p>We are pleased to see both Kennacraig and Claonaig ferry terminals on the map as "Enhanced Vehicle Ferry Terminals" but suggest that the road between them be considered as a "Strategic Road" requiring Improvement.</p>		

Modifications sought by those submitting representations:**LDP 11 - Scottish Canals (01926):**

The Map – Improving our Connectivity Pg 63 should highlight the Crinan Canal in the key as an important piece of infrastructure in addition to being recognised as part of a Sea Kayak Trail which Scottish Canals support.

LDP 11 - Scottish Government (01930)

The Scottish Government recommends that the inclusion of a 'proposed vehicle ferry route' and 'improved passenger ferry route' between Campbeltown and Ballycastle should be removed from the 'Improving our connectivity' map on page 63, Chapter 7. The Proposed Plan provides misleading information to the public and stakeholders as it does not provide any detail on the delivery or funding of the proposed and improved ferry routes anywhere within the Proposed Plan, yet their wording and inclusion within the map strongly suggests that they will be provided.

The Scottish Government recommends that the inclusion of reference to 'improving strategic roads' and 'improving railways' should be removed from trunk roads and railways on the 'Improving our connectivity' map on page 63, Chapter 7. The Proposed Plan provides misleading information to the public and stakeholders as it does not provide any detail on the nature, delivery or the funding of the improvements within the Proposed Plan, or that any such work would require to be discussed and approved by Transport Scotland. Yet, the inclusion of this wording within the map strongly suggests that widespread and unknown improvements to the trunk road and rail network will be provided.

Summary of responses (including reasons) by planning authority:**LDP 11 - Scottish Canals (01926)**

The Council would be content, if the Reporter was so minded, to amend the connectivity map to include the Crinan Canal.

LDP 11 - Scottish Government (01930)

The Council has included details on key infrastructure improvements relating to both road and rail in its Draft Action programme that has been sent to the Scottish Government for further comments.

The Council would like to point out that there is a clear committed programme of investment by the Scottish Government to improving the Trunk roads. For example, continued investment on the A83 and the Rest and be thankful; the removal of a single carriageway at Pulput Rock (A82); the Crianlarach by-pass etc. The Council would like to refer the Reporter to the published NPF3 (Core Doc. Ref xxx) that contains a number of references to the improvement of the key trunk roads entering Argyll and Bute including the Trunking of the A83 to Campbeltown.

The Council also wishes to retain the Ballycastle link within the plan as this remains an aspiration of the Council. The Council wishes to point out that a link to Adrossan (summer only) for vehicular traffic has now been established and a passenger link has been established between Campbeltown and Ballycastle. The Council acknowledges that the Ballycastle vehicular ferry link has no committed funding but wishes to still retain this aspiration in the connectivity map given its importance to the people of Kintyre and beyond.

The Council would be content, if the Reporter is so minded to include the words aspirational

in the key of the Connectivity Map to acknowledge that funding has not yet been secured to make the Campbeltown to Ballycastle vehicular ferry link a reality but remains a key aspiration of the Council.

Reporter's conclusions:

Reporter's recommendations:

ISS615	General Comment –Plan Complexity	
Development plan reference:	General Comment –Plan Complexity	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>D404 - Mr and Mrs David and Janice Cowan (00287) D404 - Mike MacKenzie MSP (00984) D404 - Eilean Eisdeal (00205) D404 - Ms Suzanne McIntosh (01887) D404 – Mr Derek Prestwell (02062)</p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>D404 - Mr and Mrs David and Janice Cowan (00287) These objectors contend that the plan is much too detailed and complex for the layperson to readily understand and that it is also a hugely time consuming exercise which makes accurate and meaningful feedback extremely difficult.</p> <p>D404 - Mike MacKenzie MSP (00984) This objector states that the problems in providing a meaningful and strategic response to the Argyll and Bute Local Plan (LDP) are many and manifest. It is his view that the document is largely subjective and it is therefore difficult to relate to specific outcomes; it is written in fairly dense planners jargon which makes it inaccessible and difficult for anyone other than professional planners to scrutinise effectively; and, in order to properly understand the LDP, it is necessary to read a multitude of other referenced documents which are similarly inaccessible. He goes on to state that this prevents meaningful engagement and thus fails as a consultation exercise, except perhaps at the most local level, which is assisted by referencing the local maps and since Scottish Government policy is to move towards a plan led system and to encourage meaningful consultation and positive engagement in the preparation of Local Development Plans, then it fails the test of meeting this basic policy requirement of LDPs.</p> <p>D404 - Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887) Taking the proposed LDP in the round and looking at the documents as a whole we find that they have become unworkably large. We appreciate that the area to be covered is extensive in terms of the plans but question why there is a written statement of intent, plus a separate proposals map and the SPG doc. The SPG doc appears to focus very much on control rather than how the Planning Authority is to achieve its aims in the vision statement in the plan. As such the plan to our mind has become so large that it is becoming unworkable. We are well versed in using development plans daily from all over Scotland and feel that this point has to be made. A more streamlined plan will be read and understood as a key planning tool in achieving your vision by many more people than the plan in its current form.</p> <p>D404 – Mr Derek Prestwell (02062) The objector contends that the population of A&B is falling and economic and population increase should be made a priority with each planning application determined on its merits removing the situation where targeted land suddenly increases in value and more importantly it increases the flexibility for planning officers and the planning department.</p>		

Modifications sought by those submitting representations:

D404 - Mr and Mrs David and Janice Cowan (00287)

None stated.

D404 - Mike MacKenzie MSP (00984)

None stated.

D404 - Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887)

Consideration should be given to a more visually based document and more streamlined text.

D404 – Mr Derek Prestwell (02062)

The objector requests the removal the maps and zoned areas or if this is not possible double at least the size of available land for housing and economic development as a mechanism for promoting growth.

Summary of responses (including reasons) by planning authority:

D404 - Mr and Mrs David and Janice Cowan (00287); Mike MacKenzie MSP (00984); Eilean Eisdeal (00205); Ms Suzanne McIntosh (01887); D404 – Mr Derek Prestwell (02062)

The Council does not agree with these objections to the Local Development Plan (LDP). The issues that are required to be included within a LDP to cover an area as large and varied as Argyll and Bute are many and complex. That said, the Council has made every effort to slim down the content of the plan to make it an accessible, easy to follow, document for all stakeholders. Where planning jargon has been used it has been explained in the Plan's glossary and the Council note that no specific examples have been provided by the objectors to illustrate their points in relation to the plan's complexity and furthermore, no specific modifications have been suggested to improve the plan's clarity or reduce the detail of its contents.

Planning is a plan led system used to make decisions about the future development, and the use of land in our towns, cities and countryside. Development plans should be deliverable, up-to-date and set out a long-term spatial strategy, including policies and proposals that provide greater clarity for stakeholders on how planning outcomes can be achieved. Section 15 of The Town and Country Planning Act (Scotland) 1997 Chapter 8 as amended by The Planning etc. (Scotland) Act 2006 (**Core Doc Ref. (xxx)**). requires LDPs to contain a spatial strategy, this being a detailed statement of the planning authority's policies and proposals as to the development and use of land. Outside SDP areas (which is the case for Argyll and Bute's LDP), LDPs must also contain a vision statement. Vision statements should provide a realistic expression of what the plan area could be like in 20 years time and a useful springboard for the spatial strategy of the plan. Planning authorities may also include any other matters in the plan that it considers appropriate.

Section 15(4) of the Act allows LDPs to contain any maps, diagrams, illustrations and descriptive material the planning authority think appropriate, but regulation 8 requires the inclusion of a proposals map to illustrate the plan's policies and proposals spatially and allow the specific location of proposals to be accurately identified.

Planning therefore considers where development should happen, where it should not and

how development affects its surroundings. The system balances competing demands to make sure that land is used and developed in the public's long-term interest. This is done in the LDP through a series of proposal maps, policies and supplementary guidance.

The LDP settlement strategy seeks to deliver sustainable levels of growth by steering significant development to our existing settlements, where the bulk of our essential services, employment opportunities, community facilities and infrastructure assets are available.

The LDP settlement and spatial strategy clearly sets out where new development of different scales should be and should not be located which provides people with certainty in making their investment decisions on making a place their home or creating employment opportunities. The plan recognises the importance of sustainable economic development in attracting more people to live in Argyll and Bute and has included a number of new initiatives from the current Development Plan to enable further economic development. They include the creation of:-

- Tourism Development Areas where major new tourism projects are guided to in the plan;
- Economic fragile areas where appropriate development of any scale that can be demonstrated to have significant economic or social benefits is supported;
- Renewable energy spheres of influence where recognition is given that the plan may have to change to respond to developments in the off shore renewable industry, subject to formal amendment;
- Five strategic business areas (Faslane; Lochgilphead, Kilmory; Machrihanish; Sandbank; and Dunstaffnage, Dunbeg) where larger scale industrial growth is expected and taken forward through a masterplan approach;
- The implementation of the Lorn TIF project;
- The implementation of the Maritime Change Project
- The implementation of CHORD (area regeneration and town centre enhancement schemes for Campbeltown; Helensburgh, Oban, Rothesay and Dunoon).
- The enhancement of essential infrastructure including our ports, ferries, roads, air links, water and waste water treatment, digital connectivity and electricity grid;

The LDP also sets out over 330 development sites (Allocations and PDAs) in the Proposals Maps and Written Statement schedules that highlight opportunities for new development to take place including business and industry, tourism, mixed use, minerals and housing sites.

Not having the maps as requested by the objector would mean the authority cannot comply with regulation 8. Doubling the size of development areas without any form of justification or associated action programme to help achieve growth on that scale would be undeliverable and unsustainable.

The Council therefore considers that the LDP, as proposed, has a clear and succinct vision that informs its 9 key objectives, which in turn informs the spatial and settlement strategy for each of our 4 administrative areas, 5 key policy themes and the 11 policy statements that help deliver the vision and key objectives that have been determined, through extensive consultation, to address the main issues we collectively face.

The Council recommends no modification to the proposed LDP.

Reporter's conclusions:

Reporter's recommendations:

ISS616	Chapter 3 Protecting, Conserving and Enhancing our Outstanding Environment Together	
Development plan reference:	Chapter 3 Protecting, Conserving and Enhancing our Outstanding Environment Together	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
RSPB (00040)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>RSPB (00040)</p> <p>3.4 Quite how the LDP will facilitate the LBAP is unclear as the focus seems to be on protecting sites, species and habitats from impacts rather than delivering positive measures and outcomes for biodiversity. This should be clarified.</p> <p>3.6 Objector suggests an additional objective is added to consider potential cumulative impacts of windfarms on the natural environment to ensure the delivery of sustainable renewable energy development.</p>		
Modifications sought by those submitting representations:		
<p>RSPB (00040)</p> <p>See above</p>		
Summary of responses (including reasons) by planning authority:		
<p>RSPB (00040)</p> <p>The Council seeks to implement the LBAP in numerous ways including ensuring it is taken into account through the planning application process and application of relevant policies, designated sites for nature and associated SG. There are also a list of actions not objectives at 3.6 which include actions that help facilitate the LBAP. The Council would be content however to add an additional <u>action</u> at 3.6 to reflect the fact the Council is preparing a cumulative impact study regarding on-shore renewable energy that will be in place prior to the adoption of the LDP.</p> <p>"To prepare a cumulative impact study for on shore wind renewable energy"</p>		
Reporter's conclusions:		

Reporter's recommendations:

ISS617	Chapter 2 The Settlement and Spatial Strategy and Supplementary Guidance	
Development plan reference:	Chapter 2 The Settlement and Spatial Strategy and Supplementary Guidance	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
RSPB (00040) Eilean Eisdeal (00205) Scottish Natural Heritage (01587)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p>RSPB (00040)</p> <p>Concerned that a precedent is set for the development of offshore wind in a location that has not been through HRA. The current wording suggests that an offshore wind project will be acceptable at this location. Potential effects on European sites (onshore and offshore) therefore need to be considered as part of the HRA of the LDP to ensure compliance with the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).</p> <p>Eilean Eisdeal (00205)</p> <p>The diagram appears to include Seil but not Easdale in its tourism development area annotation. Clarity on whether it is intended to include Easdale is requested. You will note that the success of the island's village hall activities and local businesses is dependent on tourism. Eilean Eisdeal is of the view that the annotation should also include Easdale.</p> <p>Scottish Natural Heritage (01587)</p> <p>There is no symbol on the Spatial Strategy maps for green networks for the Main Towns (see Policy SG ENV 8 and supporting text in the Supplementary Guidance).</p> <p>Para 2.7.1 This paragraph provides supporting text for the policy (LDP DM1) of Development Management Zones. We are concerned that Natura 2000 areas are sometimes zoned within the Countryside Zone (CZ) rather than Very Sensitive Countryside (VSC) since in practice they should receive the highest level of protection within the plan. We note that the policy also states that all other policies will apply, and this will include for example Policy LDP3. However we believe that paragraph 2.7.1 should include some explanation of the basis for identifying CZ and VSC (which we presume is primarily linked to topography and remoteness) and should reinforce for Natura 2000 sites in particular that any development proposal must satisfy the Habitats Regulations.</p> <p>Para 2.11.1</p> <p>Our experience on past occasions under the current Local Plan has been that zonation of an area in the plan as a Potential Development Area (PDA) is viewed as equivalent to gaining outline planning permission (planning permission in principle). Therefore there is resistance later by developers to carrying out further surveys etc to establish whether planning</p>		

permission can be granted, especially as regards the possible presence of protected species. This text does explain that constraints exist for PDAs and that mini development briefs apply for each PDA site which presumably set out development factors and developer requirements, such as the need for protected species surveys and mitigation plans. However given past difficulties in regard to PDAs and protected species, we believe specific mention should be made of this.

Modifications sought by those submitting representations:

RSPB (00040):

We suggest re-wording of this section to ensure consistency with SPP. i.e. take account of the fragility of the island economies and the areas outstanding natural environment to ensure that any offshore renewables energy proposals that come forward are sustainable. We would like it noted that these areas (Inner Hebridean Islands) equate with the areas of the highest biodiversity importance and highest density of designated sites within Argyll and Bute and accommodating the emerging offshore renewables industry may not be achievable without significant impacts on biodiversity.

The LDP should highlight the uncertainty in the location of future offshore wind development and be updated based on the outcome of the consultation on the Sectoral Plans.

The map on page 39 shows Tiree & Coll, Islay etc within a large renewables sphere of influence. The specific map for Mid Argyll (page 16) seems to lack these zones, The specific map for Mid Argyll (page 16) seems to lack these zones, whereas the Oban Lorn and the Isles maps show them (pages 14 & 15). This should be rectified.

2.4.2 & 2.5.2 suggested rewording of fifth objective to reflect national policy on renewables (SPP paragraph 184) which highlights the need to 'guide development to appropriate locations'. Paragraph 11 emphasises the statutory duty on development plans to contribute to sustainable development.

'A greener place with community led smaller scale renewable energy projects and suitably located larger scale commercial wind, wave and tidal projects'.

Suggested addition of an additional objective to recognise the contribution of the area's outstanding natural environment to tourism and therefore its importance to supporting the long-term sustainable economic growth of these areas.

Eilean Eisdeal (00205)

Consideration should be given to a more visually based document and more streamlined text.

Scottish Natural Heritage (01587)

Text added to paragraph 2.7.1 along the lines of "Since the division between Countryside Zones and Very Sensitive Countryside is based on topography and remoteness [or whatever criteria are in fact more relevant] rather than the sensitivity of natural, built and cultural heritage features, it is essential that wherever located, any development proposal should comply with policies relating to the protection of our outstanding environment. In particular any development proposal that would have a likely significant effect on a Natura 2000 site will be subject to a Habitats Regulations Appraisal as well as an Area Capacity Evaluation (see

Policy SG LDP ENV 2)".

Para 2.11.1

Add a sentence after "need to be taken into account" as follows "Identification as a PDA does not for example remove the need for a species survey and if necessary mitigation plan to accompany a planning application where the site habitat is considered likely for protected species to be present".

Summary of responses (including reasons) by planning authority:

RSPB (00040)

Renewable energy spheres of influence have been identified where recognition is required that the plan may have to change to respond to developments in the off shore renewable industry, subject to formal amendment. It carries no presumption in favour of renewable energy development either off shore or on shore but rather recognises that formal changes to plan may have to be made at some future date to deal with changing requirements in terms of infrastructure provision or to accommodate additional population. Off shore renewable energy is at its early stages and subject to change and uncertainty. For example, the recent decision by Scottish Power Renewables to delay the Argyll Array off Tiree to a period considerable beyond the lifespan of this LDP. Nevertheless, the Council considers it important to raise these possibilities in the plan which supports the Council's Renewable Energy Action Plan (Core Doc. Ref. xxx) and will correct the error on the MAKI spatial map that omitted the sphere of influence from the Campbeltown area (the specific map for Mid Argyll (page 16 of the Written Statement)). Consequently, the Council can see no merit in altering the fifth objective of 2.4.2 and 2.5.2 to reflect national policy on renewables as this is dealt with elsewhere in the plan that deals with renewable energy i.e. LDP 6 and associated SG. The council intends to publish SG on the Spheres of Influence that will take account of the issues raised by the objector and will be subject to further consultation.

In terms of 2.4.2 and 2.5.2 the Council considers that these bullet points are aspiration in nature in terms of the spatial strategy for each area and are not policy statements. Renewable energy developments are dealt with by policy LDP 6 and associated SG where they determine renewable energy developments on the basis they will be sited on appropriate locations. Both Lorn and Mid Argyll, Kintyre and the Islands already enjoy a high number of tourists visiting our outstanding natural environment. Consequently we see no need to establish an additional bullet point here to recognise this fact.

Eilean Eisdale (00205)

While the Council fully recognises that Easdale has an important tourist function the Council does not intend to recognise the island as a Tourism Development Area as it is unlikely that the island has capacity for a major new tourism development. That said, the Council remains supportive of smaller scale developments on the island for tourism such as the hall which also serves as a valued community asset.

Scottish Natural Heritage (01587)

The Council would be content , if the Reporter was so minded, to add a symbol on the spatial strategy maps to show green networks for each of main towns. This will be taken forward through SG.

The Very Sensitive Countryside Zone boundaries have not been altered in the LDP. They remain as per the adopted Argyll and Bute Local Plan (**Core Doc XXXX**). The Countryside

Zone proposed by the LDP is an amalgamation of both the Countryside Around Settlement Zone and the Sensitive Countryside Zone as designated in the adopted Local Plan. Both Very Sensitive Countryside and Countryside Zones are policy zones which set out a general stance for development and are not development sites. As such any development proposals would be subject to all other policies in the LDP and associated Supplementary Guidance (SG). In particular, Policy LDP3 and associated SG provide significant protection for the natural environment, generally, and adequate safeguards to designated sites such as Natura 2000 sites. Therefore, the Council considers that the existing Very Sensitive Countryside and Countryside Zone boundaries should remain unaltered in the Proposed LDP, as the Council considers that there are appropriate environmental safeguards contained within the LDP policies and SG to protect environmentally designated sites from development that would have an adverse impact. The Council is currently working on a Habitats Regulations Appraisal for the LDP, in consultation with SNH to resolve SNH concerns.

All PDAs within the LDP are accompanied by Mini Development Briefs that outline additional requirements that must be addressed for development proposals to be considered. SNH have identified many specific Allocations and PDAs where they have wish additional information such as species surveys / mitigation plans to be required. These have been included within the Mini Development Briefs. In addition, all development proposals, including those made for Allocations and PDAs are subject to all other policies in the LDP and associated Supplementary Guidance (SG). In particular, Policy LDP3 and associated SG provide significant protection for the natural environment, generally. The Council takes the view that amending the text as requested by SNH is therefore superfluous.

Reporter's conclusions:**Reporter's recommendations:**

ISS618	Chapter 1 Introduction	
Development plan reference:	Chapter 1 Introduction	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Salmon Producers Organisations (01118) RSPB (00040) Helensburgh Community Council (00135)		
Provision of the development plan to which the issue relates:	Chapter 1 Introduction	
Planning authority's summary of the representation(s):		
<p>D406 - Scottish Salmon Producers Organisations (01118) Within the first three paragraphs on page 1 of the LDP the text should make it clear that the Plan is prepared under the terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006, and, once adopted, that it must be reviewed every five years. This is important legal and contextual information about the requirements of the legislation and the status of the Plan.</p> <p>Paragraph 1.4.2 should refer to the requirements of Section 25 of the T&CP(Scotland) Act 1997. i.e. "...the determination (of planning applications and any other determinations under the planning acts) shall be made in accordance with the plan unless material considerations indicate otherwise."</p> <p>Para. 1.5 should refer to known, imminent, policy and legislative changes, eg. the Draft National Marine Plan, the Draft National Planning Framework 3 and the current Review of Scottish Planning Policy, all of which could require changes to be made to the Proposed Plan before adoption.</p> <p>Para. 1.6.2 should state that achieving growth will depend not only on 'land supply' but also on the adoption, adherence to, and consistent use of, policies and guidance designed to deliver good decision making.</p> <p>D406 - RSPB (00040)</p> <p>1.3.8 Paragraph 1.3.8 indicates that the whole of Argyll and Bute is a designated site of international importance. We suggest minor re-wording to 'Argyll and Bute is an important area for biodiversity and includes designated sites of international importance and as such....'</p> <p>The objector suggests also highlighting Areas of Search for SACs and SPAs, as well as proposed MPAs, which will need to be considered for any offshore consents, which in turn influence development proposals (and consents by Argyll and Bute Council) onshore.</p> <p>The objector contends that section 1.6 is very focused on economic growth and fails to recognise that protecting and enhancing the environment is fundamental to achieving sustainable development. Scottish Planning Policy (SPP, paragraph 33) recognises that the protection and enhancement of the quality of the natural and built environment as an asset for that growth, not an afterthought. We suggest that re-wording is required to emphasis this.</p>		

Objective D refers to 'sustainable assets' however does not mention natural heritage assets such as golden eagles, corncrake etc. which are also important for the long-term sustainability of the local tourist economy. These should be included.

1.8 Policy LDP Strat 1 – part H – should also refer to 'enhancement' as well as conservation of the natural environment (in line with SPP paragraph 33).

We suggest reference is made to the protection of peat as an important carbon store in line with Section 230 of SPP.

1.8.2 We welcome the need for a sustainability checklist by developers. We suggest examples of what constitutes 'exceptional circumstances' should be given.

D406 - Helensburgh Community Council (00135)

NB : Throughout this representation from the HCC uses the terms Helensburgh , the Helensburgh Corridor (Cardross-Shandon) and Helensburgh & Lomond (H&L) will be used. They are not interchangeable as some issues and concerns raised in this representation we see applying to Helensburgh alone, some to the Helensburgh Corridor and some to H&L as a whole

The key recurring theme throughout the HCC representation is that the draft LDP does not recognise the position of Helensburgh (and Lomond) within Argyll & Bute (A&B). In many instances the draft LDP reads as a one size fits all document treating A&B as a single entity. While individual settlements elsewhere in A&B have their own concerns and opportunities those for Helensburgh are of a different scale and magnitude from elsewhere.

It is often reported Helensburgh and Lomond occupies just 3% of the land area of A&B and has just under 30% of its population. Helensburgh is by far the largest town in A&B.

Developed as a commuter town for Glasgow it faces east it has long been part of the greater Glasgow conurbation - for transport, health, higher education, hospital care, arts/sport/leisure, major retail shopping and much more. Also its economy is radically different from other Key Towns in A&B :

- Around 50% of its working residents do so out with the town, mainly in Greater Glasgow
- It enjoys historically low unemployment.
- RN Faslane/Coulport contains Scotland's single biggest industrial complex and one of Europe's largest military bases. The RN's Maritime Change Project will expand significantly both the military and civilian workforce there and this will have a major economic knock on impact on Helensburgh & Lomond (H&L), and elsewhere.
- Its tourist offering and potential is very different from the rest of A&B based around large numbers of day visitors.
- Helensburgh is seen as one of Scotland's most beautiful and desirable towns in which to live with easy road and rail access to Glasgow, quality housing, a wonderful landscape setting and a rich heritage famous sons and daughters (Helensburgh Heroes).

KEY OBJECTIVE A : HCC supports this objective. Helensburgh should press ahead with its town centre regeneration programme, in particular with its Masterplan for the Pier Site Area. (see F below)

KEY OBJECTIVE E : the protection of Helensburgh's two Conservation Areas and its surrounding Green Belt is paramount. They must be managed in a way that they are preserved and enhanced at every opportunity. The production of a Management Plan for the Conservation Areas is long overdue.

KEY OBJECTIVE F : economically active individuals and families require high quality housing

of a design and layout which is distinctive and varied, but which also sits well with Helensburgh's outstanding architecture and local landscape. Could-be-anywhere, off the shelf, developer-led design is inappropriate and would be counter productive. It would not be consistent with realising Helensburgh's development potential or the need to attract and retain dynamic individuals in the 20-35 age group. In this context initiatives such as Gareth Hoskins EXPO housing concept for the old Academy sites should be grasped at every opportunity.

Highlighting these distinguishing features argues for Helensburgh/the Helensburgh Corridor (Cardross – Shandon) /Helensburgh & Lomond in planning terms as different from the rest of A&B. Not for the sake of being different or to argue for any kind of special treatment. But because they are different. Their unique position within A&B has to be recognised and given far greater emphasis in the draft LDP than is there at present.

HCC has argued in the past for the unique position of Helensburgh/the Helensburgh Corridor /H&L as a whole to be recognised and treated as such in A&BC key strategic and policy documents. This has always been turned down mainly on the grounds if this was agreed/conceded then the other three administrative areas might well argue for the same. They should be.

In terms of area A&B, with a coastline longer than that of France, is one of the largest councils in Scotland. It has many island communities with their own special own economic and other requirements and potential. This variety and diversity should be recognised throughout the LDP. In particular in Key Policy Theme – Creating a Sustainable and Growing Economy Together with each of four areas being treated and written up separately. This would give much greater clarity and focus to their future development The LDP would be become a much more practical and usable document with residents and businesses (existing & start-ups) able to identify with and engage with it in realising the development potential and opportunities of their area and locale.

D406 - Coriolis Energy (01968)

The Objector states that it is commendable that the LDP recognises that a Key Challenge for planning is to, 'address the impacts of climate change in everything we do and reduce our carbon footprint' (KEY OBJECTIVE I). However, in 1.6.1 an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

Modifications sought by those submitting representations:

D406 - Scottish Salmon Producers Organisations (01118)

None requested

D406 - RSPB (00040)

The Objector requests that the text within Paragraph 1.3.8 be re-worded to read 'Argyll and Bute is an important area for biodiversity and includes designated sites of international importance and as such....'

The Objector requests that Policy LDP Strat 1 – part H – should also refer to 'enhancement' as well as conservation of the natural environment (in line with SPP paragraph 33).

The Objector requests that reference is made to the protection of peat as an important carbon store in line with Section 230 of SPP.

The Objector requests that examples of what constitutes 'exceptional circumstances' should be given relating to sustainability checklist requirements.

D406 - Helensburgh Community Council (00135)

The LDP is written on an Area by Area basis.

D406 - Coriolis Energy (01968)

The Objector requests that in paragraph 1.6.1 an additional central challenge facing Argyll & Bute should be included - 'help support the transition to a low carbon economy'.

Summary of responses (including reasons) by planning authority:**D406 - Scottish Salmon Producers Organisations (01118)**

Every attempt has been made to reduce the length and complexity of the proposed PLDP to ensure that it retains clarity and focus. The Council is of the view that these proposed additions are superfluous.

D406 - RSPB (00040)

The Council does not see in any value of changing paragraph 1.3.8 as it is of the view that it is clear as it is.

The Council is of the view that the objector's suggestion that the LDP also highlight Areas of Search for SACs and SPAs, as well as proposed MPAs is premature at the present time. If and when these designations come to pass then the LDP policies and SG are sufficient to ensure their protection.

The Council is of the view that the LDP when read as a whole places significant emphasis on protection of our environmental assets and that that these proposed additions are superfluous.

The Council has no objection to the amendment of this policy, should the Reporter be so minded, so that part H – also refers to 'enhancement' as well as conservation of the natural environment.

The Council is of the view that the LDP when read as a whole places sufficient emphasis on the protection of peat as an important carbon store in line with Section 230 of SPP. This is achieved through Policy LDP3 and associated SG LDP ENV 11.

The Council is of the view that the Objector's requests that examples of what constitutes 'exceptional circumstances' should be given relating to sustainability checklist requirements is superfluous.

D406 - Helensburgh Community Council (00135)

The PLDP does recognise the unique characteristics of Helensburgh and Lomond by creating a specific spatial approach for the area in the plan together with identifying settlement plans for each settlement and also identifying the Green belt which is unique to this area.

While the Council recognises the issues raised by the Community Council and notes the support expressed for some of the key objectives of the plan it cannot agree to writing the plan on a area by area basis as this would make the plan too complex and lengthy. It would also be against the stance of the Scottish Government which calls for LDPs to be succinct as possible and deal with the main issues for the area with additional detail contained in supplementary documents that support the PLDP.

The Council considers therefore the PLDP strikes the right balance with addressing the different issues faced by our diverse communities while at the same time creating a document that focuses attention on the main points of difference and key actions to address identified challenges we face. Consequently the council considers the plan identified the unique characteristics of Helensburgh and cannot support any change to the PLDP based on this objection.

D406 - Coriolis Energy (01968)

The Council does not object, should the Reporter be so minded, to the addition of the phrase 'help support the transition to a low carbon economy' in paragraph 1.6.1.

Reporter's conclusions:

Reporter's recommendations:

ISS619	Chapter 4 Creating a Sustainable and Growing Economy Together	
Development plan reference:	Chapter 4 Creating a Sustainable and Growing Economy Together	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mr Robert Reilly (Scottish Sea Farms) (00920) Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118)</p>		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p><u>Definition of 'Food & Drink' industries and 'Aquaculture</u> Mr Robert Reilly (Scottish Sea Farms) (00920); Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118) 'Food and Drink' industries, which include aquaculture, are defined in paragraph 4.4 of the Proposed LDP, but first referred to in paragraph 4.3. Representations are asking for the definition to be moved to paragraph 4.3.</p>		
Modifications sought by those submitting representations:		
<p><u>Definition of 'Food & Drink' industries and 'Aquaculture</u> Mr Robert Reilly (Scottish Sea Farms) (00920); Mr Stephen Bell (Scottish Salmon Producers Organisations) (01118) Definition of 'Food and Drink' industries to be made available.</p>		
Summary of responses (including reasons) by planning authority:		
<p><u>Definition of 'Food & Drink' industries and 'Aquaculture</u> The term 'Food and Drink' is used in a number of Chapters of the LDP and is first referenced on p6 (Objective D) and then on page 17 (2.5.1), both without a definition. The Council would be content in the interests of clarity, if the reporter was so minded, to include a footnote on each page where 'Food and Drink' is mentioned which would define the individual food and drink industries, including aquaculture. The footnote would read – 'Includes agriculture, fishing, aquaculture and whisky industries'.</p>		
Reporter's conclusions:		
Reporter's recommendations:		

ISS700	Chapter 9 Glossary, Key Environmental Features/Definition of Aquaculture	
Development plan reference:	Chapter 9 Glossary, Key Environmental Features/Definition of Aquaculture	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Helensburgh Community Woodlands Group (01766) Scottish Sea Farms (00920) Scottish Salmon Producers Organisations (01118)		
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
Helensburgh Community Woodlands Group (01766) The objector contends that the designation of 'Key Environmental Features' would be strengthened in the glossary with further wording in the definition. Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) The 'Glossary' should contain a definition of 'Aquaculture'.		
Modifications sought by those submitting representations:		
Helensburgh Community Woodlands Group (01766) The objector requests that the words "Any pressure to develop these features will be resisted." should be added to the definition of Key Environmental Assets Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) The 'Glossary' should contain a definition of 'Aquaculture'.		
Summary of responses (including reasons) by planning authority:		
Helensburgh Community Woodlands Group (01766) The Council rejects this argument put forward by the objector as the correct place to establish a policy stance is within the clearly identified policy statements and supplementary guidance of the LDP where key environmental features such as ancient and semi natural forest, SSSIs, LNRs and suchlike are duly considered. Creating an additional policy statement in the glossary has the potential to add confusion to both the LDP and the planning process and should be avoided. The Council requests that this proposed amendment be rejected by the Reporter. Scottish Sea Farms (00920); Scottish Salmon Producers Organisations (01118) The Council would be content in the interests of clarity, if the Reporter was so minded, to include the following definition of aquaculture in the Glossary.		

“Aquaculture - The artificial rearing and husbandry of aquatic organisms; fish, shellfish and seaweed. Aquaculture development currently under planning control includes marine and freshwater finfish or shellfish farming; and onshore development such as hatcheries, depuration facilities and land based salmon farms.”

Reporter's conclusions:

Reporter's recommendations: