



# Private profit, public interest and land use planning—A conflict interpretation of residential development pressure in Glasgow's rural–urban fringe

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## ABSTRACT

This longitudinal case study of residential development pressure in a village in Glasgow's urban fringe provides detailed insight into the different perspectives of key public, private and community interest groups, and exemplifies the conflict resolution process in this environment in the context of the new post-2006 planning system in Scotland. The paper is organised into six main parts. In part 1 the major actors in the residential development process are identified with specific attention focused on the house-builder and the local planner. In part 2 the post-2006 development planning and development management process in Scotland is explained in order to establish the legislative and procedural context for the case study. Part 3 provides a review of urban growth in the Glasgow metropolitan region. Part 4 sets the case study in local context by providing representative examples of development pressure and conflict resolution in the District. Part 5 comprises detailed examination of conflict over pressure for residential development in the village of Torrance from 1971 to the present day. This in depth analysis illuminates the main actors, agents and arguments involved in the conflict resolution process; explains the rationale for decisions reached on residential development in the village; and affords insight into contemporary debate over house-building in the metropolitan fringe around Scotland's cities. Finally, some conclusions are presented on the issues of fairness and sustainability in the land use planning system and the on-going conflict between private profit and public interest in the production of the built environment around the edge of Britain's cities.

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## Introduction

Conflict over the use of land is an inherent characteristic of capitalist urban development. In the particular context of the metropolitan fringe the centrifugal pressures emanating from nearby towns and cities has transformed the rural environment on the periphery of many of Britain's cities into a battle ground in which a variety of land uses compete for dominance. Some of the most significant conflicts in the metropolitan fringe are related to pressure for residential development. This brings into opposition forces of private profit in the form of house-builders and other pro-growth interests, and public interest in the shape of local communities seeking to resist further development. The planning system is tasked with mediating this conflict and producing an outcome that satisfies defined goals. Fundamentally however, as the recent statement on Scottish planning acknowledged, while '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 these issues will inevitably disappoint some parties' (Scottish Government, 2010, p. 2 emphasis added).

The present research into contested residential development in a village in the rural–urban fringe seeks to illuminate the nature of this conflict by means of a detailed longitudinal case study of development pressure in the village of Torrance which is situated in the metropolitan green belt surrounding Glasgow. The paper is organised into six main parts. In the first, the principal actors in the residential development process are introduced with specific attention focused on the house-builder and the local planner. In part 2 the post-2006 development planning and development management process in Scotland is explained to establish the legislative and procedural context for the case study. Part 3 provides a review of urban growth trends in the Glasgow metropolitan region. Part 4 sets the case study in local context by providing representative examples of development pressure and conflict resolution in the District. Part 5 comprises a detailed longitudinal examination of the conflict over pressure for residential development in the village of Torrance from 1971 to the present day. This in depth analysis illuminates the main actors, agents and arguments involved in the conflict resolution process; explains the rationale for decisions reached on residential development in the village; and

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affords insight into the general debate over house-building in the metropolitan fringe. Finally, a number of conclusions are presented in relation to issues of fairness and sustainability in the Scottish land use planning system, and the on-going conflict between private profit and public interest in the production of the built environment around the edge of Britain's cities.

### Principal agents in the residential development process

There is now sufficient empirical evidence (Clawson, 1971; Baerwald, 1981; Fleming, 1984; Goodchild and Munton, 1985; Short et al., 1986; Shucksmith, 1990; Farthing, 1995; Hull, 1997; Gallent et al., 2006; Radcliffe et al., 2009) to identify the major actors in the production of the built environment. In brief, the principal agents include:

- (a) rural producers—essentially landowners who are primarily concerned with the productive capability of their land, the most obvious group being farmers;
- (b) speculators—they may own land that is still in productive use but their basic interest lies in its appreciating value. Their decisions are based on factors such as depreciation rates, capital gains tax rates and the comparative viability of alternative investment opportunities;
- (c) builder-developers—install basic infrastructure and utilities on the site and construct and sell houses on the prepared lots;
- (d) households—can be either potential house purchasers or existing residents. Both groups are motivated by the same factors, i.e., the functional utility of the house as a place to live, and improvement or at least maintenance of the financial investment represented by their property. However, for existing residents these considerations may underlie an anti-growth stance;
- (e) estate agents—purvey information between house buyers and sellers. As their rewards come from commissions charged on each land transaction completed, estate agents have a vested interest in promoting residential development and land transfers;
- (f) financiers—provide the capital necessary to the development process. Their decisions are based on a combined desire to obtain the highest possible rate of return on loans and minimise or avoid risk;
- (g) other facilitators—other professionals involved in the development process include lawyers who represent clients in disputes and consultants who advise the various actors;
- (h) pressure groups—can be national organisations pursuing general policies (such as countryside conservation or the House (now Home) Builders Federation) or local community councils and residents associations mobilised in support of a particular issue;
- (i) government—all governments influence the process of urban development although the level of involvement varies. The state – central and local government – exercises both a direct (e.g., planning regulations) and indirect (e.g., taxation policy) influence on urban form. As we shall see in the case study which follows, the influence of the state permeates issues of land use conflict in the U.K. In the context of power and conflict in the urban fringe particular importance attaches to the relationship between central and local government and, specifically, the degree of autonomy of the latter.

While the relative importance of these different agents in the production of the built environment is primarily a function of the socio-political structure of the state, the significance of each also varies with local context. (The suite of actors of particular

relevance to the urban development process in Scotland is indicated in Fig. 1) Two of the main protagonists in the debate over residential development in the metropolitan fringe are the house-builders and the planners, each of which seek to pursue particular objectives.

### *The House-builders*

The structure and operation of the UK house-building industry has been detailed elsewhere (see for example, Ball, 1996; Wellings, 2006; Calcutt, 2007; Goodier and Pan, 2010). Here we are particularly concerned with the motives underlying the behavior of developers (Pacione, 1990a). The residential builder must progress through several stages in the production of the built environment. These involve land search and assembly; development design and application for planning permission; housing construction; and marketing and selling. The first two stages are often most problematic and it is at these points that house-builders and the planning system come into direct conflict.

A primary concern of builders is to ensure that an adequate supply of land is always available. Because of different interpretations of what is meant by an adequate land supply house-builders have become 'one of the major adversaries of the planning system' (Rydin, 1986, p. 28). The debate over land availability has intensified since the early 1970s with, in general, builder-developers arguing that the planning-system restricts their ability to obtain a basic factor of production and that development controls inflate the price of land and, therefore, of houses. The main building pressure group, the Home Builders Federation, has extended the argument on behalf of its members to contend that planners are frustrating households' home-ownership ambitions and threatening the livelihood of small builders, as well as hindering labour mobility and thereby hampering economic regeneration (House Builders Federation, 1985; Home Builders Federation, 2002, 2007). The width of the gulf between builders and planners over the adequacy of housing land reflects their different motives. The goal of the planning system is to ensure the orderly release of building sites within an approved policy framework. In deciding on a regional and sub-regional housing allocation, structure plans take account of a wide range of demographic, social, economic and environmental factors. Estimates of future demand for housing are based on national and regional forecasts of population change, local studies of household formation, vacancy rates, and the net effect of improvement and rehabilitation programs. The intraregional distribution of the total amount of housing land required will reflect the importance attached to growth or restraint in different localities. The capacity of existing infrastructure networks and the cost of necessary improvements will be taken into account, as well as the need to protect agricultural land, high quality landscapes and historic settlements. In contrast to this long term strategic viewpoint, the chief aim of house-builders is to ensure a regular supply of land for development and to realise a profit. An adequate land bank is essential to maintain continuity of production. Planners and developers also diverge on the best geographical location for new residential development, the former generally favouring brownfield sites within the existing urban envelope, and the latter preferring greenfield sites which they regard as more marketable. The issue of the marketability of individual sites lies at the crux of the conflict between developers and planners. As empirical surveys of several English metropolitan areas have shown, in gross regional terms there is no shortage of land for building (House Builders Federation, 1981; Department of the Environment, 1978; West Midlands Forum of County Councils, 1982; Barker, 2004; Bibby, 2009). The point at issue concerns the suitability of different sites and, as we shall see, this debate occurs most fiercely at the local level.

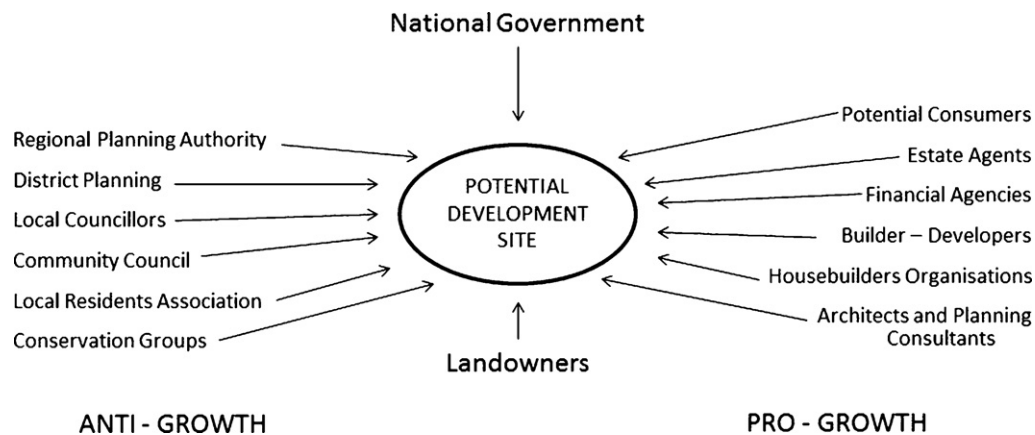


Fig. 1. Major agents in the residential development decision making process in Scotland.

### The Planners

The role and value of planning in capitalist society has been debated at length since the structuralist critique of positivist science (Scott, 1980). For Marxist analysts, planning is of limited relevance being merely part of the legitimisation apparatus of the state. Liberal analyses, on the other hand, underline the practical utility of the planning system in ameliorating the excesses of capitalism and reserving some of the benefits of development for the public. In the U.K. the public have accepted the implications of a strong system of urban planning initiated by the Town and Country Planning Act 1947 (Cullingworth and Nadin, 2006). The basic principle underlying the UK planning system is that of private land ownership but public accountability in use, so that landowners seeking to undertake development first have to obtain permission from the local planning authority. The primary objectives of 'the 1947 system' were urban containment, protection of the countryside, and the prevention of scattered development. These objectives have dominated physical planning for most of the post-war period, and are advanced by local authorities through the twin processes of development planning and development control/management.

The allocation of sites for private residential development forms a major part of both development planning and development management. Development plans (structure and local plans) are essentially statements of policy. However, development plan maps do not indicate permission to develop. This must be applied for by the landowner and in reaching a decision on a planning application the local authority is entitled to take account of 'other material considerations', i.e., factors other than the statutory development plans. The development control power of the local authority is not absolute, however, since a builder refused planning permission may appeal to the Secretary of State in England (or Scottish Ministers) who also has the power to 'call in' matters of regional or national importance. Furthermore, while in principle the 'other material considerations' clause gives the planner considerable discretion in applying development controls, in practice the 'working rules' are that (a) the onus of proof lies with the local authority, (b) each case should be treated on its merits, and (c) partly contradicting the previous guideline, precedent should play a part. Each side in the contest seeks to employ these principles to support their own case. Thus, for example, an applicant for development permission can employ the onus on the local authority principle, can argue the particular merits of the case, or use the local authority's past development management record to support the application or weaken the authority's policy stance. The larger builder-developers are increasingly being aided in this practice by professional consultants. The local authority on the other hand can argue the particular

planning demerits of a case or can seek to establish their firm strategic planning policy.

Recent changes to the planning system in Scotland have meant that developers are now more directly involved in the land availability studies, and local planners must actively consider the requirements of house-builders when preparing development plans and during the development management process. As we see below, this constitutes a major change in the balance of power between developers and local communities.

### Planning in Scotland

The basis of the Scottish planning system was modified by the Planning etc. (Scotland) Act of 2006 which aimed to replace a system that was seen 'as over-bureaucratic, slow to respond to social and economic needs, unpredictable, complex, difficult to understand and intimidating ... appeared to lack transparency and caused frustration in central and local government as well as individual applicants and communities' (Audit Scotland, 2011, p. 7) with a modified system that introduced new processes to enable development and encourage better partnership working among public sector bodies, developers and communities; the aim being to make the planning system more efficient and effective, more encouraging and enabling of development, easier to understand and more inclusive of local communities.

The Planning etc. (Scotland) Act 2006 introduced a new statutory basis for development planning setting out the roles of the Scottish Ministers and local authorities with regard to development planning, management, and enforcement. This included replacement of structure and local plans by strategic development plans and local development plans. In addition, 'the regulations provide a minimum set of requirements to ensure that *Scottish Ministers' priorities* for the operation of the development plan system are achieved (Scottish Government, 2009a, p. 1, emphasis added). The central aim of the modernisation was to establish a 'plan-led' system in which national, strategic and local plans set out clear priorities and guide individual planning decisions.

Scottish planning policy (Scottish Government, 2010, p. 1) sets out the purpose of the Scottish planning system in the statement that 'the Scottish Government believes that a properly functioning planning system is essential to achieving its central purpose of increasing sustainable economic growth. The way in which the planning system is structured and operated should be directed towards that purpose and to supporting the Scottish Government's five strategic objectives and fifteen national outcomes'. It is acknowledged that '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*' (Scottish Government, 2010, p. 2, emphasis added).

This raises the fundamental question of 'fair for whom?', an issue that we consider at greater length in Part 7. Here we need only acknowledge the contested meaning of fairness. As Smith and McDonough (2001) point out, on one hand a process view of fairness can refer to a wish for a neutral and equal consideration of all concerns by an impartial decision-making body. On the other hand, fairness may refer to the outcomes of a process whereby a result is perceived to be fair if it meets the interests of an individual or community. In the context of the present research the contested nature of the concept of 'fairness' is apparent in the views of different interest groups.

House-builders generally regard the planning system as overly restrictive. Abbott (1999) emphasises the constraining hand of local planning authorities, expressing despair at the extent to which green belt controls, low housing output targets in plans, development taxes and other policy constraints prevent the house-building industry from achieving its business goals. The Scottish Green Belt Alliance (2005, p. 8), on the other hand, while acknowledging that 'economic growth is important for Scotland and developers make a crucial contribution to it ... with regard to fairness it may be noted that the planning system may have an unfair bias in favour of developers'. Environmentalists in general regard the planning system as pro-development and cite recent Scottish Government policy statements to support of their view—The Scottish Government is 'committed to the goal of raising the rate of house-building to 35,000 new houses a year ... a target that sets a national political context that is strongly supportive of house-building' (Scottish Government, 2008, p. 2). SPP3 goes on to state that this 'should guide authorities to allocate *more than enough land* i.e. a *generous supply* to help ensure delivery of homes' (Scottish Government, 2008, p. 9, emphasis added).

Scottish planning policy (Scottish Government, 2010, p. 14) also states that 'the planning system should contribute to raising the rate of new house-building by identifying a generous supply of land for the provision of a range of housing *in the right places*' (emphasis added). The fundamental geographical issue to be resolved by development planning and management is the meaning of the 'right places'. At the heart of this question is the greenfield – brownfield debate and the concept of sustainable development. Scottish Government (2008, p. 15) observes that planning authorities must exercise development planning functions with the objective of contributing to sustainable development. It goes on to state that, 'the selection of appropriate sites and the amount of land needed to meet the housing requirement should in principle consider the re-use of existing land and buildings before development on greenfield sites'. However, it then proceeds to fog the issue by observing that, 'overall the most sustainable option may not necessarily be the brownfield site within the urban area, and equally the least sustainable option may not necessarily be greenfield land on the urban fringe' (Scottish Government, 2008, p. 16). The policy concludes that 'where brownfield and infill sites cannot meet the full range of housing requirements it may be necessary to release greenfield land next to the built up area' (Scottish Government, 2008, p. 18). This opens the possibility of development not only on greenfield land within the urban area but on *greenbelt* land.

British house-builders will always choose greenfield/greenbelt sites over brownfield land since they have 'traditionally made their money from greenfield sites with relatively easy physical conditions' (Adams and Watkins, 2002, p. 129). This brings them into direct conflict with local communities who wish to retain the integrity and identity of their existing settlement. In reality, despite a policy preference for sustainable development on previously used land within urban areas there remains considerable pressure for greenfield/greenbelt land release. However, before proceeding to

a detailed case study of conflict over residential development in Glasgow's metropolitan fringe it is first necessary to explain the process of development planning and management in Scotland that conditions the struggle.

#### *Development planning and management in practice*

Development planning in Scotland is based on quinquennial strategic development plans and local development plans. The former set out a vision for the long term development of the four main city regions, focusing on issues including land for housing, green belts, major business and retail developments and infrastructure provision. Local development plans identify sites for new developments and lay out policies that guide decision making on planning applications. As in the case of strategic development plans, each planning authority is required to publish and then update a local development plan for their area at least once every five years.

The second main component of the planning system, development management (formerly development control), regulates proposed land developments. Decisions are made by the appropriate authority in accordance with a hierarchy of developments (Scottish Government, 2009b) ranging from those of national significance (e.g. a large wind farm); major significance (such as a new housing development of fifty or more dwellings or of a site exceeding 2 ha); to those of local significance (e.g. house extensions). Decisions on 'major developments' will normally be made by elected councillors of the relevant planning authority. Where a planning application sits within the hierarchy of developments will determine how it is handled. National and major developments are subject to a statutory requirement for pre-application consultation by the prospective developer. Planning authorities are required to determine planning applications in accordance with the development plan unless material considerations (e.g. arising from other national or local policies) indicate otherwise.

Fig. 2 indicates the planning application and appeals process in relation to an application from a house-builder for a major new greenfield development. The local planning authority also considers representations from local communities and interest groups and from elected local councillors. As Fig. 2 shows, in determining the application a planning authority can (a) grant permission unconditionally, in which case the development proceeds; (b) grant permission subject to conditions; or (c) refuse permission. When the elected members of the planning authority decide to refuse planning permission or grant permission subject to conditions the applicant has a right of appeal to the Scottish Ministers within three months of the issue of the decision notice. Planning appeals to the Scottish Ministers are usually dealt with by a Reporter appointed by the Directorate for Planning and Environmental Appeals (DPEA). Significantly, prior to the Planning, etc. (Scotland) Act of 2006 an objector could indicate how they preferred their representation to be handled (i.e. by written statement or public enquiry). Now, however, the Reporter decides how any unresolved representations should be considered. This important shift in practice is aimed at speeding up the appeals process, and places an onus on objectors to include all relevant information in their initial submissions. There is no provision for those who have made representation to submit further information once the examination has commenced unless requested to do so by the Reporter. Most appeals are now decided by written submissions. More complex issues, such as housing land supply, are often dealt with by a hearing. In the case of the housing land supply hearing relating to the East Dunbartonshire Local Plan 2 the Reporter invited representatives from the council planning department, social landlords, property agents and developers. Any modifications to the draft local plan which are recommended by the Reporter will generally be binding on the planning



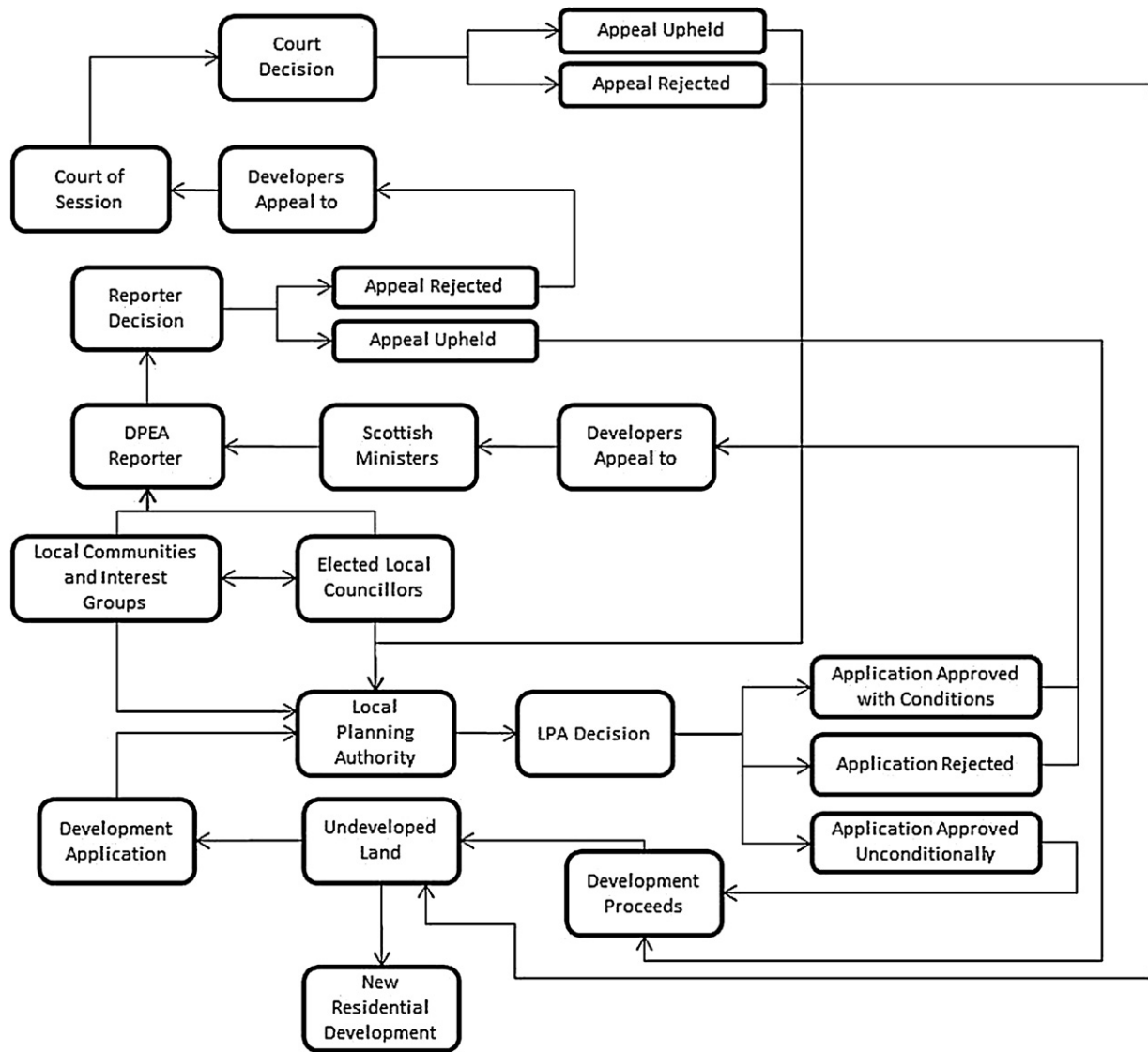


Fig. 2. The planning application and appeals process in Scotland—agencies and actors.

authority. This represents a significant shift in the balance of decision making power from local to central government. Under the pre-2006 system the planning authority not only appointed the Reporter but also considered the Reporter's conclusions and recommendations and then decided what action to take. The planning authority was not obliged to accept the Reporter's recommendations but had to set out its response to each in a statement giving their reasons for accepting or rejecting each recommendation. As Fig. 2 shows, if any party to a planning application believes that unfairness or a failure to comply with any requirement of the law prejudiced the decision of the planning authority they may appeal to the Court of Session within six weeks of the decision. If the Court accepts that a decision taker acted unfairly or has not complied fully with the law it may quash the decision and refer the matter back to the decision maker for re-examination.

Having established the legislative and procedural framework of the new development planning, management and appeal system in Scotland we can now consider the local context for the detailed case study to follow. In Part 4 we document recent population and urban growth trends in the Glasgow metropolitan region before analysing representative examples of development pressure and conflict resolution in the East Dunbartonshire District. In Part

5 we focus attention on a particular longitudinal case study that illustrates the conflictual relationships among the different interest groups involved in the battle over residential development in the metropolitan fringe.

### Population and urban growth in the Glasgow metropolitan region

Official population projections for Scotland indicate that while the total population is expected to rise by 7% between 2008 and 2033 the number of households is likely to increase by 21% (from 2.3 million to 2.8 million) (GROS, 2010). These trends are explained by increased prosperity that has enabled more people to live in separate homes, improved standards of living and health care that have allowed people to live longer, often on their own and changes in social behaviour, especially in social attitudes to marriage that have generated more separate households (Pacione, 2004a). As Fig. 3 reveals, the magnitude of increase in household numbers, and corresponding growth in demand for houses, varies geographically. At the District level, the greatest percentage increase in number of households is projected for Clackmannanshire (41%), East Lothian (40%), and Perth and Kinross (38%), with Aberdeenshire, City

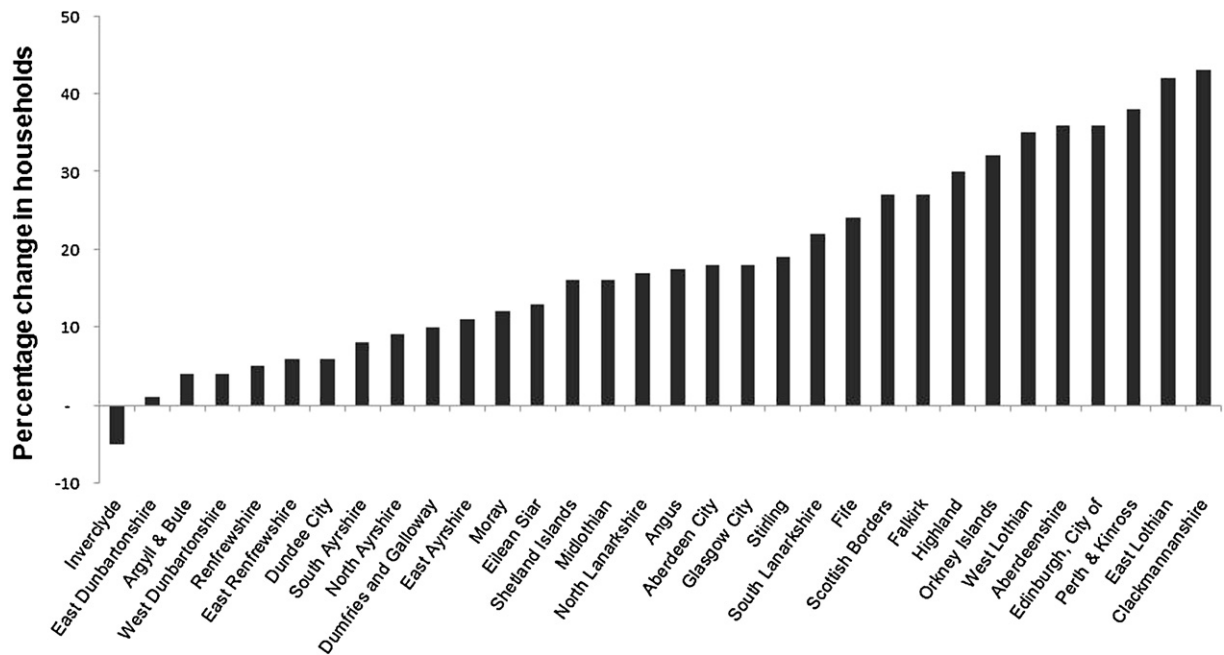


Fig. 3. Projected change in number of households by Scottish local authority Districts.

of Edinburgh, West Lothian, and the Orkney Islands also having projected increases of over 30%. In contrast, the smallest increases in household numbers are projected for Inverclyde (-5%), East Dunbartonshire (1%), Argyll and Bute (4%), West Dunbartonshire (4%), Renfrewshire (5%), and East Renfrewshire (6%), with five of the six lowest growth rates relating to local authority Districts in the Glasgow region (Fig. 4).

These trends may be explained by two main factors. First, long-standing slow or negative growth rates in former industrial areas of the region (e.g. Inverclyde), and second, a reduced volume of new house-building in previously high growth areas due to shortage of

available brownfield sites (e.g. East Dunbartonshire). Previously, over recent decades, East Dunbartonshire had been a principal locus for new house building with both residents and developers attracted by a high quality rural environment within commuting distance of Glasgow (Pacione, 1980). As Pacione (1990b) has demonstrated, within the context of a declining regional population the resident population of the (then Strathkelvin) District increased by over 30% between 1961 and 1971, and by a further 13% between 1971 and 1981 exerting pressure on the local housing land supply. Analysis of the socio-economic composition of the new population confirmed that growth was related directly to the high volume of



Fig. 4. Local authority Districts of the Glasgow metropolitan region.

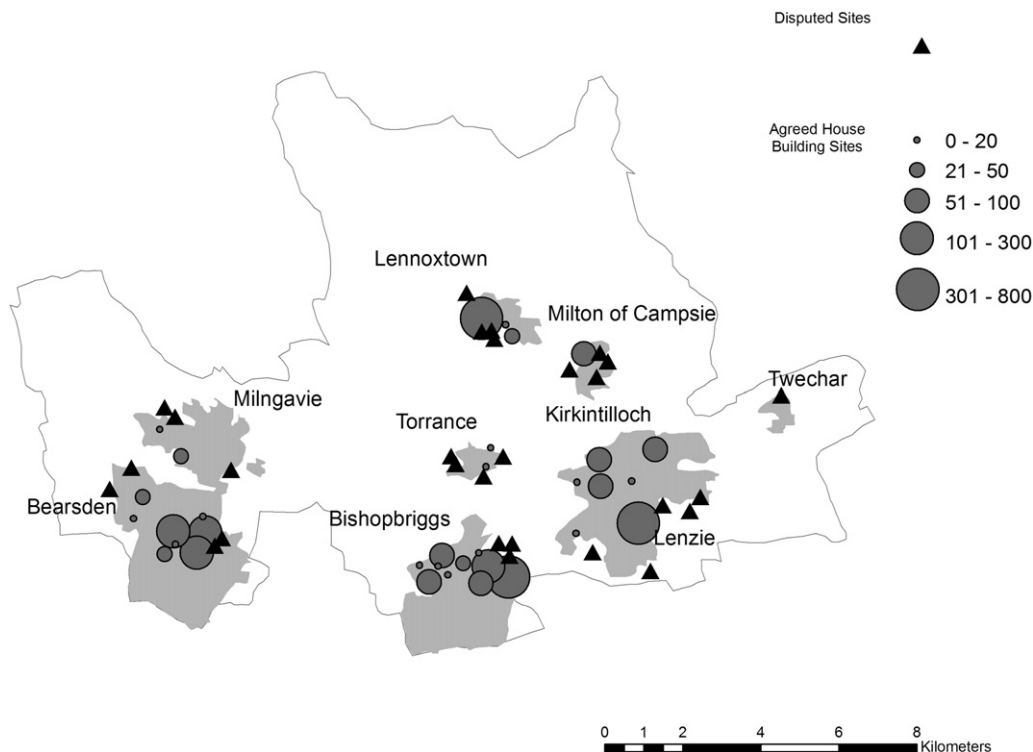


Fig. 5. Distribution and size of agreed house building sites, and location of disputed sites in East Dunbartonshire.

private sector house building. Between 1971 and 1987 the proportion of owner-occupied housing in the District increased from 49% to 61%, with a corresponding decrease in local authority stock (from 49% to 36%). Most of this growth occurred in and around the main District settlements of Kirkintilloch and Lenzie, and in the northern part of the District around the villages of Lennoxton, Milton of Campsie, and Torrance (see Fig. 5). These socio-demographic trends and patterns of new housing development provide the context for the on-going conflict over residential development that is the focus of the present research.

#### *Sustainable development and the metropolitan green belt*

The strategic development plan for the Glasgow region provides for an additional 109,000 households to 2018, and concludes that ‘if these levels of growth were to be achieved, they would contribute about 40% towards the levels of growth being sought by the Government in Scotland to 2017’ (GCVJSP, 2006, p. 4). Implementation of this strategy is informed by the principles of sustainable development shown in Table 1 (Pacione, 2007). Of particular relevance to the key question of ‘where will the people go?’ (Pacione, 2004b), the strategic development plan states that, ‘in order to support the well-being of communities there is a need to safeguard and reinforce the services, amenities and physical character upon which they depend. Newer developments should therefore be encouraged to locate where they will reinforce and support existing communities. A sustainable approach to development also requires that there is an equitable balance between the costs and benefits of any development. Development proposals should therefore take account of the ability of settlements to accommodate additional development without unacceptable adverse impacts upon their physical identity or the quality of life within them’ (GCVJSP, 2006, p. 10, emphasis added). Specifically, the metropolitan development strategy requires the continued designation and safeguarding of the Glasgow and Clyde Valley Green Belt within which there is a presumption against the spread of built up areas and the

encroachment of development into the countryside. Local development plans are required to define the detailed boundaries and policies to safeguard the green belt.

On the other hand, green belt policy may be influenced by strategic policy 6 which is focused on the ‘quality of life and health of local communities’ and which identifies action required to ‘improve housing provision to secure sufficient housing and sufficient variety of housing types and affordability to meet future housing requirements’ (GCVJSP, 2006, p. 52). Although there is no general shortage of affordable housing across the Glasgow metropolitan region local shortages have been identified in some suburban and commuter-based communities including East Dunbartonshire. In these areas the strategic plan determines that while priority should be given to urban/brownfield locations where such sites are unavailable or insufficient limited incursion into greenfield sites currently designated as green belt may be considered. As we shall see, house-builders have focused particular attention on the need for affordable housing in some areas as a means of obtaining planning approval for development.

#### **Residential development pressures and conflict in East Dunbartonshire**

Fig. 5 reveals the distribution and sizes of agreed new house-building sites in East Dunbartonshire District, together with the locations of all ‘disputed sites’ where conflictual relationships exist between pro-growth house-building interests and anti-growth local communities. The particular case of Torrance village is the focus of a detailed longitudinal study presented below. Here we set the District context for the case study by examining the nature of conflict over residential development on greenfield sites on the edge of other settlements in the District, with reference to two representative potential new housing sites. The two exemplars comprise one case in which the developer was successful and one where the views of the local community prevailed.

**Table 1**  
The guiding principles for sustainable development in the Glasgow and Clyde Valley Structure Plan.

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| <p><b>Economic Resources</b></p> <ul style="list-style-type: none"> <li>existing and planned economic development locations in the Plan should be safeguarded and enhanced;</li> <li>new investment should maximise the use of existing infrastructure, including transport and water services;</li> <li>an effective supply of industrial and business opportunities across the Structure Plan area should be maintained;</li> <li>a range of opportunities should be maintained to meet special needs, e.g. for large-scale inward investment;</li> <li>preference should be given to the selection of locations which support the movement of freight by rail or water rather than by road, and minimise the length of journeys to work, particularly by private car</li> </ul> <p><b>Social and Community Resources</b></p> <ul style="list-style-type: none"> <li>optimum use should be made of existing community facilities and infrastructure by recycling urban land and safeguarding town centres;</li> <li>community facilities should be in locations which are accessible to all sections of the community by walking, cycling, or public transport;</li> <li>development proposals should relate to the ability of existing communities to accommodate further development without significant adverse impact;</li> <li>the range and distribution of community facilities within town centre catchments should be improved;</li> <li>an adequate housing land supply should be maintained within each housing market area.</li> </ul> | <p><b>Environmental Resources</b></p> <ul style="list-style-type: none"> <li>the quality and extent of environmental resources should be safeguarded, especially internationally and nationally designated resources;</li> <li>priority should be given to the reuse of vacant urban land and buildings;</li> <li>priority should be given to the decontamination of derelict urban land;</li> <li>new development should seek to reduce energy consumption and in particular, the length and number of trips by private cars and energy use in buildings;</li> <li>the risk of blight or loss of environmental resources caused by the excessive allocation of land for development should be minimised.</li> </ul> <p><b>Development Choices</b></p> <p>The following principles should be applied to planning decisions on development proposals:</p> <ul style="list-style-type: none"> <li>a presumption in favour of meeting demonstrable needs for development within the planning horizons of the Plan and a requirement to demonstrate the benefits of development proposals against the objectives of the Plan.</li> <li>the application of a sequential approach in order to ensure that the most beneficial location has been selected in terms of its economic, social, environmental and transport implications, and that resources are safeguarded from potential irreversible damage or strain on their carrying capacity;</li> <li>costs arising from a development should be borne by those who benefit from the proposals and not by other communities or future generations. The extent to which such costs are being borne by the developer will be material to the acceptability of a proposal.</li> </ul> |
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#### *Meadowburn Avenue, Lenzie*

The propose development site on the southern edge of Lenzie (Fig. 6) comprises a 2.3 ha area of land between the back gardens of existing homes, a disused railway embankment at the northern end, a main road to the south, and the recently constructed Kirkintilloch link road to the east. The land is currently planted with conifer. The developers proposed to construct 50 new houses on the site (with 25% affordable housing). This elicited 62 individual objections and a 292 signature petition from the Lenzie South Green Belt Action Group. The exiting green belt boundary follows the fences of the houses to the west. Significantly, however, Scottish planning policy (Scottish Government, 2010) recognises main roads as suitable green belt boundaries but not fences or hedges. In addition, the East Dunbartonshire Green Belt Boundary Review (EDC, 2009) recognised the new link road as providing a strong, defensible and sustainable green belt boundary that presents a physical barrier to further development.

While local residents valued the forested land as a landscape feature the Reporter noted that the trees were not subject to protection having been planted as a crop twenty years previously and could be felled at any time. Accordingly, the screening provided to existing houses could not be assured for the longer term. Also, to an extent, the screening provided by the plantation would be replaced by structural planting along the line of the new link road. Access to the forest for amenity is limited by the dense plantation. The developers proposed to introduce a more diverse range of tree species and create a network of paths and open space to provide amenity value.

Contrary to the view of the local residents that the land could be returned to agricultural use the Reporter considered this unlikely as the site area had been reduced by the construction of the link road. In addition, while acknowledging the concerns of local residents about pressure on facilities and services from a nearby large scale development of 850 houses (on brownfield land at the former Woodilee hospital), the small scale of the proposed development would have minimal additional effect. The site is also within walking distance of shops and services, a bus route, and a railway station.

It was concluded by the Reporter that the extent of the land release is relatively modest and would fall within the scope of inner boundary adjustments to the green belt which local plans are intended to make and whose possibility is envisaged in the strategic plan. Consequently, the proposed development was approved and the green belt boundary removed to the line of the Kirkintilloch link road. The Reporter reached a similar conclusion on construction of 15 houses on the nearby 0.8 ha Claddens East site, an area of uncultivated grassland between established housing and the new link road (Fig. 5).

#### *BALGLASS Farm, Lennoxton*

The 28 ha green field site (Fig. 7) is located to the south of Lennoxton (Fig. 5). The land is in agricultural use and is bordered by a river to the north, woodland and hedgerows to the south and west, and a main road to the east. A flood risk area and important wildlife corridor run along the north of the site, while the western part of the site is covered by a Local Nature Conservation Site designation. The land was proposed for development in two parts, to north and south of the access road (Fig. 7); site 1 to the south was intended for 70 affordable houses, and site 2 to the north for a mix of 180 market and affordable houses. As we have noted, the inclusion of an element of affordable housing is an increasingly common strategy favoured by house-builders seeking to develop market value housing in the District.

Guidance provided in Scottish planning policy (Scottish Government, 2010) indicates that where a proposal would not normally be consistent with green belt policy it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. As we have seen, East Dunbartonshire is identified in the Glasgow and Clyde Valley Joint Structure Plan as a District where local plans should bring forward proposals to improve the range and choice of affordable housing as a matter of priority. Significantly, the strategic plan allows for limited incursion into the green belt where the site is developed exclusively for affordable housing. In the case of Balglass Farm the Reporter considered that, given that



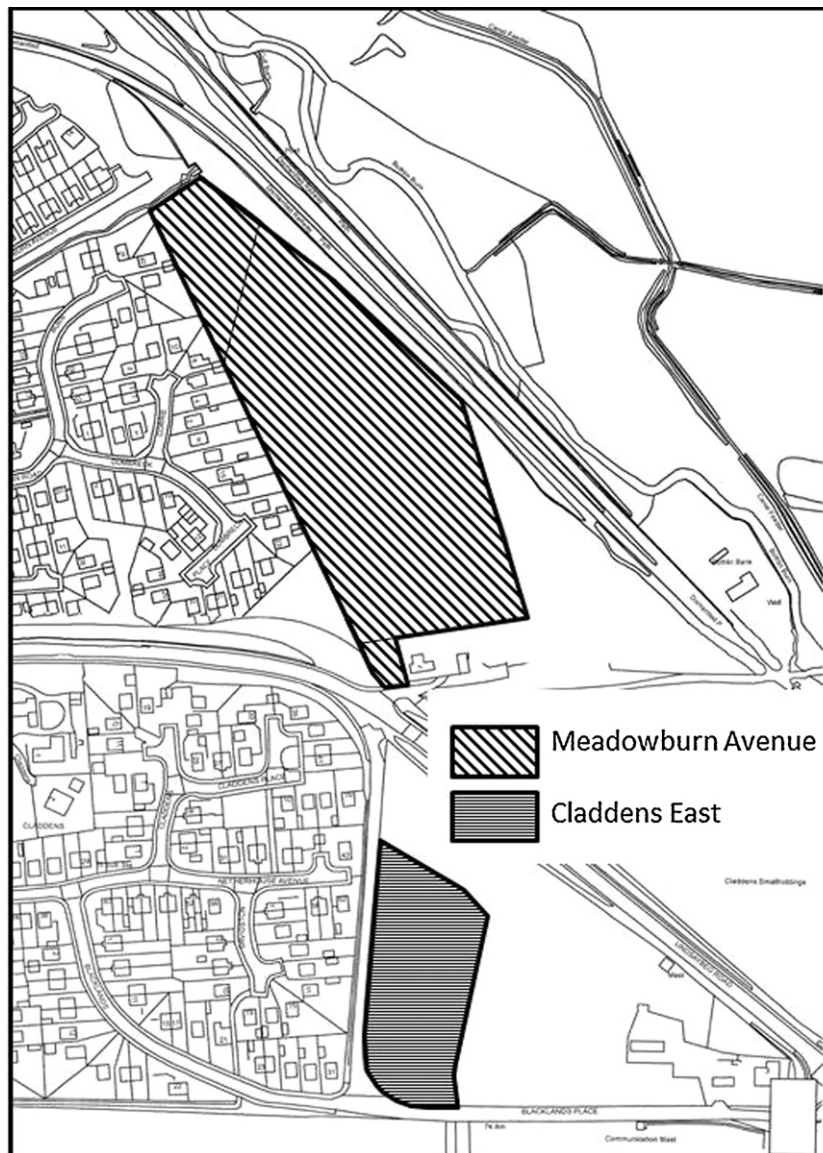


Fig. 6. The Meadowburn disputed site in Lenzie.

an affordable housing shortage of 86 dwellings is identified in the East Dunbartonshire Strategic Housing Investment Plan (EDC, 2010), there is justification for examining the inner boundaries of the green belt with a view to release of land for development. However, 'any new green belt and settlement boundaries should be recognisable, defensible and sustainable' (DPEA, 2011, p. 166).

On balance, taking into consideration the nature of the site, scale of proposed development and location of existing green belt and settlement boundaries the Reporter concluded that the proposed housing development would be detached from the main settlement, with poor accessibility to facilities and services necessitating increased travel by car. It was concluded that, notwithstanding a need for affordable housing, the proposed development would create a dislocated area of housing within a predominantly agricultural landscape, and a weaker less defensible green belt boundary. Such as significant southern expansion of the village beyond the recognised settlement boundary is not consistent with the metropolitan development strategy of the structure plan which identified no strategic urban expansion locations in East Dunbartonshire.

### Case study—development pressure and conflict in the village of Torrance

The longitudinal case study focuses on two sites within the green belt village of Torrance in East Dunbartonshire (Fig. 8). The first site, Tower Farm, has been the subject of pressure from developers for more than three decades; while the second, Kelvin View, was identified for housing development by house-builders in the consultations relating to the 2011 Local Plan. Detailed examination of both sites provides insight into the actors, agents, arguments and outcomes of the conflictual process of dispute resolution in relation to residential development in the metropolitan fringe.

#### The Tower Farm dispute

The Tower Farm site forms a green wedge of agricultural land on the western side of the village of Torrance (Fig. 8). It is bounded by Tower Burn to the north and east, Tower Road to the west, and a disused railway to the south. Beyond the site there is woodland and open fields to the north, a housing estate within the built up area of Torrance to the south, open fields to the west, and open space and



Fig. 7. The Balglass disputed site in Lennoxtown.

housing to the east. The west of the site rises steeply northwards along Tower Road and is split from the east of the site that slopes down towards Torrance by a ridgeline running north–south from Tower farm.

#### *The 1971 Development Plan*

The site was zoned primarily for residential use and public open space in the 1971 Development Plan prepared by the old County Council prior to the reorganisation of Scottish local government in 1975 (Strathkelvin District Council, 1986). It was on this basis that the developers purchased the site in 1973. In January 1976 the developers' application for outline planning permission for a residential development was refused by Strathclyde Regional Council on the grounds that release of this land in advance of the completion of the (first) structure plan would be premature, a decision which was supported on appeal by the Secretary of State. The regional structure plan was submitted to the Secretary of State in May 1979 and in May 1980 the developers submitted two further planning applications related to the Tower Farm site. The first covered the entire area in outline while the second was a detailed proposal for the construction of 28 dwellings on 2.4 ha at the eastern edge of the site (Fig. 8). Both applications were 'called in' by the Regional Council and, following a public enquiry, consent was withheld in

June 1981 on the grounds of regional greenbelt strategy, prematurity, and the financial cost to the council in providing additional infrastructure. The developers contested the Regional Council's strategic argument and found support in the Reporter's conclusions that a developer could reasonably expect that a development which was in accordance with zoning on a Development Plan would not encounter objections in principle; that the structure plan was not sufficiently site-specific to over-ride these zonings; and that the proposed development formed a sensible 'rounding-off' of the village. The subsequent appeal to the Secretary of State against the Regional Council's decision was sisted (delayed) in November 1982 pending adoption of the Campsie and Baldernock Area local plan. The public enquiry into the local plan focused attention on several key issues relating to the Tower Farm site.

The major infrastructural problem with the proposed development referred to the inadequacy of the village's sewage treatment facility. The existing works was operating over capacity and required improvement. During the public enquiry the developers offered to construct a private 'package sewage plant' to treat the effluent from the proposed new development, thereby relieving the Regional Council of any financial responsibility. More generally, the developers, supported by the National House Builders Federation, attacked the amount of land available for private residential development in the region and questioned the utility of many



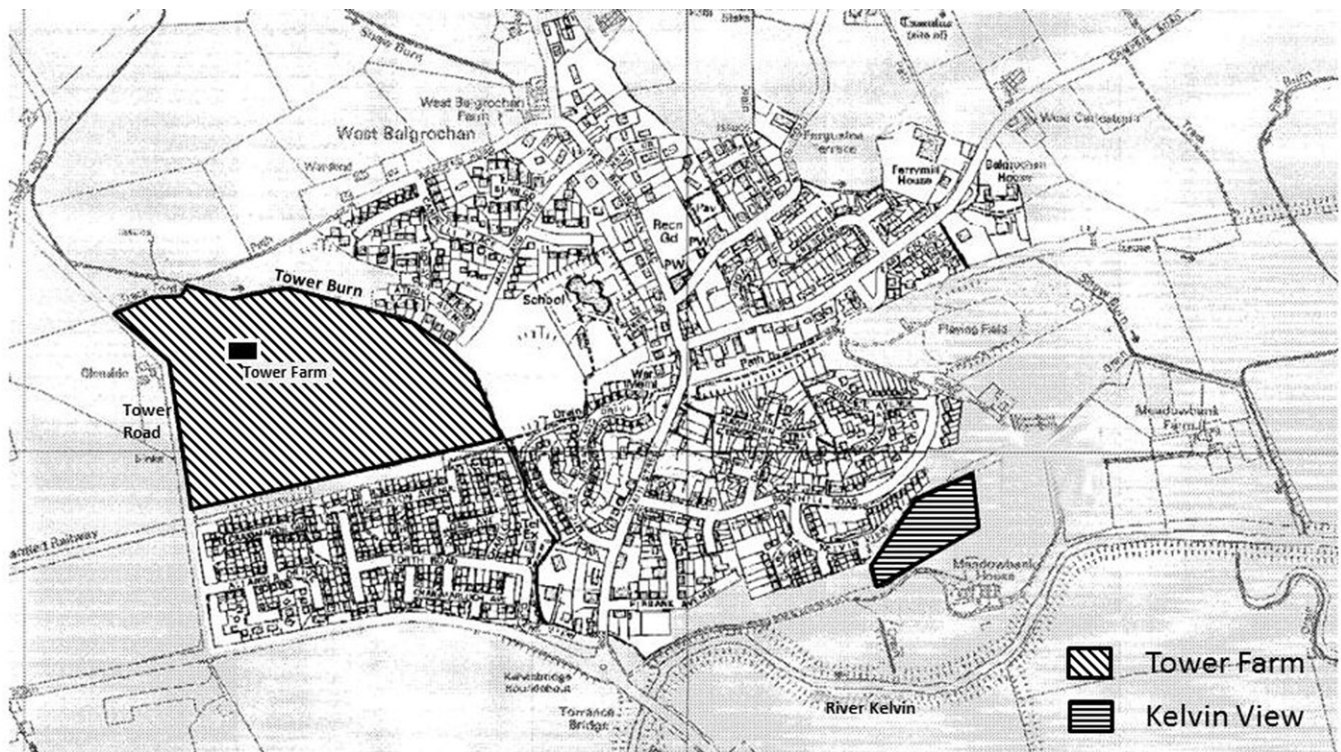


Fig. 8. Disputed residential development sites in Torrance.

brownfield sites because of ground conditions and poor marketability. The inability of developers and planners to agree on the amount of land available was underlined by the disparity between the figures produced by Strathclyde Regional Council as part of the second review of the structure plan and those of the Scottish Housebuilders Association. Taking account of both brownfield and greenfield sites the house-builders calculated that the region had overestimated land availability by 150% or 6750 units. There was little prospect of a gap of this magnitude being closed, reflecting as it did fundamental differences in what constitutes suitable building land. The best that could be said was that the true figure lay between 4494 and 11,229. The building lobby also maintained that in the local context of Strathkelvin district there was a shortage of sites for good quality detached housing. Their estimate of 335 units represented less than one year's supply at current rates of building. Citing SDD Circular 21/83 which required structure plans to ensure a five-year supply of land for private house-building they concluded that this was not being adhered to in Strathkelvin.

As well as attacking the rationale and statistical basis of regional policy and offering to overcome the infrastructural problems, the builders also suggested that a site for sheltered housing could be incorporated into a revised development of 160 houses at Tower Farm. In addition, part of the site was offered for use as a playing field and recreation area for the community. This would be constructed by the builder and dedicated to the District Council. These proposals could be included in a formal agreement under Section 50 of the Town and Country Planning (Scotland) Act 1972 and tied to any planning consent.

Referring to the letters of objection from residents of Torrance the developers considered the force of these to be diminished by the fact that they had the appearance of being co-ordinated, and that, in the view of the developers, while their concern was understandable, 'self-interest had to be balanced against the wider public interest'. This latter statement clearly represented a particular interpretation of the concept of public interest.

In essence, therefore, the developers' case was built upon—

- (a) the shortage of sites for good quality private housing in the region in general, and in Strathkelvin in particular;
- (b) the Tower Farm site was zoned for residential development in the 1971 Development Plan and was purchased on this understanding;
- (c) the proposed development represented a logical rounding-off of the village;
- (d) the major infrastructural problem could be overcome by construction of additional sewer-age capacity at the developer's expense (planning gain);
- (e) the land is of moderate agricultural value;
- (f) part of the site could provide sheltered housing and recreation facilities for the village (planning gain).

The District Council's response to the developers' proposal to provide infrastructure and community facilities was that no formal approach had been made to them by the developers and that the offer might be construed as 'some sort of planning gain or, arguably, planning blackmail'. The Council argued that such facilities should ideally be incorporated in such a residential development in any event and should not be used as a means of 'purchasing' planning permission. Further, the new facilities would require staffing and maintenance both of which would have implications on revenue expenditure should the District Council assume responsibility. On similar financial grounds the Council would not be prepared to take over the operation of an additional sewerage plant. In effect the 'planning gain' on offer from the developers was refused.

Support for the District Council's opposition to the Tower Farm development came from the Regional Council on strategic (greenbelt) grounds as well as from several national and local organisations. The Department of Agriculture and Fisheries for Scotland concluded that although it is not a viable agricultural unit on its own unless used for intensive activities (such as pig production), the land could form a useful addition to another farm

and should remain under greenbelt zoning. The views of the local community as voiced by the community council, residents' association and individual petitioners were overwhelmingly anti-growth, with concern expressed over the loss of village character and scenic amenity, and fears of coalescence with nearby villages should the green-belt policy be breached.

We are thus presented with a complex array of arguments supporting each side in the dispute. The Reporter at the public enquiry reached nine main conclusions regarding the Tower Farm site. Analysis of these sheds light on the reasoning behind the refusal of planning permission. They were as follows:

- (1) if one was to follow a plan for the gradual expansion of Torrance the Tower Farm site would be the logical location for the next stage of growth. This point was acknowledged by the District Council. The counter-argument centred on the strategic regional policy to effect the regeneration of existing urban areas, to apply greenbelt policies in support of this goal, to conserve agricultural land and the countryside, and to prevent the coalescence of towns and smaller communities;
- (2) regional policy notwithstanding, housing need must be satisfied and individual proposals for development must be determined on their merits against the basic strategic policies. According to the Strathclyde Structure Plan, development in the greenbelt would be required to satisfy criteria related to economic benefit, specific locational need, infrastructural implications, and environmental impact;
- (3) designation as residential land in the old (1971) Development Plan does not carry a presupposition that this should necessarily be implemented. The decision to refuse planning permission had to consider not only regional strategic objections but also the concern that the rapid growth of Torrance in the 1960s and 1970s had out-stripped the service infrastructure and threatened the traditional quality of village life;
- (4) the possible planning gain should not be over-emphasised since the benefits offered by the developers largely related to schemes already scheduled for completion in the local plan, albeit over a longer timescale;
- (5) a key question is that the attractiveness of the villages of Torrance, Lennoxton and Milton of Campsie is in danger of serious erosion if continued outward expansion occurs and there is need for a breathing space before further even limited peripheral expansion is considered;
- (6) the internal regeneration of the village of Torrance should take precedence over peripheral development at Tower Farm. A complication is that part of the land identified in the local plan as in need of improvement and regarded by the District Council as essential to the successful regeneration of the village centre is in the ownership of the developers who, understandably, were not willing to sell. In these circumstances, the District Council aired the possibility of compulsory purchase proceedings should their preferred development proposals be granted planning permission;
- (7) while the need for additional private houses in the village may be dictated by new local employment initiatives this was not apparent at present;
- (8) the installation of a package sewage treatment plant to serve the new development is less than proper provision and suggests 'a somewhat desperate and unsatisfactory expedient';
- (9) the land is capable of productive agricultural use and provides an attractive green wedge into the heart of the village.

The Reporter's recommendation to refuse planning permission for the Tower Farm site was not accepted by the developers who exercised their statutory right to lodge an appeal with the Secretary of State for Scotland. In January 1988 the Secretary of State

dismissed the appeal on the grounds that there is no specific locational need for the kind of housing proposed at Tower Farm, and that demand can be satisfied by turnover in existing stock in the village and development of available sites at Bearsden and Milngavie, which are within the built-up area and in the same market sector as the proposed development. The Tower Farm site should remain within the greenbelt.

#### *The 2011 Local Plan*

The latest move in the battle over the Tower Farm site occurred as part of the consultation process in preparing the 2011 Local Plan. The developers questioned the validity of the local authority's policies on housing land supply and designation of green belt. Specifically, in relation to the green belt it was argued that:

- (a) the site's 'landscape capacity' could accommodate development, particularly on the eastern portion which is not visible from Tower Road to the west or from the north due to the topography of the site.
- (b) additionally, the site forms a 'natural extension' to the village of Torrance and development 'would not appear inappropriate from a distance'. Neither would it result in settlement coalescence
- (c) moving the green belt boundary west to Tower Road would form a stronger green belt boundary than the existing one of Tower Burn (see Fig. 8).

With reference to the Council's housing land strategy, the developers contended that:

- (a) a more flexible approach should be adopted since there is an established demand for further private housing in the area. Releasing the site for residential development would make a positive contribution to the supply of private housing, including a contribution to the provision of affordable housing in East Dunbartonshire.
- (b) in addition, the development would have a positive effect on the recovery of the economy by encouraging development and facilitating 'much demanded housing development'.

In response, the Council pointed out that the local green belt is an integral part of the Glasgow and Clyde Valley green belt and that the Glasgow and Clyde Valley Joint Structure Plan 2006 required continued safeguarding of the green belt as a key policy in support of the metropolitan development strategy. Neither does the structure plan identify any strategic development locations in East Dunbartonshire. It further noted the policy preference for re-use of brownfield land to promote urban regeneration and prevent sporadic development in the countryside. In relation to housing land supply, the Council's position was that they had identified 39 sites for housing which when considered with the five year effective land supply satisfied the Scottish Government's requirement for 'a supply of effective land for at least five years to be maintained at all times to ensure a continuing generous supply of land for house building' (Scottish Government, 2010, para 75). In regard to affordable housing the Council intended to address the need by identifying 21 specific sites, and a requirement for 25% affordable housing to be included in all market housing developments of 10 units or more. While it was acknowledged that this would not meet the identified need in full Scottish Government planning policy states that 'policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding' (Scottish Government, 2010, para 87). Given that the indicative Housing Association grant resource assumption is significantly lower than



the investment needed to develop all known affordable housing sites the future land supply is reasonably well matched to the number of affordable housing units that can be realistically funded. Furthermore, in increasing the supply of affordable housing the Local Plan seeks a balance between the need for affordable housing and other community requirements including a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open spaces within urban settings.

These representations and unresolved issues were forwarded to the Reporter for adjudication. In reaching a decision on the Tower Farm site the Reporter placed particular emphasis on the impact of development on the local green belt. It was observed that the site is divided in two by a ridgeline running north–south from Tower Farm. It was considered that the impact of built development on the western part of the site ‘would extend the urban area of Torrance into open countryside contrary to both national and strategic policy guidance and with an unacceptable adverse impact on its character and setting. The creation of a new defensible boundary along Tower Road, or the fact that coalescence is not an issue in this location, would not outweigh this adverse impact’ (DPEA, 2011, p. 203). Regarding the eastern part of the site, the Reporter stated that ‘if this land were to be removed from the green belt this would inevitably weaken the green belt boundary to the west of Torrance as there is no clearly identifiable feature on the ground for the new boundary to follow. I do not regard the ridgeline as a strong visual or physical landscape feature. Further development onto the rest of the site and the rising land to the west would be hard to prevent. In contrast the existing green belt boundary follows the Tower Burn which provides a robust and defensible boundary’ (DPEA, 2011, p. 203). Accordingly, the reporter concluded that, ‘I therefore find that there is no justification to remove this site from the green belt and allocate it for housing’ (DPEA, 2011, p. 203).

This decision to refuse permission for housing development on the Tower Farm site reflected previous decisions and confirmed the Council’s opposition to development. In the latest battle for Tower Farm public interest emerged victorious over private profit. However, it may yet prove to be a temporary reprieve. Despite long-standing and concerted opposition to development of the site and the failure of successive applications to build houses on the land, the developer’s long term strategic perspective and their determination to pursue their goals was reaffirmed in their local plan representation which stated that ‘it should be noted that if the site is not released from the green belt in the East Dunbartonshire Local Plan 2 (2011) we would intend to continue promoting the site in the long term.’

### The Kelvin view conflict

While the Council’s opposition to development on the Tower Farm site was supported by the Reporter he also identified eight sites in East Dunbartonshire for which he requested a Strategic Environmental Assessment (SEA) be carried out to ascertain the potential impact of residential development. These sites were proposed by builders during the local plan consultation process but having been rejected as housing sites by the Council were considered by the Reporter as ‘unresolved issues’. One of these sites was at Kelvin View, Torrance (see Fig. 8). This greenfield site located on the south-eastern edge of the village comprises unused rough pasture and sits at a slightly lower level from existing housing to the north and west. Meadowbank House lies to the south of the site with open countryside beyond.

The public consultation on the eight potential housing sites and associated SEA attracted 628 responses, with 118 (19%) relating to the Kelvin View site. Only two submissions were in favour of development at Kelvin View, one from a village

resident and the other from the developer’s planning consultants. The research methodology employed detailed examination of representations from pro-growth and anti-growth interests to gain insight into the key agents, factors and conflicts involved in reaching a determination on the future use of the site.

### The pro-growth lobby

In support of their stance the developers cited perceived shortcomings of the local plan policies when assessed against national and strategic policy guidelines and, on this basis, argued for release of the Kelvin View site to be developed exclusively for affordable housing. Their argument emphasised four main factors:

- (i) government policy requires the inner boundary of green belts not to be drawn too tightly around the urban edge to allow for planned development between the existing settlement edge and the green belt boundary;
- (ii) boundaries should be clearly identified using strong visual or physical features which, in the case of the Kelvin View site, ‘the River Kelvin is the obvious choice’ (see Fig. 8);
- (iii) new affordable housing would meet identified local housing needs and support local shops, schools and amenities to which the site has direct road and pedestrian access;
- (iv) the site represents a sustainable development opportunity, being located within 400 m of the town’s facilities and a local bus service.

With reference to the Council’s SEA of the site the developer’s own assessment concluded that ‘the Council has been unduly negative in determining the impacts’ (Geddie, 2011, p. 3). Of 31 SEA criteria, where the local authority scored the development as producing 14 negative impacts, 7 positive, and 10 neutral; the developer’s consultants scored the site as having 2 negative, 12 positive and 16 neutral impacts. This disparity reflected both the subjective nature of several of the components of the SEA (such as ‘will the development fit well with local landscape character’), and also the divergent underlying objectives of the stakeholders.

### The anti-growth lobby

The 116 anti-growth representations against development at Kelvin View produced a total of 750 statements of opposition. As Fig. 9 shows, these referred to 16 major grounds for complaint. The principal sources of objection can be categorised into four types of issue relating to:

- (i) Infrastructure—increased volumes of vehicular traffic; poor public transport; and overburdened village facilities;
- (ii) Environment—loss of green belt land; impact on fauna and flora; loss of visual amenity; flood risk; loss of public open space; proximity to a World Heritage Site; and a failure to prioritise use of brownfield land;
- (iii) Socio-economic—there is no need for affordable housing in the village; affordable housing is merely a ploy by developers to access the green belt; and private profit is the sole motive for the development;
- (iv) Political—loss of local democracy with decisions taken by remote officials.

Further insight into the nature and strength of local opposition to the proposed housing development was gained through analysis of the expressed views of village residents.

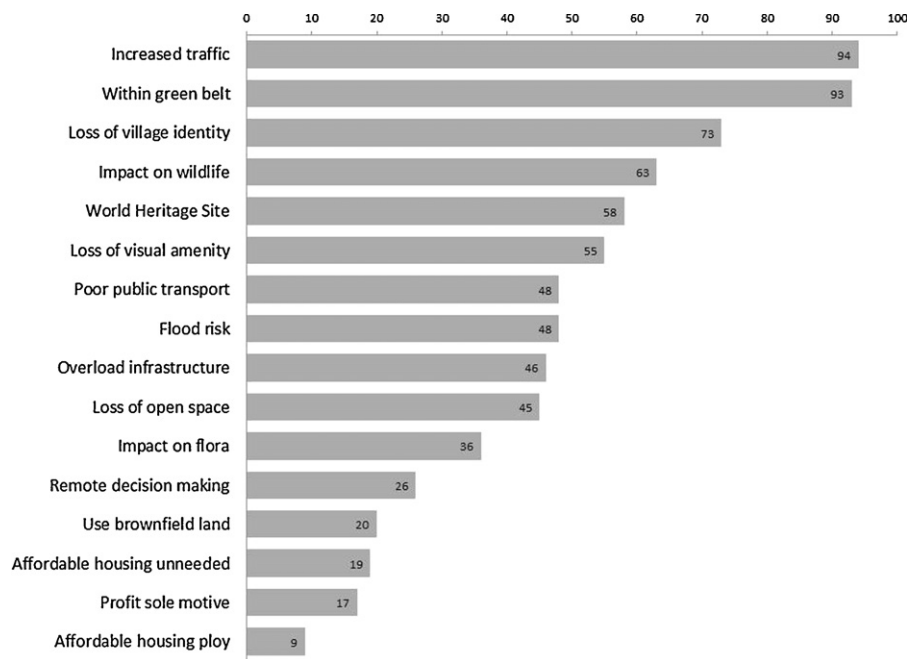


Fig. 9. Major reasons for opposition to residential development of the Kelvin View site.

#### *On the issue of the green belt*

"Once this precedent had been accepted there would be danger of many other areas of green belt being released" (R5)

"Allowing any area of green belt to be developed will open the doors to other developers requesting sites and could eventually mean that the villages of Torrance, Balmore, Milton of Campsie and Lennoxton would become one large township" (R16)

"The view that the green belt is drawn too tightly is purely the opinion of the developer who has an obvious vested interest" (R14)

#### *On brownfield land*

"There are at present 34 vacant and derelict sites available and these should be developed before release of any green belt land" (R16)

"While Torrance still contains areas of undeveloped brownfield sites it would be irresponsible and premature to release green belt land for development" (R5).

#### *On loss of village identity*

"The surrounding green belt protects the integrity of the village as a community in its own right, and any loss of green belt to development will set a precedent which will undoubtedly lead to further applications and loss of green belt. The ultimate outcome of this must be the convergence of existing individual communities, loss of identity, and emergence of a single conurbation in East Dunbartonshire" (R15)

"I am well aware of the domino effect that green belt release causes. If this was allowed we would be sharing boundaries with neighbouring villages which would remove the character of the area making it less attractive to live here" (R27)

#### *On village status*

This would rapidly lead to Torrance losing its identity and appeal as a village. Furthermore, East Dunbartonshire Council have stated that there is no requirement for the proposed additional housing". (R1)

"Torrance is already large enough and any further development would increase the population and lead to the loss of village status" (R8)

#### *On housing supply*

"The population of East Dunbartonshire is static so the need for new housing has not been established" (R16)

"Torrance already has sufficient affordable housing; many houses have been on the market for some considerable period. To think of wasting the green belt for such an excuse would be madness as sites have been abandoned in neighbouring villages for lack of demand for the houses built" (R13)

#### *On affordable housing*

"Affordable housing seems to be some sort of loophole on how to get permission to build anywhere" (R4)

"If the site was developed as socially affordable the people offered housing would find it hard to cope as we have no train service and only an hourly bus service. There is very little local employment; work could be found in Glasgow which requires a bus trip as the nearest rail station is at Bishopbriggs. It is however handy for the new prison at Low Moss" (R27)

#### *On developers' motives*

"This is nothing more than a scheme to try and make a profit at the expense of the people of Torrance" (R5)

"This development could leave the community of Torrance with all the disadvantages whilst a developer becomes exceedingly rich" (R7).

"At a public meeting held over release of green belt in a previous development plan one developer who owns some of this land stated that if one piece of green belt land was released then he would quote it as a precedent for release of other green belt land around the village" (R19)

"The villages in East Dunbartonshire are constantly under pressure to expand by developers who are driven by profit and do

not have the best interests of the population at the forefront of their motives” (R25)

#### *On loss of visual amenity*

“My neighbours in Kelvin View who face the picturesque field at the end of the street will lose this view and will face a brick wall instead which is very unfair” (R21)

“Kelvin View is called a view for a reason; loss of the existing outlook would be detrimental to all existing residents” (R26)

“Having enjoyed unfettered views from our property for over twenty years this development would impinge on our human rights” (R28)

#### *On traffic*

“Anyone travelling through the village between 8.0 and 9.00am will encounter the queues of traffic already in the main street; more traffic could considerably increase congestion and the danger to pedestrians and children” (R11)

#### *On loss of open space*

“The open spaces around the village give it its character and the therapeutic benefits of such open spaces should be recognised and promoted rather than being destroyed” (R14)

#### *On local infrastructure*

“The developer advises that the site is close to good public transport links and shopping facilities. This is not true. Torrance is served by a one hourly bus service which is not regular throughout the day or reliable; and the site is a good ten minute walk from the local store with the nearest supermarket a bus ride away in Bishopbriggs” (R25)

#### *On decision making*

“Decisions in these matters are taken by government officials who are too remote from the particular sites and therefore do not have the local knowledge which surely must be taken into account” (R8)

“The situation in East Dunbartonshire is perhaps unique in that elected representatives of all political parties and professional officers are all implacably opposed to any relaxation of the current greenbelt policy. It would be wholly undemocratic for a decision overturning a policy supported by the community, its representatives and council officials to be made by one or more unelected officers of the Scottish executive” (R17)

“It would be a crime of monumental and undemocratic proportion if the view of the local population and their political representation was overridden on this matter” (R26)

#### *The reporter's recommendations*

In his deliberations on the Kelvin View site the Reporter placed particular importance on the issues of the green belt inner boundary, a need for affordable housing, and the policy preference for sustainable development.

It was noted that the Structure Plan expects local plans to continue to review the inner boundaries of the green belt, although no strategic adjustments were required within East Dunbartonshire. Nevertheless, it was concluded that ‘there is clear justification for examining the inner boundaries of the green belt with a view to the release of limited areas of land for development where this would not undermine the metropolitan development strategy. In addition, East Dunbartonshire is one of the local authority areas where there is a need to improve the range and choice of affordable housing. The Structure Plan also allows limited incursion into the green

belt where the site is developed exclusively for affordable housing (DPEA, 2011, p. 205).

The Reporter also observed that ‘the existing green belt and settlement edge in this part of Torrance are drawn tightly along the rear and side of fences of existing houses’ and that ‘when viewed from the higher ground to the south the site appears to be a logical extension of the settlement without causing any significant landscape or other environmental impact. Accordingly, the River Kelvin and the flood plain immediately beyond the site’s southern boundary should remain within the green belt, with the southern site boundary forming the new settlement edge in this area’ (DPEA, 2011, p. 206).

With reference to the concept of sustainable urban development the Reporter found that ‘Torrance is a relatively small settlement and local shops, a primary school and local bus services are within 400 m and would be easily accessible from the Kelvin View site. A modest development of up to 25 houses would help sustain these facilities. The site can be accessed off the existing road and cul-de-sac at Kelvin View without an adverse impact on road safety, and there is potential to create footpath links from a new development to the existing local path and open space network’ (DPEA, 2011, p. 206).

The Reporter concluded that ‘development of up to 25 affordable houses on this small (1.2 ha) site would be an acceptable extension of the Torrance settlement boundary. A development of this scale would have no adverse impact on the metropolitan development strategy set out in the Structure Plan. Equally an adjustment to the green belt boundary in this location will have no material effect on the wider green belt strategy set out in the structure plan. The site should remain within the green belt but designated for affordable housing until completion of an affordable housing development. In this way there can be no implication that the site is suitable for mainstream private housing, or any other built development’ (DPEA, 2011, p. 206).

#### **Conclusion—who decides, who wins?**

The countryside around Britain’s towns and cities is under increasing pressure for development as a result of centrifugal trends inherent in the capitalist urban development process. The present research into conflicts over residential development in the village of Torrance identified the key actors, agents and arguments enmeshed in the debate over the transfer of green field land to urban uses. The planning system represents the arena in which competing stake-holders battle to obtain outcomes advantageous to their own interests. In determining the appropriate use for a site planning must consider both site specific factors (such as traffic congestion or the impact on local infrastructure) and more general issues (such as green belt policy). While site specific factors can exert strong influence on local plan land use decisions, particular significance is attached to structural policy factors that include the role of a green belt, a need for affordable housing, and a policy preference for sustainable development. These structural forces that condition local plan decision making are determined in Scotland by national and regional planning policy guidelines.

In Scotland, significant modifications to the planning system introduced following the Planning etc. (Scotland) Act of 2006 have had major consequences for the distribution of the power of decision making over the use of land in rural–urban fringe locations such as Torrance. Prior to the 2006 Act the balance of power lay with local communities through their elected authorities who were able to (a) decide how planning representations were dealt with—either through a public enquiry or written statement, (b) appoint the Reporter to consider appeals by developers against refusal of planning permission in a local plan, and (c) decide whether to accept

or reject a Reporter's recommendations. Since 2006 the balance of power has shifted from elected local councillors to a central government appointed Reporter whose recommendations are binding on the local authority. The significance of this change is compounded by changes in Scottish planning policy (Scottish Government, 2010) that have emphasised the importance of house-builders as agents of national economic growth. In local areas the government's 'presumption in favour of growth' approach to development management has (a) afforded developers greater direct involvement in discussions with planners over housing land supply, (b) increased pressure on green field land by requiring that a generous supply of land must be always available for house building, and (c) intensified demands for modification of green belt boundaries where a need for affordable housing can be met by easing a tightly drawn inner boundary.

These planning policy modifications have ensured that the fundamental question that permeates contemporary conflict over land use in the metropolitan fringe in Scotland is 'who decides?' As the present research has shown, representations in relation to preparation of the 2011 East Dunbartonshire Local Plan included significant opposition to the new decision making system. While the majority of reasons against development referred to site specific factors a significant proportion made explicit reference to the government's support of the private house-builders' pro-growth agenda, the loss of local democracy, and removal of the right of local residents to determine the character of their own communities. As the Convener of East Dunbartonshire's Development and Infrastructure Committee stated, 'historically this council has a strong presumption against erosion of the greenbelt and the people of East Dunbartonshire told us loud and clear that they support this position and expect us to defend the greenbelt on their behalf. It is of huge concern that our attempts to do just that have been undermined by the involvement of Scottish Government Reporters in the process' (Milgavie and Bearsden Herald, 2011). Such sentiments bring into sharp relief the conflict between private profit, public interest and land use planning within pressured areas of Glasgow's rural-urban fringe. They also focus attention on the general question of the fairness of the land use planning system in Scotland, and the role and effectiveness of public participation in decisions over local planning issues. While an extensive review of the concept of public participation in planning is beyond the scope of this paper (Pacione, 1988) it is instructive to reflect on lessons to be gained from the current research.

Current Scottish planning policies emphasise the importance of public participation. Scottish planning policy (Scottish Government, 2010) states that everyone must have real opportunities to take part in the planning and decision making that will influence their future. The underlying assumption is that greater public participation in decision making processes will lead to more socially acceptable and sustainable outcomes (Chilvers, 2008). Empirical evidence from the present research indicates that this is not necessarily the case; decisions viewed as socially acceptable and sustainable at a national or regional level may engender an opposite perception on the ground at the local scale. This is echoed in Healey's (2003, p. 110) conclusion that while the principle of community empowerment has been institutionalised as a method of good planning practice too great an emphasis is placed on process to the exclusion of key issues of 'justice and sustainability of the material outcomes of planning interventions'. A key issue for the practice of participatory planning is that of trust (Hoppner, 2009). Several authors have argued that in land use planning locals are more likely to accept proposals and outcomes if they trust the responsible decision-making body (Webler and Tuler, 2002; Lauber and Knuth, 1999; Solitaire, 2005). If so evidence from the present research raises concerns for national policy-makers: as a local community councillor stated, 'we trust the local planning authority

because they are answerable to us through our elected representatives but we do not trust the government in Edinburgh who seem intent on putting national economic growth ahead of everything else including the local impacts of their national priorities' (personal communication).

Findings from the present research into decisions on residential development in the metropolitan fringe under the framework of the post-2006 Scottish planning system identify the participation of individuals and local communities in plan making (e.g. via lobbying councillors, attending planning meetings, and submissions to draft local plans), but also highlight the overarching power of central government to set the rules that govern the plan-making process and, in so doing, exert a major influence on outcomes that impact on local communities. As this research has shown, in the contest between anti-growth local interests and pro-growth housing developers national government through its power to establish planning priorities and to appoint Reporters, against whose recommendations communities have no right of appeal, appears to act as judge and jury. While it may be going too far to suggest the system is 'rigged' it is reasonable to conclude that while the structure of the planning system may encourage 'oppositional' participation, planning policy and government support for particular strategies can make successful opposition increasingly difficult (Bell et al., 2005). Whether this is fair, like the concept of fairness itself, is a moot point that together with the long standing determination of house builders to realise the potential profits to be made from development on greenfield/greenbelt land, and the equally determined resistance of local communities seeking to protect their perceived quality of life will ensure continuing conflict between private profit and public interest in the production of the built environment in the metropolitan fringe.

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