

Issue 21	Design & Placemaking Policies	
Development plan reference:	<p><u>Chapter 3 Spatial Strategy</u> Policy D01 Placemaking (page 22) <u>Chapter 5 Supporting Policies</u> Policy D02 Sustainable Design Principles - Figure 5.3 (page 61 - 62) Policy D04 Low and Zero Carbon Development (page 64) Policy D10 Conservation Areas (page 67) Policy D11 Areas of Townscape Value (page 67) Policy D14 Canals (page 68) <u>Proposals Map 1</u> Banknock, Bonnybridge & Denny</p>	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mark Agnew (00835) Mactaggart and Mickel Ltd (00011) Scottish Canals (00516) Royal Mail Group Ltd (01254) Scottish Natural Heritage (00646) Ogilvie Homes Ltd (00614)</p>		
Provision of the development plan to which the issue relates:	Policies on design and placemaking.	
Planning authority's summary of the representation(s):		
<p><u>Policy D01 – Placemaking</u></p> <p>Mark Agnew (00835/2001/002):- Policy D01 Placemaking and its associated sub-text should either be deleted or substantially re-worded as it is vague and non-specific, and does not provide sufficient guidance to developers. There is a need for greater clarity of what is expected which could be more appropriately dealt with in Supplementary Guidance.</p> <p>Ogilvie Homes Ltd (00614/2001/004):- Policy D01 Placemaking is vague and non-specific, providing no guidance or assistance in terms of setting out what the Council expects developers to do in relation to the promotion of good quality design. The matter could be more appropriately dealt with in Supplementary Guidance.</p> <p>Scottish Natural Heritage (00646/2001/006):- In general, SNH support this policy and welcome the overall approach to placemaking which the plan proposes. However, SNH believe that the plan should make it clear that placemaking does not only apply at the strategic development area or town centre</p>		

level and we would welcome further consideration of the 'all levels' approach proposed in the draft SPP 2013 (CD02, paragraph 36).

Policy D02 – Sustainable Design Principles

Scottish Natural Heritage (00646/2001/016):- Figure 5.3, supporting Policy D03 should be amended to include:

- Habitats Regulations Appraisal as an example of information required under Natural & Built Heritage;
- Policies INF07 and INF08 in supporting policies under Climate Change & Resource Use; and
- the Core Path Plan and Transport Assessments in supporting guidance under Climate Change & Resource Use

These should help to influence sustainable design through their contribution to networks and transport modes.

Policy D04 – Low and Zero Carbon Development

Mactaggart and Mickel Ltd (00011/2004/008):- Objection is made to Policy D04 (Low and Zero Carbon Development) on the basis that its objectives are best achieved through Building Control legislation and regulations. The policy duplicates these regulations and therefore will cause confusion, especially if the regulations change. The best way of achieving low/zero carbon development is through insulation, rather than other means. Details of the policy are to be contained in Supplementary Guidance which is not available yet.

Policy D10 – Conservation Areas

Royal Mail Group Ltd (01254/2001/001):- Various detailed amendments are suggested to the text of Policy D10 (Conservation Areas) to reflect the sometimes varying quality of the buildings/landscape within Conservation Areas.

Policy D11 – Areas of Townscape Value

Royal Mail Group Ltd (01254/2001/002):- The Denny Royal Mail delivery office does not contribute significantly to the Area of Townscape Value within which it sits. The office should be removed from the ATV.

Policy D14 - Canals

Scottish Canals (00516/2001/010):- Policy D14 on Canals is supported by Scottish Canals, but additional wording is requested to ensure that canal-side developments wherever possible utilise the canal for discharge of surface water. This represents another sustainable use of the canals. Also sub-section (5) of the policy should state that where canal-side sites are developed, contributions will be secured towards the provision or upgrading of facilities on the canals or improvements to the canal environment. This should be cross-referenced to Policy INF02 on Developer Contributions to Community Infrastructure.

Modifications sought by those submitting representations:

Policy D01 – Placemaking

Mark Agnew (00835/2001/002); Ogilvie Homes Ltd (00614/2001/004):- Delete Policy D01 Placemaking or amend to provide greater clarity.

Scottish Natural Heritage (00646/2001/006):- Amend supporting text to Policy D01 to comply with draft Scottish Planning Policy (2013) which requires the design-led approach to be applied at all levels.

Policy D02 – Sustainable Design Principles

Scottish Natural Heritage (00646/2001/016):- Amend Fig 5.3 supporting policy D02 to expand on Natural and Built Heritage section and Climate Change and Resource Use section as specified.

Policy D04 – Low and Zero Carbon Development

Mactaggart and Mickel Ltd (00011/2004/008):- Delete Policy D04 (Low and Carbon Development).

Policy D10 – Conservation Areas

Royal Mail Group Ltd (01254/2001/001):- Amend Policy D10 (Conservation Areas) as specified within representation.

Policy D11 – Areas of Townscape Value

Royal Mail Group Ltd (01254/2001/002):- Amend the Area of Townscape Value in Denny to remove the Denny Royal Mail delivery office.

Policy D14 - Canals

Scottish Canals (00516/2001/010):- Amend Policy D14 on Canals to ensure that canal-side developments wherever possible utilise the canal for discharge of surface water. Amend sub-section (5) of the policy to state that where canal-side sites are developed, contributions will be secured towards the provision or upgrading of facilities on the canals or improvements to the canal environment, with a cross- reference to Policy INF02.

Summary of responses (including reasons) by planning authority:

Policy D01 – Placemaking

Mark Agnew (00835/2001/002); Ogilvie Homes Ltd (00614/2001/004):- Policy D01 (Placemaking) is intended to be a broad, strategic policy outlining the Council's overall spatial priorities for placemaking, high quality design and environmental enhancement. They comprise the areas of significant change (the Strategic Housing Growth Areas and Strategic Business Locations) where there is the greatest opportunity to influence the built environment and create new places, and areas which currently contribute most significantly to the sense of place in the

area (town and village centres, town gateways/road corridors, canal corridor and CSGN) where investment will have the greatest impact. Most of these areas are well-defined in the LDP.

As a strategic policy, Policy D01 is not intended to provide detailed requirements for developers. Detailed general requirements are set out in the relevant supporting policies, and associated supplementary guidance. Placemaking guidance on specific sites and growth areas is set out in Appendices 1 and 2.

For these reasons, the Council does not agree to modify the plan in response to these representations.

Scottish Natural Heritage (00646/2001/006):- The 'all levels' approach advocated in the draft SPP is concerned with ensuring that a design-led approach to planning is embedded at the different levels of NPF, SDPs, LDPs and site masterplans. Policy D01, and the other design policies and site-specific design guidance in the plan is part of the Council's efforts to embed the design-led approach at the LDP level, and ensure that it is cascaded down to the detailed site level. It is therefore consistent with the draft SPP. For this reason, the Council does not agree to modify the plan in response to this representation.

Policy D02 – Sustainable Design Principles

Scottish Natural Heritage (00646/2001/016):- Figure 5.3 is intended to be a useful reference guide to the main relevant detailed policies and guidance which support the key sustainable design principles set out in Policy D02. It is not intended to be exhaustive.

In terms of SNH's suggestions for additions to Figure 5.3 the Council considers that:

- Habitats Regulations Appraisal could be an appropriate addition as suggested;
- Policies INF07, INF08 and Transport Assessments are already included under the 'Accessibility' heading, and whilst the connection with climate Change is acknowledged, it is not considered necessary to repeat them.
- The Core Path Plan does not, in itself, provide policy or design guidance. The core path network is referenced within Policy INF07.

Therefore, if the Reporter is minded to recommend that Habitats Regulations Appraisal be included in Figure 5.3, the Council would not take issue with this. The Council does not agree with the other suggested modifications.

Policy D04 – Low and Zero Carbon Development

Mactaggart and Mickel Ltd (00011/2004/008):- Policy D04 has been included in the Proposed LDP to comply with Section 72 of the Climate Change (Scotland) Act 2009 (CD08). Under this Act, local development plans must require all new buildings to be designed to avoid a specified and rising proportion of projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. The requirement is re-iterated in the SPP (CD01, paragraph 44).

The Council has some reservations about the requirements of the Act, and agrees

that the most cost effective means of reducing the carbon footprint of buildings is through energy efficiency measures in the building fabric. However, the intention of the Act is clearly to build up domestic renewable energy infrastructure capacity to assist in meeting the Scottish Government's ambitious renewable energy targets.

Removal of the policy would mean that the Council would not meet the requirements of the Climate Change Act. For this reason, the Council does not agree to modify the plan in response to this representation.

Policy D10 – Conservation Areas

Royal Mail Group Ltd (01254/2001/001):- The changes sought by the Royal Mail to Policy D10 may be grouped as follows:

- The use of the word 'enhance' rather than 'not erode' in describing how new development should relate to the character and appearance of conservation areas;
- The removal of detail in the policy, e.g. the listing of the aspects of conservation areas to which attention is to be given;
- The removal of a requirement for development to 'conform' to supplementary guidance.

The Council would agree that there is some merit in the first of these changes, in that the word 'enhance' places more onus on a development to contribute to the special quality of the area, rather than the more neutral term 'not erode'. If the Reporter was minded to recommend this change, the Council would not take issue with this. However, the other changes are not justified and would dilute and weaken the policy, and make it less informative. The Council does not agree to modify the plan in response to these representations.

Policy D11 – Areas of Townscape Value

Royal Mail Group Ltd (01254/2001/002):- The Denny delivery office (7 Duke Street) lies on the edge of the Denny Area of Townscape Value (ATV). The building itself is of no architectural or townscape merit and it is accepted that it does not contribute to the ATV. The exclusion of the delivery office, and the modern health clinic to the rear, would not adversely affect the overall designation. A potential alternative boundary to the ATV is shown in CD118. Therefore, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

Policy D14 - Canals

Scottish Canals (00516/2001/010):- The Council considers that it would be inappropriate to require, or even recommend, developers of canal-side sites to utilise the canal for surface water drainage. Whilst it is recognised that this can be a sustainable solution, it will not necessarily be the only satisfactory drainage option, and it is a commercial decision for the developer as to which is used.

As regards making reference in Policy D14 to securing developer contributions to provision and upgrading of canal facilities, this is already covered in the second bullet point of sub-section 5 of the policy. This requires that canal-side

development contributes to the recreational amenity of the canals 'through the provision, where appropriate, of public access, amenity areas, moorings and slipways, together with any appropriate commuted sums for maintenance'. There is no need to cross-reference this within Policy INF02, as Policy INF02 is a general policy. Canal improvements would fall within some the general categories described in Policy INF02, i.e. open space, recreation, physical infrastructure, community facilities.

For this reason, the Council does not agree to modify the plan in response to these representations.

Reporter's conclusions:

Reporter's recommendations: