

Planning

From: [REDACTED]
Sent: 29 April 2026 18:21
To: [REDACTED]
Cc: [REDACTED]
Subject: Planning objection: TP/ED/26/0104

Dear Planning Officer,

I wish to formally **object** to the planning application - TP/ED/26/0104

1. Conflict with National Planning Framework 4 – Policy 3 (Biodiversity)

NPF4 Policy 3 requires major developments to conserve, restore and enhance biodiversity and to leave nature in a demonstrably better state. The Ecological Impact Assessment (EclA) identifies loss of multiple habitat types, fragmentation of ecological corridors, and reliance on off-site compensation at Myrtle Avenue that is not consented, not secured, and not deliverable for many years, in fact no date has been set. These factors show that the proposal cannot demonstrate biodiversity enhancement and therefore fails to meet NPF4 Policy 3(b).

2. Loss of Designated Open Space (LDP2)

Whitegates Park is designated as “Open spaces of regional or neighbourhood importance” in the Local Development Plan. The proposal would permanently remove a valued community greenspace, reduce accessible recreational land, and eliminate habitat that contributes to local nature networks. LDP2 requires protection of such open spaces unless clear justification is provided, which has not been demonstrated.

3. Significant Impacts on Bats (European Protected Species)

Multiple bat surveys were undertaken, including daytime walkovers, night-time transects, Ground Level Tree Assessments, and Potential Roost Feature inspections. These confirm moderate to high suitability for foraging and commuting bats, trees containing Potential Roost Features (PRFs), and regular bat activity across the site. Under the Conservation (Natural Habitats, &c.) Regulations, the Council must apply the three legal tests before permitting any disturbance to European Protected Species. The proposal fails these tests because reasonable alternatives exist, overriding public interest is not demonstrated, and favourable conservation status cannot be maintained.

4. Outdated Bat Surveys and Non-Compliance with Bat Conservation Trust Guidance

The EclA relies on bat activity surveys undertaken on 29 September 2022, with no updated surveys in 2023, 2024 or 2025. This means the bat data is now several years out of date. For a major development affecting habitats assessed as having moderate to high suitability for foraging and commuting bats, Bat Conservation Trust (BCT) guidance requires current-season surveys and repeat survey effort where more than 12–18 months have passed. Bat activity and commuting behaviour can change significantly from year to year due to alterations in lighting, vegetation structure, weather patterns, and changes in roost availability in the wider landscape. Because of this, BCT guidance treats bat surveys as time-limited evidence. Surveys from 2022 cannot be considered valid for a planning application being assessed in 2026. The presence of trees with Potential Roost Features and habitats that could support maternity or transitional roosts further increases the requirement for up-to-date, multi-season survey data. Reliance on outdated surveys means the ecological baseline is incomplete and the Council cannot lawfully apply the three tests under the Habitats Regulations. Without current data, the applicant has not demonstrated that the development will maintain the favourable

conservation status of local bat populations. This is a material planning issue that prevents the application from being determined until new, full-season bat surveys are completed.

5. Adverse Effects on Breeding Birds

The EclA confirms multiple breeding bird territories across woodland, scrub and grassland. The development would remove nesting and foraging habitat, and the scale of habitat loss means disturbance and loss of active nests is unavoidable. Breeding birds are protected under the Wildlife and Countryside Act 1981, and mitigation cannot prevent this level of impact.

6. Great Crested Newt – Habitat Suitability and Risk

The SuDS pond scored “Good” on the Habitat Suitability Index for great crested newt, triggering eDNA testing. Even where eDNA is negative, NatureScot guidance requires a precautionary approach when habitat suitability is high. The development risks destroying potential amphibian habitat without adequate safeguards.

7. Inadequate Mitigation and Over-Reliance on Future Off-Site Measures

The EclA states that biodiversity enhancements will be delivered off-site at Myrtle Avenue, with a planning application not expected until 2026. This approach is not secured, not guaranteed, and not available to mitigate impacts during construction. NPF4 requires on-site enhancement wherever possible. A development cannot rely on speculative future compensation to offset immediate ecological harm.

8. Survey Limitations and Insufficient Baseline Data

The EclA acknowledges limitations including restricted access, seasonal constraints, and potential under-recording of species such as badger, otter, water vole and amphibians. Scottish planning policy requires the precautionary principle where uncertainty exists. The application does not meet this standard.

9. Cumulative and Irreversible Ecological Impacts

The proposal would result in permanent loss of habitat, fragmentation of wildlife corridors, reduction in ecological connectivity across Lenzie, and loss of a key greenspace that supports urban biodiversity. These impacts are significant, long-term, and cannot be fully mitigated.

10. Loss of Public Amenity and Community Wellbeing

Whitegates Park is a heavily used community greenspace providing informal recreation, dog walking, children’s play, access to nature, mental and physical health benefits

NPF4 recognises the importance of accessible greenspace for community wellbeing and climate resilience. Removing a park of this scale in a densely populated residential area would significantly reduce local amenity and contradict national policy objectives on health, wellbeing and placemaking.

11. Climate Resilience and Nature-Based Solutions

NPF4 places strong emphasis on climate adaptation and nature-based solutions. Whitegates Park currently provides -natural drainage and flood mitigation, cooling during heatwaves, carbon sequestration through vegetation, permeable surfaces reducing runoff. Replacing this with buildings, hardstanding and artificial surfaces increases flood risk, reduces climate resilience, and contradicts NPF4’s climate-positive development principles.

12. Reasonable Alternative Sites Exist

The Habitats Regulations require that European Protected Species must not be harmed if reasonable alternatives exist. In this case -

- East Dunbartonshire Council has multiple potential school sites.
- The existing Lenzie Academy site is already developed and could be redeveloped.
- Other brownfield or underused sites exist within the authority area.

Choosing a designated public park, one of the few remaining large greenspaces in Lenzie, cannot be justified when alternatives are available. This directly undermines the legal tests for EPS disturbance and the spatial strategy of NPF4.

Conclusion

The proposed development at Whitegates Park conflicts with NPF4 Policy 3, removes designated open space protected under LDP2, causes significant harm to protected species and habitats, fails to demonstrate biodiversity enhancement, relies on unapproved off-site compensation, presents legal risks relating to European Protected Species, undermines climate resilience, reduces public amenity, and ignores reasonable alternative sites.

For these reasons, the application should be refused.

Please can you confirm receipt of this email.

