

# Agenda



## Planning Committee

**Date:** Wednesday, 20 September 2023

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**Time:** 10.00 a.m.

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**Venue:** Civic Space, Council Offices, 16 Church Street, Dumbarton, G82 1QL.

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**Contact:** Email: [nicola.moorcroft@west-dunbarton.gov.uk](mailto:nicola.moorcroft@west-dunbarton.gov.uk)  
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Dear Member

Please attend a meeting of the **Planning Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

**PETER HESSETT**

Chief Executive

Distribution:-

Councillor Lawrence O'Neill (Chair)  
Councillor Gurpreet Singh Johal (Vice Chair)  
Councillor Ian Dickson  
Councillor Daniel Lennie  
Provost Douglas McAllister  
Councillor June McKay  
Councillor Karen Murray Conaghan  
Councillor Chris Pollock  
Councillor Hazel Sorrell  
Councillor Sophie Traynor

All other Councillors for information

Date of Issue: 7 September 2023

**PLANNING COMMITTEE**  
**WEDNESDAY, 20 SEPTEMBER 2023**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have any interests in the items of business on this agenda and the reasons for such declarations.

**3 OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**4 MINUTES OF PREVIOUS MEETING 5 -10**

Submit for approval, as a correct record, the Minutes of Meeting of the Planning Committee held on 2 August 2023.

**5 NOTE OF SITE VISITATION 11 -12**

Submit, for information, Note of Site Visitation carried out on 31 July 2023.

**6 PLANNING APPLICATIONS**

Submit report by the Planning, Building Standards and Environmental Health Manager – in respect of the following Planning applications:-

**(a) DC23/098/FUL** - New build education and community campus **13 - 34**  
comprising of new Early Years, Primary schools, ASN unit,  
library and community facilities, together with associated parking,  
sports facilities and landscaping at St. Joseph's Primary School,  
Faifley Road, Clydebank, G81 5EY by West Dunbartonshire Council.

**(b) DC23/083/FUL** - Proposed erection of 27 affordable dwellings **35 - 56**  
and associated works at development site at Former Faifley  
Bowling Club, Clydebank by Knowes Housing Association.

	(c) <b>DC23/102/FUL</b> - Proposed erection of 26 dwellings with associated ancillary development at development site, Pappert, Bonhill, Alexandria by West Dunbartonshire Council (Housing).	<b>57 - 78</b>
	(d) <b>DC23/070/FUL</b> - Change of use from cafe to tyre change garage at 6 Old Street, Duntocher, Clydebank G81 6DE by Mr Peter Ferrier.	<b>79 - 90</b>
<b>7</b>	<b>DEVELOPMENT PLAN SCHEME AND PARTICIPATION STATEMENT FOR LOCAL DEVELOPMENT PLAN 3</b>	<b>91 - 126</b>
	Submit report by the Planning, Building Standards and Environmental Health Manager, seeking approval for a consultation draft Development Plan Scheme and Participation Statement in relation to a new Local Development Plan (LDP3).	
<b>8</b>	<b>INVITATION TO MAKE LOCAL PLACE PLAN</b>	<b>127 - 152</b>
	Submit report by the Planning, Building Standards and Environmental Health Manager, seeking approval for an approach to Local Place Plans, which will deliver new duties arising from the Planning (Scotland) Act 2019.	

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## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank G81 1UB on Wednesday, 2 August 2023 at 10.00 a.m.

**Present:** Councillors, Ian Dickson, Gurpreet Singh Johal, Daniel Lennie, June McKay, Lawrence O'Neill, Hazel Sorrell and Sophie Traynor.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; James McColl, Development Management Team Leader; Amy Melkevik, Lead Planning Officer; Ashleigh Ross: Technical Support Co-ordinator; Nigel Ettles, Section Head – Litigation (Legal Officer) and Nicola Moorcroft, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf Provost Douglas McAllister and Councillors Karen Murray Conaghan and Chris Pollock

**Councillor Lawrence O'Neill in the Chair**

### DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 14 June 2023 were submitted and approved as a correct record.

### OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

## NOTE OF SITE VISITATIONS

A Note of Visitations carried out on 12 June 2023, a copy of which forms Appendix 1 hereto, was submitted and noted.

## PLANNING APPLICATIONS

A report was submitted by the Planning, Building Standards and Environmental Health Manager – in respect of the following Planning application:-

**DC22/190/FUL - Erection of single wind turbine, 30m hub and 43m tip, access track, substation, agricultural shed and associated works at Land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.**

Reference was made to a site visit that had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager and the Development Management Team Leader were heard in further explanation of the report and in answer to Members' questions.

The Chair invited Mr David Bole, objector, to address the Committee. Mr Bole was heard in support of his objections and in answer to Members' questions.

The Chair invited Mr Harry Scammell, objector, to address the Committee. Mr Scammell was heard in support of his objections and in answer to Members' questions.

The Chair invited Mr Robert Goodall, objector, on behalf of Beechwood and Wheatcroft Residents Association to address the Committee. Mr Goodall was heard in support of the objections from Beechwood and Wheatcroft Residents Association and in answer to Members' questions.

After discussion and having heard the Development Management Team Leader, in further explanation, and in answer to Members' questions, the Committee agreed to refuse planning permission for the reasons set out in Section 9 of the report, as detailed within Appendix 2 hereto.

## CLYDEBANK BUSINESS PARK PLANNING GUIDANCE

A report was submitted by the Planning, Building Standards and Environmental Health Manager seeking approval to consult on draft Planning Guidance relating to Clydebank Business Park.

After discussion and having heard the Planning and Building Standards and Environmental Health Manager, in further explanation, and in answer to Members' questions, the Committee agreed to approve the publication of the draft, Clydebank Business Park Planning Guidance in Appendix 1 of the Report, for consultation for a 12-week period.

## **EFFECTIVE COMMUNITY ENGAGEMENT IN LOCAL PLANNING GUIDANCE**

A report was submitted by the Planning, Building Standards and Environmental Health Manager seeking agreement to submit a response to the Scottish Government Consultation on Effective Community Engagement in Local Planning Guidance .

After discussion and having heard the Planning and Building Standards and Environmental Health Manager in further explanation, and in answer to Members' questions, the Committee agreed the proposed Council response set out in Appendix 1 of the Report.

## **STREET NAMES FOR HOUSING DEVELOPMENT AT GLASGOW ROAD – MILL ROAD, CLYDEBANK**

A report was submitted by the Planning, Building Standards and Environmental Health Manager seeking approval to allocate two new street names within the new housing development at Mill Road/Glasgow Road, Clydebank.

After discussion and having heard the Planning and Building Standards Environmental Health Manager, in further explanation, and in answer to Members' questions, the Committee agreed to delegate the decision on the two new street names, within the new housing development at Mill Road/Glasgow Road, Clydebank, to the Convenor, the Planning and Building Standards Environmental Health Manager, in conjunction with Ward Councillors and in consultation with Clydebank East Community Council. The decision as to the agreed street names to be reported to the next meeting of the Planning Committee.

## **CONSULTATION ON SCOTTISH GOVERNMENT REVIEW OF PERMITTED DEVELOPMENT RIGHTS – PHASE 3**

A report was submitted by the Planning, Building Standards and Environmental Health Manager regarding the above.

After discussion and having the Planning, Building Standards and Environmental Health Manager regarding the above in further explanation, and in answer to Members' questions, the Committee agreed the proposed Council responses set out in Appendix 1 of the Report.

The meeting closed at 11.25 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 12 JUNE 2023

**Present:** Councillors Jim Bollan (first site only), Karen Conaghan, Chris Pollock, and Gurpreet Singh Johal.

**Attending:** Pamela Clifford - Planning, Building Standards and Environmental Health Manager and James McColl - Development Management Team Leader.

SITE VISITS

Site visits were undertaken in connection with the undernoted planning applications:-

**Land at Mixed Use Development Site, Mitchell Way, Alexandria**

DC22/201/FUL - Erection of Class 1 foodstore and associated access, parking, landscaping and associated works access, parking, landscaping and associated other works by Lidl Great Britain Limited.

**Kilmalid, Stirling Road, Dumbarton G82 2SS**

DC22/156/FUL - Relocation and reconfiguration of current car parking area, new employee vehicular entry and exit access routes from existing roundabout, relocated on-site lorry parking, rerouted internal access roads and associated works by Chivas Brothers Ltd.



**DC22/190/FUL - Erection of single wind turbine, 30m hub and 43m tip, access track, substation, agricultural shed and associated works at Land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.**

It has not been demonstrated that the proposed agricultural shed is being provided in association with an agricultural land holding, nor has the nature of any farming operation at this location been quantified. Therefore, it cannot be concluded that the proposed shed is specifically required to support agriculture at this green belt and the shed would result in unjustified sporadic development within the green belt location. It is thus not a form of development that is supported in the green belt by Policy 8 – Green Belts of the National Planning Framework 4, Policy GB1 – Green Belt of the adopted West Dunbartonshire Local Development Plan, Policy GB1 – Greenbelt and Countryside of the proposed West Dunbartonshire Local Development Plan 2.



**PLANNING COMMITTEE**

**NOTE OF VISITATION – 31 JULY 2023**

**Present:** Councillor Ian Dickson

**Attending:** James McColl, Development Management Team Leader and Amy Melkevik, Lead Planning Officer.

**SITE VISIT**

A site visit was undertaken in connection with the undernoted planning application:-

**Land to East of Broomhill Wood, Bonhill, Alexandria**

**DC22/190/FUL** - Erection of single wind turbine, 30m hub and 43m tip, access track, substation, agricultural shed and associated works by Mr Harris Smith.



## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 20<sup>th</sup> September 2023

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**DC23/098/FUL: New build education and community campus comprising new early years, primary schools, Additional Support Needs unit, library and community facilities together with associated parking, sports facilities and landscaping at St Joseph's Primary School, Faifley Road, Clydebank, by West Dunbartonshire Council**

### 1. REASON FOR REPORT

- 1.1 The application proposal comprises a major development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

### 2. RECOMMENDATIONS

- 2.1 **Grant planning permission** subject to the further conditions detailed in Section 9 below.

### 3. DEVELOPMENT DETAILS

- 3.1 The application site comprises St Joseph's RC Primary School and associated grounds, and is located in Faifley Rd, Faifley. The site is on the opposite side of the road from St Joseph's Roman Catholic Church and east of the Faifley Knowes. It occupies an area of approximately 21,891sqm in the shape of a diamond. The north-eastern perimeter of the site faces onto Faifley Rd at Lawmuir Cres, with three vehicular access points providing access to the current school's car parks and grounds. To the north of the site lies the former janitor's house once associated with the school, beyond which there is an area of open space bounded from the north by Faifley Rd which curves and continues west at this point. The north-western perimeter is alongside the area of greenspace which continues in the southern direction along Abbeylands Rd to join Knowes Woodlands. The south-western boundary is along the edge of the residential area formed of Langfaulds Cres and Hart St, while the south-eastern perimeter meets with the rear gardens of the residential properties at Quarryknow and Abercorn Streets. In addition to the existing school building, the site has a number of hardstanding areas including parking and a play areas around the school building. The site is relatively level with its elevation increasing slightly towards its rear

at the southern corner of the plot. An established group of trees along the south eastern perimeter facing onto the rear curtilages of the properties in Quarryknow and Abercorn Streets can be found. Otherwise, the remainder of the site is grassed.

- 3.2** The proposal is for a new educational and community campus on the current St Joseph's site which will replace the current buildings and will co-locate St Joseph's RC Primary, Edinbarnet Primary and Lennox Early Years, Auchnacraig Early Years together with community facilities to replace the Skypoint Centre and a new library.
- 3.3** The current school buildings at St Joseph's and Edinbarnet require to be renewed due to their condition and will be replaced with new accessible campus that is designed to deliver the Curriculum for Excellence. The Skypoint Centre, also located in Faifley, which provides local community services, is under-utilised, and has reached the end of its serviceable lifespan. The new facility will be a significant investment by the Council in the area and will provide a service hub for the local community. The proposed new campus will be designed and built to passivhaus design standards. This will significantly reduce ongoing maintenance and running costs of the existing separate facilities and it will provide a response to the Scottish Government's Climate Change Bill to target net-zero carbon emissions by cutting greenhouse gas emissions against the 2045 target set by the government.
- 3.4** The various facilities would be contained within a single new building to be constructed to the south west of the existing school building. The footprint of the new building, predominantly L-shaped, would measure approximately 3,321sqm. It will be three storeys in height at the highest point which will allow for greater outdoor space for play and learning and the intended community facilities. A new temporary area of hardstanding will be built in the east of the site; as the project progresses through its phases, an all-weather sports pitch measuring 1,962sqm and an adjacent multi-use sports pitch (MUGA) measuring 318.5sqm playground area will be constructed during the latter phases of the development. The building design is contemporary and features pronounced massing, spread over three levels overall across the north-western half of the complex, and a single level across the south-eastern half. When viewed from the west and the east, the massing and the shape of the building is softened by the stepped roof level arrangement. Quality materials have been proposed with natural facing brick and sinusoidal metal cladding, perforate aluminium panels and flat metal cladding, as well as aluminium curtain walling and aluminium glazed windows and glazed and solid doors.
- 3.5** The campus will provide a progression of learning up through the building and provide a number of community facilities. In terms of the specific layout, the following will be found within the proposal:

- Ground floor: Community facilities space (incl. meeting room), school and community library, school office, conference and multipurpose rooms, dining space with the associated kitchen facilities and various stores to serve to campus, an assembly hall/gymnasium with the associated changing and storage facilities, school teaching and nurture rooms. Moreover, the south-eastern wing of this floor will feature the Early Learning Centre to consist of, staff room and associated storage rooms, dedicated playrooms for the 0-2, 2-3 and 3-5yrs age groups and the associated dining and food preparation area, toilet and boot room as well as guest and quiet rooms.
- First floor: Primary 1 and 2-3 Learning Zones with the associated Music Room and stores and external terrace and internal flexible teaching spaces, ERS training suites, meeting rooms, ASN teaching spaces with a kitchenette and a dining space and the associated changing facilities and cloak rooms with bathrooms.
- Second floor: Primary 4-7 Learning Zones with the associated facilities and stores and external terrace and internal flexible teaching spaces, nurture rooms and a conference/multipurpose office, ASN teaching spaces with a kitchenette and a dining space and the associated changing facilities and cloak rooms with bathrooms, and staff rooms with a shared kitchen and workbases and dedicated toilets.

**3.6** The new build will be delivered in distinct Phases as a “tandem-build” with the existing St Joseph’s school buildings remaining operational during the Phase 1 works. Solid Hoarding delineation will be introduced to live school boundary with fencing to alternative perimeters. Separate vehicular and pedestrian access/egress points will be introduced to ensure the school and construction site can operate independently. To protect the site throughout the build, it will be monitored remotely through newly introduced security CCTV, including outwith live operational hours of the site. The phasing submitted with the application suggests that, subject to the necessary permissions, the project is scheduled to commence in November 2023 with an outline duration of 27 months.

**3.7** Once the new building is completed and occupied, the existing school building will be demolished and parking provision and a drop-off area for the site will be constructed in its place, with access from Faifley Rd. The car park will contain 95 parking spaces and six disabled parking spaces with the associated footway access will be built. Twelve of the spaces will provide electric vehicle (EV) charging facilities, with another 38 spaces having capacity for future conversion to accommodate additional EV parking requirement.

**3.8** Spaces for outdoor learning, socialising and physical activity are proposed and would be located to the rear of the newly built campus, overlooking the rear curtilages of the residential area south of the site. The area would include natural play and interactive equipment, a playground over an area of hard surfacing to feature painted on play area

markings, and the separated area closest to the rear elevation of the campus with sections dedicated for the particular age groups (0 -5yrs) and external dining areas with seating.

- 3.9** In support of the proposal the applicant has submitted a range of supporting documentation and information including a series of Ground Investigation reports and Remediation Strategy, Air Quality Impact Assessment, GPR and Topographical Statement, Proposed Phasing and Phasing Narrative documents, Transport Statement and Travel Plan Framework, Design and Access Statement, Landscape Design and Access Statement, Pre-application Consultation Report, Proposed Floodlighting, Ecological Constraints and Preliminary Roost Assessment, Development Drainage Impact Assessment, Tree Survey, Bat Survey, solar/overshadowing assessment and Noise Impact Assessment ..

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection in respect of roads and parking matters, together with flooding.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to noise, delivery times, hours of work during construction, piling method statement provision, contaminated land remediation works implementation and unexpected contamination, validation of soils, dust control and control of light from outdoor facilities.
- 4.3** Scottish Water has no objection to the proposed development.
- 4.4** West of Scotland Archaeological Service has no objection to the proposal subject to a condition regarding the implementation of a programme of archaeological works.
- 4.5** Glasgow Airport has no objection to the proposal subject to conditions relating to a Bird Hazard Management Plan and soft landscaping in relation to bird hazards.
- 4.6** West Dunbartonshire Council Biodiversity Officer has no objection. Points relating to the ecology report and further bat surveys, biodiversity enhancements and landscaping proposals can be addressed by conditions.
- 4.7** West Dunbartonshire Council Greenspace has no objection but points relating to the size of the community allotment area, the location of the sports pitches and planting proposals are highlighted and are addressed in Section 7 of the report.



## **5. REPRESENTATIONS**

**5.1** No representations have been received.

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### **6.1** National Planning Policy 4

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13<sup>th</sup> of February 2023 and now forms part of the Development Plan.

**6.2** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

**6.3** As a part of the site would be brownfield following demolition of the existing primary school, Policy 9 – Brownfield, vacant and derelict land and empty buildings applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.

**6.4** Policy 13 supports proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs. This includes proposals for electric vehicle charging infrastructure.

**6.5** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.

**6.6** Under part (f) of Policy 19 proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.

**6.7** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.

**6.8** Policy 22 Flood risk and water management states that proposals will : not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.

**6.9** The proposal is considered to be in accordance with these policies as discussed in Section 7 below.

West Dunbartonshire Local Plan 2010

**6.10** Policy PS1 supports the continued use of the site as a public service. This policy also seeks to protect amenity of surrounding neighbourhoods. Policy GD1 outlines the need for all new development to be of a high design quality. Policy H5 safeguards and where possible enhances the character and amenity of existing residential area. Policy T1 and T4 requires sites to be integrated with sustainable travel. Policy E1 relates to the Councils Biodiversity duty and Policy E5 requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. Policy DC7 supports the inclusion of on-site micro-renewable technologies.

**6.11** The proposal is considered to be in accordance with these policies as discussed in Section 7 below.

**7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

**7.1** On 15<sup>th</sup> March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.

**7.2** The site is also identified in this plan as being within an existing neighbourhood where policy H4 seeks to protect residential areas from any development which would adversely affect its amenity. Policies CP1, CP2 and CP4 are all related to enhancing the quality of design and improving green infrastructure across West Dunbartonshire. Policy CON1 requires proposals to be in accordance with designing streets

guidance and promotes sustainable forms of transportation and active travel. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.

**7.3** RE4 encourages micro-generation and heat recovery technologies within or associated with individual properties and Policy RE5 relates to low and zero carbon buildings and states that new buildings should conform to the sustainability standards. Policies ENV1, ENV4, and ENV6 are all similar to the ecology and tree, water environment and flooding policies of the adopted Local Plan

**7.4** The proposal is considered to be in accordance with all of the above policies for the reasons discussed below.

#### Creating Places Guidance and Green Network and Green Infrastructure Guidance

**7.5** The Creating Places Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context, and sets out that this is expected for all development proposals. The proposal has been informed by a comprehensive pre-application as encourage by the guidance and has been considered by the Place and Design Panel. This has resulted in a development proposal that achieves a high quality design that responds to the local context and accords with the approach set out in the Guidance.

**7.6** The Green Network and Green Infrastructure Guidance - November 2022 seeks to ensure that landscaping and green infrastructure is integrated into the proposal as part of the setting and curtilage of the new building. This will include a focus on biodiversity enhancement and also the creation of a community growing space. The proposal accords with the approach set out in the Guidance.

#### Principle of Development

**7.7** The site is currently occupied and is situated within a well-established predominantly residential area. The adopted Local Plan specifically supports the continued use of the site as a public service. The sustainable re-use of brownfield land and previously developed sites is supported through Policy 9 of NPF4. It is acknowledged that the site is currently occupied and the existing buildings are in use as a school. It is therefore not currently vacant or derelict, nor are the existing buildings disused. With the site being re-developed on a tandem build basis, on the completion and occupation of the new building, the existing building will be vacated. The existing building will at that point become redundant and be demolished to allow the second phase of the development to commence. The re-use of the previously developed site overall is supported. Whilst Policy 12 sets a clear preference for the re-use of the existing buildings, it is accepted that the existing building on site are in

poor condition and have become life expired, as have the buildings/facilities on other sites in Faifley that the new facility will replace.

**7.8** The site has been used as a primary school for many years. The proposal would result in the continuation of this educational use and would replace the existing building and facilities, with high quality modern educational facilities. The proposal involves the co-location of Edinbarnet Primary School, St Joseph's RC Primary School, Education Resource Centre (currently located at Edinbarnet), Early Learning and Childcare Centre Provision (Auchnacraig/Lennox), Additional Support Needs Facility (currently at St Joseph's RC Primary School), along with creation of a new Community Library and a community space, leading to a more efficient grouping of these facilities within the community. Whilst the site currently contains only a single school, it is considered that the site is large enough to accommodate all of these uses and that the principle of redeveloping the site as a new educational campus is acceptable.

**7.9** As such, the principle of the development of the site for new school and community complex is supported on this site by planning policy.

#### Site Layout, Design and Appearance

**7.10** The building is sensitively located within the site so as not to over dominate surrounding residential streets and the Faifley Road thoroughfare. To the north end of the site, a new school frontage and public zone faces towards the centre Faifley Road and would provide a welcoming arrival point via the proposed entrance plaza. Another potential entry point for pedestrians may be formed at the north-western part of the plot from Faifley Knowes. Convenient and accessible parking and drop-off provision is provided at this location; separation of staff/visitor parking along with EV charging facilities is provided within the site. Access to the playground for school and the campus building itself will be via the main gate and the aforementioned plaza to Faifley Road. It is considered that this will reactivate this important part of Faifley, adding a focal point to this part of Faifley Road. Towards the north-east of the site would be a new fenced all-weather sports and MUGA pitches with proposed community allotment separating the former from the street level. This would create a strong boundary and screening from the residential properties beyond. In the south-eastern corner of the site, closest to Hart St, a forest school with a habitat zone and associated trail would be formed to provide areas for forest school type outdoor activities. Overall, it is considered that the proposed layout is well considered and sensitive to surrounding uses. Spaces for outdoor learning, socialising and physical activity including the variety of sports pitches, open and informal areas, natural play equipment, seating and community allotment space to grow fruit and vegetables are to be provided and will create a stimulating variety of settings with differing characters which is supported.

**7.11** The building is of a striking and contemporary design and provides a landmark feature in this part of Faifley. It utilises a limited palette of high quality, durable and robust materials; it is a refined and appropriate form within its context. The proposed materials have been inspired by the Cochno Stone which is a large cup and ring marked rock at Auchnacrig Faifley. The proposed clay brick has a very natural look with the use of earthy tones. This will result in a bold statement building that rises three storeys thus providing prominence in the local community. It is of a greater height than that of the existing school building, which is reflective of the intended amalgamation of schools and learning centres and a variety of community services however the three storey building does not overdominate the site or the relationship to the adjacent residential properties. Staggered roof terraces on either end of the edifice reduce the overall building mass and create a visually interesting building. The terraces will maximise natural daylight and ventilation deep into the building and provide views out to the south, including the tree-covered landscape of the Faifley Knowes. They will also provide educational benefits with external learning and teaching directly accessible from internal learning and teaching zones. In contrast to the brickwork, a light weight cladding is proposed to the upper levels and is to be finished in a warm metallic copper tone which aims to celebrate the new campus, creating a landmark for Faifley and again influenced by the Cochno Stone. Equally proportioned cladding panels and glazing are designed to create a consistent rhythm to the façade. Overall, the proposed building is considered to be of a high quality and modern design which will provide a centrepiece for this part of West Dunbartonshire and contribute to and encourage the wider regeneration of Faifley. The bold design will continue the high standard set by other school facilities within West Dunbartonshire (for example the recently built Renton Campus).

#### Low carbon design and technologies

**7.12** One of the key elements of the design proposals is the low energy strategy the new building will adopt. Passive design principles will ensure that the development is not only low energy standard but also maximises visual and thermal comfort for users. The building will be designed with enhanced fabric thermal performance including high levels of insulation and airtightness together with shading canopies, low energy lighting, air source heat pump and photovoltaic panels. Such an approach ensures that the proposal minimises greenhouse emissions and incorporates low carbon infrastructure and thus embraces the requirements and aspirations set out by NPF4 and contributes towards the Council meeting their net zero targets. .

#### Residential amenity

**7.13** The new school building has been sensitively sited to ensure an adequate degree of separation with the closest residential properties to the north east and south west and to ensure the building is not overbearing or creating adverse overshadowing or overlooking. This

separation ranges from 25 metres to 35 metres at the closest points. A solar assessment considering potential overshadowing was carried out as part of the assessment of the application and shows that there would be no unacceptable overshadowing of these properties.

**7.14** Schools by their nature are busy locations which generate a lot of activity at either end of the school day, and noise from children playing outdoors at intervals/ lunchtime is inevitable. However, the site has operated as a primary school for many years and the proposed increase in the size of the school is not considered to significantly increase the impact on nearby residents.

**7.15** Noise from the proposed sports pitch is considered in the applicant's noise impact assessment and it is noted that noise impact increases after 8pm when ambient noise levels reduce and that limitations on the use of the pitch may be necessary from around 8pm to 9pm. An acoustic barrier is recommended as are vibration reducers to reduce ball impact noise. The Council's Environmental Health Service offers no objections on the ground of noise subject to conditions relation to noise mitigation and hours of operation which would require in the use of the pitch ceasing at 8pm. Considering the wider site, further mitigation in respect of plant and equipment can also be addressed by condition.

**7.16** Turning to the floodlighting of the proposed pitch, Environmental Health are content that providing the floodlighting is not used after 10pm, no adverse disturbance would be caused to nearby residential property from obtrusive lighting. As the pitch will be restricted to 8pm to address noise concerns, the floodlighting will not be in use after this time.

**7.17** Any development site whilst under construction will produce an element of short term noise and disruption, the Council's Environmental Health Service highlight the requirement that the construction of the development is undertaken in a way that ensures that adjacent residential amenity is not adversely affected. A range of conditions are recommended and it is considered appropriate to attach these. These include restricting working hours to 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays. Conditions relating to piling and dust control are also recommended.

#### Ecology

**7.18** There are no environmental designations covering any part of the site nor are there any in the surrounding area. A preliminary ecological appraisal inclusive of preliminary bat roost assessment has been undertaken to inform the application proposal. A small watercourse is noted to the north of the site but this is unlikely to provide for suitable use by otters due to its screened and culverted character. The school building have been assessed as having moderate potential to host roosting bats but negligible suitability for winter hibernation. No trees were found to have suitable roost features. No field signs of badger were identified and it is noted that the buildings and vegetation on site may

provide opportunities for nesting birds. The appraisal identifies the need for a minimum of two bat activity surveys within the bat activity season (May to August inclusive) to determine the presence of bats.

**7.19** As bats are a European Protected Species (EPS) addressing protected species by suspensive conditions is not an appropriate approach when it comes to establishing the potential impact on EPS as it must be ascertained whether protected species are on site and what the implications of this might be before considering whether to approve a planning application. In this case, the roost potential of the building have been established. The demolition of the buildings on site will be the last phase of the development and likely commence late 2025. Activity surveys will therefore be required during the 2025 survey season. Notwithstanding this, a single dusk activity survey has been undertaken to provide details on bat activity within the area. The ecologist advises that there were no bats emerging from the buildings. However, there were foraging and commuting behaviour of soprano pipistrelles along the treelines and the surrounding building. This ensures that the application determination is based on an informed position relating to bat activity. A condition requiring a minimum of two activity surveys [dusk and dawn] in the survey season prior to the demolition of the buildings can be addressed by condition. This is considered an appropriate approach given that the building is still occupied and that preliminary bat surveys have been undertaken which gives a baseline for future bat surveys.

**7.20** A variety of further recommendations are contained within the preliminary ecological appraisal including Tool Box Talks for contractors, root protection areas for trees, tree and vegetation removal to be avoided outwith the bird nesting season, and biodiversity enhancement measures. These matters can be addressed by condition. The Council's Biodiversity Officer also offers no objections in respect of the proposal in respect of ecological impact or the findings of the ecological appraisal although highlights the requirement for a precautionary position relating to possible presence of bats. The biodiversity enhancements identified in the landscaping proposals are welcomed.

#### Trees and Landscaping

**7.21** A variety of trees exist within the site. The function of these trees was to provide part of the landscape setting of the school that currently occupies the site. The trees are not protected. It is accepted that seven individual trees and a dense grouping to the eastern boundary are to be removed to accommodate the development. It is not considered that they are significant specimens and new tree planting is provided as part of the new development. The Council's Biodiversity Officer advises that the lost trees should be replaced at a ratio of 2:1 and the landscape plan suggests that will be the case but no planting schedule is provided. This can be addressed by condition.

**7.22** The greenspace within the site forms part of the curtilage of the existing school and not open space provided for the purposes or recreation or forming part of the wider green network.

**7.23** Considering landscaping and outside space, a high quality approach is taken with an arrival plaza from Faifley Road creating a sense of arrival with a combination of hard and soft landscaping. Screening trees and shrub planting will soften the car park to the front of the building. Within the playground, a high quality outdoor learning environment will be created with varying landscape elements including mounds and undulating terrain, natural play areas, native tree planting, and wildflower meadow planting. A specific Additional Support Needs garden area will be provided including a sensory garden. To Faifley Road, a community growing space / allotment will be provided, and will be well positioned to become a focus for the community. Whilst the Council's Greenspace Team highlight concerns that this area is too small if it is to be a replacement for the allotments at Skypoint, the requirement for the retention of the existing allotments at Skypoint would be a matter to be considered in any proposals to re-develop the Skypoint site. The landscaping approach is also designed to enhance biodiversity. The final planting schedule can be addressed by condition and will allow the schedule to be agreed with the Council's Biodiversity Officer, The Council's wider Greenspace Team and Glasgow Airport.

#### Traffic, Parking and Road Safety

**7.24** A remodelled vehicular and public access to the campus is proposed accessing from Faifley Rd. This area will comprise 95 parking bays of which six are disabled bays. 54 of the parking spaces are accessed via a separate entrance/exit and would be dedicated to staff only; the remainder are mixed staff/visitor spaces, accessed via the secondary egress point along the front perimeter of the site in Faifley Rd. This level of car parking provision is acceptable to the Council's Roads Service. Electric vehicle charging points are included in the proposal, with 12 spaces served within the visitor car park. Cycle parking would also be provided in the form of 50 covered cycle spaces, 10 covered scooter spaces and 26 uncovered cycle stands within main public plaza (located close to building so there is natural surveillance). Overall, this provides a total of 76 cycles and 10 scooter spaces.

**7.25** While an acceptable provision of parking is to be provided, the school is located in the heart of the community it serves, and is in close proximity to the established bus stops in Faifley Rd and walking distance of the bus turning circle/terminal on the corner of Faifley Rd and the A810 Duntocher Rd. It is intended that the new campus will be accessed by walking, wheeling and cycling by the local community and this will further be in keeping with reducing the carbon footprint of the new campus. The proximity of the established residential areas currently served by the existing school, Edinbarnet Primary School and the various learning and community facilities currently scattered across Faifley, and the ready availability of the bus services should encourage walking, cycling



and use of public transport to travel to the new campus. A transport statement has been provided in support of the proposal and this sets out a variety of recommendations which are incorporated into the design. It is recommended that a staff travel plan be developed and this can be addressed by condition. A dedicated service vehicle access area along the north-western perimeter of the site has been provided for collection of refuse and deliveries. This will ensure there is no conflict with traffic flows and service vehicles will not need to enter the school ground.

- 7.26** The access, parking and servicing arrangements are all considered to be acceptable.

Flooding and Drainage

- 7.27** With respect to flooding and drainage, no flood risk assessment was required due to the site being outwith any areas of flood risk within the current SEPA maps. The Council's Roads Service is content that there is no requirement for a flood risk assessment. In terms of drainage, the application submission is informed by a drainage impact assessment together with full details of the proposed drainage regime and surface water flow pathways. Final details and implementation on site can be addressed by condition.

Other technical issues

- 7.28** A ground investigation report and remediation strategy have been submitted in support of the proposal and Environmental Health raise no concerns. Conditions are recommended to ensure the implementation of the remediation strategy and also to address the presence of any unexpected contamination. A condition is also recommended in respect ensuring the suitability of either re-using site won material or importing material to the site. Scottish Water offer no objections noting sufficient capacity in the local network for the development.

- 7.29** West of Scotland Archaeological Service (WOSAS) advises on a programme of archaeological works and this can be addressed by condition.

Place and Design Panel and Elected Member Briefing

- 7.30** The applicant and their project team engaged in a pre-application framework process with West Dunbartonshire Council Planning between August 2022 and March 2023. Four meetings were held in which comments were made by the Planning Service which are reflected in the submitted design. The design proposal was also reviewed by the Council's Place and Design Panel in October 2022. The Panel commended the aspiration to deliver a Passivhaus standard building on what is a constrained site. Credit was also given to the proposals overall with the 'campus concept' being welcomed. The panel noted the constraints of the site but welcomed the large entrance plaza. The Panel also considered the proposed buildings to respond sensitively to the location and supported the approach to the architectural language and

proposed material palette. The Panel considered that that the southern elevation could do more to announce itself as a key destination. The Panel also considered that the proposal should seek to maximise active travel connections and seek to promote a modal shift to reduce reliance on the private car. The comments of the panel were taken into account in concluding the final design.

**7.31** In developing the proposal, engagement workshops were held by the project team involving education, community and library teams. An online briefing was held on 15<sup>th</sup> February 2023 attended by 25 people, with a further community event held at Skypoint on 23<sup>rd</sup> February 2023 attended by 33 people. Two public consultation events were held as part of the statutory pre-application process at Edinbarnet Primary School on 22<sup>nd</sup> February 2023, which 34 people attended, and St Joseph's Primary School on 7<sup>th</sup> March 2023, which 43 people attended. The project team also undertook a presentation to school staff on 26<sup>th</sup> April 2023. The applicant's pre-application consultation report highlights that general feedback was very positive with the key themes from the events being access, parking and boundary treatments.

**7.32** An Elected Members briefing was held on 1<sup>st</sup> June 2023 where the project team presented the proposals to Elected Members. The proposals were well received by Members with comments that further discussion was required about the community facilities to be sited in the new campus to ensure they met requirements for existing community facilities which exist in Skypoint.

## **8. CONCLUSION**

**8.1** A high quality primary and early education and community facilities will be provided on a site which has a long history of use for educational purposes and is therefore consistent with all relevant planning policies. The new school campus has been designed and positioned to provide a civic presence within the Faifley community and will enhance the setting this part of Faifley. It has been designed to a very high standard and its bold design and use of quality materials will provide a landmark presence. It has been designed to ensure that it does not impact on the amenity of adjacent residential properties.

**8.2** The proposal will result in a high quality new educational and community facility that presents no conflict with the policy requirements of NPF4, the adopted Local Plan and the proposed Local Development Plan and it will support the continued regeneration of the wider Faifley area.

## **9. CONDITIONS**

1. The external materials to be used in the construction of the building hereby permitted shall accord with the details set out on approved drawing FC-HML-01-ZZ-D-A-48100 Rev PO3 and no substitutes shall be used without the prior written agreement of the Planning Authority.

2. Further to Condition 1 above, prior to the approved brickwork associated with the building hereby permitted being constructed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
3. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
4. The phasing of the development shall be undertaken in accordance with the phasing details hereby approved and following the commencement of works on site, the development phasing will be undertaken on a continuous basis until completion, unless otherwise first agreed in writing by the Planning Authority.
5. Notwithstanding the approved plans, all recommendations within the Ecological Constraints Survey and Preliminary Bat Roost Assessment dated 1<sup>st</sup> December 2022 shall be followed. Further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and implemented as approved.
6. Notwithstanding condition 5 above and for the absolute avoidance of doubt, a minimum of two bat activity surveys (dusk and dawn) shall be undertaken in the activity season immediately preceding the demolition of the existing building on site. The survey results shall be submitted to and approved in writing by the Planning Authority prior to any demolition commencing on site.
7. Notwithstanding condition 5 above, no site clearance works shall be undertaken during any phase during the bird-nesting season March to September inclusive unless first agreed in writing by the Planning Authority. For the avoidance of doubt, any such agreement will require a full nesting bird survey prior to the commencement of works on site, the methodology and findings of which shall be submitted to the Planning Authority.
8. The approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed with the Planning Authority prior to the commencement of works on site..
9. Notwithstanding the approved plans, full details of the proposed planting schedule, inclusive of proposed tree planting on a two for one basis relative to those being removed, shall be submitted to and approved in

writing by the Planning Authority prior to the commencement of any works on site and shall be implemented with a timescale to be agreed with the Planning Authority.

10. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
11. That full details of maintenance and management for the landscaping approved shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the new building hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
12. Details of the management and operation of the community allotments shall be submitted to and approved by the Planning Authority prior to the occupation of the new building hereby permitted. Management and operation shall then be undertaken in accordance with the approved details at all times thereafter.
13. Notwithstanding the submitted details, that prior to the commencement of works on site, a final drainage regime inclusive of maintenance arrangements shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the development.
14. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
15. That prior to the commencement of works on site, a bird hazard management plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include:
  - Management of any flat / shallow pitched / green roofs on buildings within the site which may be attractive to nesting, roosting and loafing of birds. The management plan shall comply with Advice Note 8: Potential Bird Hazards from Building Design

The Bird Hazard Management Plan shall be implemented as approved and on completion of the development shall remain in force for the lifetime of the development. No subsequent alterations to the plan are to

take place unless first submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.

16. No development shall take place until full details of soft and water-landscaping works have been submitted to and approved in writing by the Planning Authority. Details shall comply with Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design. These details shall include the species, number and spacing of shrubs and trees

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The scheme shall also be implemented as approved.

17. The noise mitigation requirements detailed in the Noise Impact Assessment – Report no. 7355-05-00 Rev 00 and Report no. 7355-04-00 dated 7 June 2023 and 3 May 2023 relating to plant and mechanical services and sport pitch shall be implemented in full, namely:

- The roof top plant compounds shall have compliant plant screens as barriers that is having no gaps at the foot or between panels and a lifetime surface density of 10kg/m<sup>2</sup>.
- The sports pitch shall not be used outwith the hours of 8am to 8pm daily.
- The sports pitch shall have rubber vibration reducers between the weldmesh fencing panels to reduce ball impact noise.

18. All plant and equipment (including any ventilation system) to be installed or operated shall be enclosed, attenuated and/or maintained such that any noise there from shall not exceed International Standards Organisation (ISO) Noise Rating 35 between 0700 and 2300 hours daily, within any nearby residential property, with windows slightly open for ventilation, when measured and/or calculated and plotted on an ISO rating curve chart.

19. In the event that the sports pitch floodlighting requires to operate outwith the hours of 8am to 8pm of use of the sports pitch set out in condition 17 above, it shall be switched off by 10pm.

20. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

- Mondays to Fridays: 0800 – 1800
- Saturdays: 0800 – 1300

- Sundays and public holidays: No Working
21. No commercial vehicle making deliveries to or collecting material from the development during construction shall enter or leave the site before 0800 or after 1800.
  22. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
  23. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.
  24. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Local Planning Authority.
  25. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
  26. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and

approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.

27. That prior to the new building being brought into use, a Travel Plan for the site shall be undertaken and submitted to and approved in writing by the Planning Authority. This shall include what initiatives will be brought forward in the future to ensure the achievement of a meaningful switch away from the private car inclusive of staff travel. Any agreed actions and measures shall be implemented.

No development shall commence within the development site outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed with West of Scotland Archaeological Service and approved by the Planning Authority,. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery or archaeological resources within the development site is undertaken.

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**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 20<sup>th</sup> September 2023**

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**Person to Contact:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager  
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**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans;
2. Consultation responses;
3. National Planning Framework 4
4. West Dunbartonshire Local Plan 2010;
5. West Dunbartonshire Local Development Plan Proposed Plan;
6. Creating Places Guidance (2022)
7. Green Network and Green Infrastructure Guidance (2022);

**Wards affected:**

Ward 4 – Kilpatrick







## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 20<sup>th</sup> September 2023

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**DC23/083/FUL: Residential development of 27 affordable housing units comprising; 10 townhouses, 8 cottage flats (including 2 wheelchair accessible cottage flats); and 9 flats with associated landscaping, amenity space and parking on the former site of Faifley Bowling Club, Abbeylands Road, Clydebank by Knowes Housing Association**

### 1. REASON FOR REPORT

- 1.1 The planning application raises issues that in the opinion of the appointed officer merits the determination of the application by Committee. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

### 2. RECOMMENDATION

- 2.1 **Grant planning permission** subject to the conditions set out in Section 9 below.

### 3. DEVELOPMENT DETAILS

- 3.1 The application site extends to 1.03ha and is located to the south of Abbeylands Road in Clydebank. The site, which was formerly in use as Faifley Bowling Club, is comprised of two bowling greens, a pavilion building and a tennis court. The bowling club closed in 2012 due to low usage.
- 3.2 There is a significant gradient across the site, which has three distinct levels. From the northern boundary situated at street level, an embankment drops approximately 3m southwards to the upper level which includes the pavilion, with the bowling greens situated on a mid-level approximately 2.3m below. The site drops a further 3.8m towards the southern boundary. With Abbeylands Road rising in height as it moves west to east, the level changes between the road and the site also increase, with the largest changes outlined above located at the eastern end of the site. There is a total level change of approximately 5.3m at the western end of the site. The former bowling greens and tennis court are separated by embankments and hedges, with access via staircases on the eastern and western sides of the pavilion building. Retaining walls are evident to the west of the staircase and to the south of the pavilion. A variety of trees are located along the site boundaries, which are enclosed by perimeter fencing. A sewer line is located along the west boundary.

- 3.3** The site is situated within a well-established residential area and bounded by Abbeylands Road to the north, which connects with a variety of secondary roads in the wider residential area. Two storey terraced housing is located along the northern and southern side of the road, with Faifley Knowes Woodlands to the south.
- 3.4** Planning permission is sought for the development of 27 no. affordable housing units and associated landscaping, amenity space and parking. The development comprises six blocks of two or three storeys and a range of dwelling types and sizes as detailed below:
- 4 no. x 2 bed terraced houses
  - 3 no. x 4 bed spilt level townhouses
  - 3 no. x 3 bed spilt level townhouses
  - 2 no. x 1 bed cottage flats
  - 2 no. x 2 bed cottage flats
  - 4 no. x 3 bed cottage flats
  - 6 no. x 1 bed flats within a flatted block
  - 3 no. x 2 bed flats within a flatted block
- 3.5** The redevelopment of the site will include the demolition of the single storey pavilion building that formed a part of the former bowling club and is located in the north east part of the site. A community garden / growing space is proposed as part of the development where the pavilion is currently located.
- 3.6** The development is comprised of eight house types across two and three storey blocks. External materials for the buildings include a light buff multi brick, light buff soldier course, with light coloured fibre cement panels around some of the aluminium windows. Light coloured Juliet aluminium balconies are proposed on all upper floors, with concrete tiles and PV panels on the pitched roofs (the flatted block has a mono pitched roof). The townhouses will feature in curtilage driveways, with the remaining properties served by off street parking areas on the southern side of the service road. A single vehicular access is proposed within the northwest corner of the site. A SuDS pond is proposed within the south eastern extent of the site.
- 3.7** The proposed development has been developed in accordance with the principles of Housing for Varying Needs. In addition to two wheelchair accessible properties within Blocks 3 and 4, the proposal includes barrier free access to all houses and surrounding environment, sufficient space around internal and common doors to facilitate easy access for residents and visitors in wheelchairs and those who may use other mobility aids. All ground floor units are also capable of future adaptations.
- 3.8** The proposal features a variety of open and amenity green space. This is principally comprised of community gardens, allotments and a play area within the north east part of the site, along with several shared open spaces and extensive areas of informal amenity space within the southern and western boundaries.

- 3.9** With respect to soft landscaping, it is proposed to plant 43 new trees, along with native woodland planting within the northern and eastern boundaries of the community space and significant areas of wildflower meadow planting across the site.
- 3.10** In support of the proposal, the applicant has submitted a range of supporting documentation and information, including a Design and Access Statement, Tree Report, Site Investigation Report, Preliminary Ecological Appraisal, Water Vole Survey, Flood Risk Assessment and drainage details.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have no objection to the proposal in respect of roads and parking together with flooding matters.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objection subject to conditions relating to unexpected contamination, soils, construction hours, delivery times, dust control and piling methods
- 4.3** West Dunbartonshire Council Biodiversity Officer has no objections but has requested that further information is provided, specifically a Biodiversity Enhancement Plan, Landscape Plan and a refreshed Water Vole Survey.
- 4.4** West Dunbartonshire Council Greenspace has no objections but requested further information on the management and maintenance of the proposal.
- 4.5** SportScotland, Scottish Water and West of Scotland Archaeological Service have no objections to the proposed development.

#### **5. REPRESENTATIONS**

- 5.1** Six representations were received, with five objecting to the proposal and one supporting it. The detail of each submitted representation is available in the electronic planning file for the application and available for public viewing. The points raised in objection can, however, be summarised as follows:
- Concerns that the height and type of housing proposed is significantly higher than the surrounding homes.
  - Concern that the proposal would increase on street parking along Abbeylands Road and thereby exacerbate an existing issue whereby cars are sometimes unable to pass.
  - Would pose a safety risk as more parked cars on Abbeylands Road increases the likelihood of emergency vehicles being unable to pass.
  - Concern about impacts on local deer and other wildlife on or around the site.
  - Concern that noise, dust and debris arising from the construction phase will have negative effects on amenity.
  - Loss of privacy.
  - Light disturbance from headlights to property located directly across from the proposed access to the site.

- Reduction in property value.
- Loss of view.

**5.2** The points raised in support of the proposal were that Faifley is small and more social housing is needed.

**5.3** The matters raised above are considered and addressed in Section 7 below.

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### National Planning Policy 4

**6.1** National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13<sup>th</sup> of February 2023 and now forms part of the Development Plan.

**6.2** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

**6.3** Policy 3 seeks to protect biodiversity and deliver positive effects from development. It requires that local development will include appropriate measures to conserve, restore and enhance biodiversity. It is noted that measures should be proportionate to the nature and scale of development.

**6.4** Policy 6 aims to protect and expand forests, woodland and trees. It advises that proposals will not be supported where they result in the loss of ancient woodlands, ancient and veteran trees, or individual trees of high biodiversity value. Where woodland is removed, compensatory planting is expected to be delivered.

**6.5** Policy 9 relates to brownfield, vacant and derelict land and empty buildings, with development proposals for the reuse of vacant land being supported, taking into account their suitability for conversion to other uses.

**6.6** Policy 12 relates to waste and advises that development proposals, including residential, will set out how much waste the proposal is expected to generate and how it will be managed.

**6.7** Policy 13 supports proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs. This includes proposals for electric vehicle charging infrastructure.

**6.8** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale, as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and

the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.

- 6.9** Policy 16 relates to quality homes. Part (c) supports proposals for new homes that improve affordability and choice. This includes a range of size of homes. Part (e) supports proposals for new homes where they make provision for affordable homes to meet an identified need. Part (f) states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where: the proposal is supported by an agreed timescale for build-out; the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; and the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- 6.10** Under part (f) of Policy 19, proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 6.11** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.
- 6.12** Policy 21 relates to play, recreation and sport. It advises that development proposals which result in the loss of outdoor sports facilities will only be supported in certain circumstances, including where it can be demonstrated that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.
- 6.13** Policy 22 - Flood risk and water management states that proposals will: not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.
- 6.14** The proposed development is supported by NPF4 and is assessed fully in Section 7 below.

#### West Dunbartonshire Adopted Local Plan 2010

- 6.15** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses, such as housing. Policy RD1 gives preference to residential development on brownfield sites within the urban area rather than on greenfield land.



- 6.16** Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy H5 safeguards and where possible enhances the character and amenity of existing residential area. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.17** Policy R1 relates to the retention of existing open space. It includes a presumption against development which adversely affects the use, character or amenity of areas of functional and valued open space, or which are capable of being brought into functional use to meet an identified need. Developments on existing open space will be considered against the existing or potential future use, quality, function and value of the open space and the sufficiency of provision of the facility type in the local area. Developments on existing sports pitches are only supported where a variety of circumstances are met.
- 6.18** Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Green Network and Green Infrastructure Guidance (2022)” in Section 7 below. Policy GN1 promotes and protects the Green Network.
- 6.19** Policy T1 and T4 requires sites to be integrated with sustainable travel. Policy E1 relates to the Council’s Biodiversity duty and Policy E5 requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. Policy DC7 supports the inclusion of on-site micro-renewable technologies.
- 6.20** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council’s most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers’ Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant,



and welcoming). Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource. Policy CP4 relates to enhancing the quality of design through the Council's Place and Design Panel.

- 7.3** Policy H2 supports new housing development on sites in Schedules 2 and 3. This site is included on Schedule 3. Policy H4 of the LPD2 relates to residential amenity. The policy states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times.
- 7.4** Policy GI1 relates to open space and outdoor sports facilities. It notes that playing fields and sports pitches should not be developed upon except where; the proposed development is ancillary to the principal use of the site as a playing field or involves a minor part of the playing field which would not affect its use and potential for sport and training; or a new or upgraded playing field of comparable or greater benefit for sport is provided in a location which is convenient for its users and which maintains or improves the overall playing field capacity in the area.
- 7.5** Policies GI2 and GI4 relate to green infrastructure. Policy GI2 requires new development to meet with the open space standards set out within the policy. It is noted that the policy sets a higher open space standard to that of the adopted Local Plan. Policy ENV1 requires that all new development should enhance biodiversity as part of the green network, in accordance with Policy CP2 and the above supplementary guidance.
- 7.6** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport. Policy CON3 encourages improvements to core paths and the development of new core paths and Policy CON4 sets out a need for all developments to install sufficient broadband provisions.
- 7.7** Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.
- 7.8** Policies ENV1, ENV4, and ENV6 are all similar to the ecology, tree, water environment and flooding policies of the adopted Local Plan. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.9** RE4 encourages micro-generation and heat recovery technologies within or associated with individual properties and Policy RE5 relates to low and zero carbon buildings and states that new buildings should conform to the sustainability standards.
- 7.10** It is considered that the application proposal being assessed complies with the relevant policies above as set out in the assessment below.

Creating Places Planning Guidance and Green Network and Green Infrastructure Planning Guidance

- 7.11** The Creating Places Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context, and sets out that this is expected for all development proposals. The proposal has been informed by a comprehensive pre-application as encouraged by the guidance and has been considered by the Place and Design Panel. This has resulted in a development proposal that achieves a high quality design that responds to the local context and accords with the approach set out in the Guidance.
- 7.12** The Green Network and Green Infrastructure Guidance - November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement and also the creation of a community growing space. The on-site provision follows the Guidance in respect of residential development proposals. The open space also integrates with the wider green network adjacent, inclusive of pathway connections. The proposal accords with the approach set out in the Guidance.

Principle of Development

- 7.13** The proposed development is situated on a vacant brownfield site. As such, it is supported by Policy 16 of NPF4, which promotes the sustainable re-use of brownfield land. It is further supported by Policy UR1 of the Local Plan which aims to redevelop underused and vacant land, and Policy RD1 which gives preference to residential development on brownfield sites within the urban area.
- 7.14** Policy H2 supports the development of sites identified in Schedule 3, with Policy 16 also supporting proposals for new homes on land allocated for housing. The proposal is supported by both policies as the site is identified in the proposed LDP2 as a residential development opportunity for affordable housing on Schedule 3 ref: H2(63).
- 7.15** Although the application site is no longer in active use as a bowling club, its last use was as an outdoor sports facility. Within the adopted Local Plan, the site is identified as an area of open space on the Proposals Map. Policy 21 of NPF4 sets out strict criteria in respect of considering whether a proposal which would result in the loss of an outdoor sports facility could be supported. This includes situations where there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision. Policy R1 of the adopted Local Plan takes a similar position. As such, the loss of this use requires to be assessed. Whilst identified as open space in the adopted Local Plan, the site comprised a local sporting facility rather than recreational open space. In the proposed Local Development Plan 2, the site is identified as a residential development opportunity. In identifying the site as a development opportunity it is therefore clear that the site is considered to no longer function as open space. This, together with the extensive open space available within the adjacent Faifley Knowes and the contribution this area makes to the wider green network means that it can be concluded that there is sufficient provision of open space within

the locality. Notwithstanding this, the proposal provides a variety of open and amenity green space. This is principally comprised of community gardens, allotments and a play area within the north east part of the site, along with several shared open spaces and extensive areas of informal amenity space within the southern and western boundaries.

- 7.16** Turning to the use of the site as an outdoor sporting facility, it is understood that the bowling club closed in 2012 due to low usage and, having become disused, was subsequently identified as a housing site in the proposed LDP2. The assessment of the loss of the outdoor sporting facility, which requires to balance the conflicting positions of the adopted and proposed Development Plans, is informed by a consultation response from SportsScotland. SportScotland have considered the proposal in the context of Policy 21 of NPF4, noting the closure of the bowling club was due to dwindling membership. They have in turn consulted with Bowls Scotland who raised no concerns. The response goes on to advise there is currently good capacity for new members in the four nearest alternative blowing clubs, which are less than two miles from the Faifley Bowling Club site and accordingly it is considered that the site could be developed without detriment to the overall quality of provision in the local area. In light of this, SportScotland raise no objection. It can therefore be concluded that there is satisfactory provision of bowling facilities within the locality and the development of the site would not be to the detriment of overall provision. The proposal therefore does not conflict with Policy 21 of NPF4 and Policy R1 of the adopted Local Plan in this respect.
- 7.17** Whilst Policy GI1 of the proposed Local Development Plan 2 takes a stronger position in respect of the loss of such facilities, the site is identified as a residential development opportunity within the same plan and therefore no further assessment against Policy GI1 is required.
- 7.18** The principle of development for housing on the site is therefore established and considered to be fully compatible with the surrounding locality.

#### Site Layout, Design and Appearance

- 7.19** New residential layouts require to be well designed, take cognisance of the setting into which they are introduced and provide a high quality environment of well-designed buildings in a setting of gardens and open space whilst recognising the impact on existing neighbouring properties. The surrounding locality is largely based on a low density approach, with two storey terraced housing located to the east and west of the site on the southern side of Abbeylands Road, and along the northern side of the road. Flatted blocks are located further west along Abbeylands Road. The proposed development follows the overall theme and pattern of development in the locality whilst providing a wider range of housing sizes and it is considered that the density of development is compatible with the character and amenity of the wider adjacent residential areas. The proposal makes provision for varying housing needs, with two wheelchair accessible properties within Blocks 3 and 4, barrier free access to all houses and surrounding environment, sufficient space around internal and common doors to facilitate easy access for residents and visitors in wheelchairs

and those who may use other mobility aids. All ground floor units are also capable for future adaptations.

- 7.20** The proposed layout and design of the site responds to the difference in levels between the site, Abbeylands Road and the existing housing along it. In order to create a development which provides continuity with the existing arrangement, a mix of two and three storey buildings are proposed. When viewed in the context of the disparity in levels, this mix broadly mimics the height of the existing housing along the road. While one of the objections raised concern that the housing is significantly higher than the existing two storey terraced housing, it is noted that the proposed townhouses are split level, with the northern elevation facing the road being two storey and only the southern elevation being 3 storey. In addition to the scale of the buildings, a number of design features have been used to ensure that the townhouses relate positively to the existing position. These features include the use of contemporary style dormers on the northern elevation to give the appearance of a more domestic two storey arrangement, and the stepped roof pattern which reflects the levels changes along the road. The townhouses, in conjunction with the proposed community gardens to the east also create an active frontage onto Abbeylands Road. The layout, along with the use of active gables, ensures that the development is outward looking and that all open and amenity spaces are overlooked. The provision of low level walls around the private rear gardens of the townhouses, cottage flats and terraced housing also increases community interaction and encourages observation and ownership of the shared spaces. Within the lower level, the three storey flatted block forms an anchor and creates an opening for public space and the route to Faifley Knowes woodland.
- 7.21** The mix of two and three storey blocks and house types will assist in creating visual interest within the development. While elevations share a material and proportional language, there is variety within this to add further diversity to the development. Visual interest is further enhanced by the use of a stepped roof arrangement that reflects the sloping nature of Abbeylands Road. The proposed layout has made the most of the site layout and levels and its topographical character and what is proposed successfully integrates into the wider residential area. The built ratio of each plot accords with the requirements of the Council's Creating Places Guidance (2022) and this ensures a suitable level of garden ground and associated private amenity space is provided for new residents.
- 7.22** Turning to the proposed materials, the new buildings will be finished externally in facing brick and a concrete tile roof. Samples have not been provided in advance of the determination of the application. In the absence of material samples, the final choice of external materials can be addressed by condition, and the condition will require a quality clay brick to be proposed. This will ensure consistency with the established approach taken on other sites where the use of high quality materials has been proposed to ensure the best possible development.
- 7.23** The proposed houses will also feature solar panels incorporated into the roof covers and this ensures the incorporation of zero carbon generating

technologies into the development which in turn reduces greenhouse gas emissions and responds to the climate emergency.

- 7.24** Overall, it is considered that the proposal will create a well-designed and integrated development which will address the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the adopted and proposed Plans alongside the Creating Places Guidance (2022).

Residential Amenity

- 7.25** Whilst a number of objections raised concerns about impacts on residential amenity, it is considered that the proposal would have no significant effects in this respect. The layout, scale and massing proposed relative to the proximity of existing housing raises no concerns with respect to privacy, overshadowing or overbearing effects. While noting the specific concern raised about the impacts that vehicles entering and exiting the access road would have on the amenity of the existing properties opposite, this is a common arrangement within a residential area. While the development will undoubtedly bring additional activity to the area, the occupation of new dwellings is not expected to cause any noise or activity beyond that typically found in a residential area. Although it is accepted that any construction site will produce an element of short term noise and disruption, the Council's Environmental Health Service highlight the requirement to require that the construction of the development is undertaken in a way that ensures that adjacent residential amenity is not adversely affected and this can be addressed by condition.

Trees, open space and landscaping

- 7.26** The last use of the site for outdoor sports and the open space designation in the adopted Local Development Plan are addressed in paragraphs 7.15 - 7.17 above. A variety of trees exist within the site and, as noted in the Tree Report submitted with the application, it is acknowledged that none of these are protected, ancient or veteran or trees. The function of many of these trees was to provide part of the landscape setting of the Bowling Club. Some of the trees are in poor condition and the correct course of action is removal regardless of any development proposals. It is also desirable to remove Ash trees due to the threat of dieback. It is accepted that other trees are removed to accommodate the development. Due to the presence of trees either on or in close proximity to the developable areas of the site, it is proposed to remove 21 trees. Compensatory planting is proposed at a ratio of 2:1, with 43 new trees with 12-14cm girth to be planted. In addition, native woodland planting is proposed along the northern and eastern boundaries of the community space. An indicative list of tree species have been identified. The Council's Biodiversity Officer has requested that a detailed Soft Landscaping Plan be provided to ensure appropriate mitigation for the proposed tree loss, which can be addressed through condition.
- 7.27** With respect to open space provision within the new development, the proposal provides a hierarchy of spaces. This is comprised of community gardens, a play area and allotments on a graded area of open space within the north east of

the site. It is noted that the proposal sets out an indicative design for the community spaces, with the final design, management and maintenance to be developed through community consultation during the construction phase. As this approach will ensure that the community spaces reflect and meet the needs of the local community, it is supported and can be secured through condition. Two further areas of open space are provided between the blocks of cottage flats and between the terraced housing and the flatted block. In addition, two areas of formal amenity space are located adjacent to the eastern elevation of the flatted block, with the SuDS area and extensive areas within the southern and western boundaries providing further informal amenity space. In total, the proposal provides in excess of 5300sqm of open space within the site boundary comprising a variety of forms which is significantly more than the 1620sqm required for this scale of development by Policy GI2 of the proposed LDP2 and importantly goes some way in compensating for the loss of open space associated with the bowling club. It is noted that the open space areas are well connected by pedestrian paths, one of which also links to the Faifley Knowes Woodland open space to the south.

- 7.28** The landscaping strategy includes a variety of plants, flowers and trees to encourage wildlife and biodiversity to the site, along with a management and maintenance plan. While this is acceptable in principle, it is noted that the species identified are indicative. In light of this, the Council's Biodiversity Officer has requested a detailed soft landscaping plan be provided. Variety is also proposed to the hard landscaped areas through a mix of materials. As noted above, new tree planting is proposed throughout the development. The overall approach to open space provision and planting is considered appropriate and the request for a detailed soft landscaping plan can be addressed by condition.
- 7.29** Overall, the quality and range of open spaces will likely all contribute to the overall success of the transformation of the now vacant site. The approach to and provision of open space within the development also presents no conflicts with the Council's Green Network and Green Infrastructure Guidance which seeks to ensure that development proposals positively contribute to the provision and enhancement of open spaces and the wider green network.

#### Traffic, parking and road safety

- 7.30** A number of objections raised concerns that the proposal would result in increased parking along Abbeylands Road, with knock on adverse effects for resident's safety and emergency vehicle access. Parking provision is provided on a 115% basis, i.e. 31 parking spaces for 27 dwellings, and the Council's Roads Service is happy with this arrangement. The Roads Service also raised no concerns with respect to parking on Abbeylands Road. In light of this, it is considered that the proposal would not adversely affect the existing parking situation along Abbeylands Road. With respect to the type of parking to be provided, Blocks 1 and 2 have in curtilage parking, with the rest of the residential units provided for by on street parking along the southern side of the street serving the development. Each wheelchair unit has its own designated parking space an appropriate distance from the property. Cycle parking is also proposed.

- 7.31** In terms of pedestrian movements, the proposed layout provides varied means of moving through the site, with a primary pedestrian route along the street pavement serving the development, a secondary pedestrian route from Abbeylands Road through the community space and shared open space with onward access to the Knowes woodland, and a wandering route which includes the community spaces, play area, two greenspaces and the Suds area within the eastern extent of the site. A public pavement is located along the southern side of Abbeylands Road, which connects east and west to surrounding areas.

Transport, connectivity and permeability

- 7.32** The wider area is well served by public transport, with bus stops on Milldam Road and Hardgate roundabout, which are a 5min and 10min walk respectively from the proposed development site, providing services to local destinations and Glasgow. The Hardgate Local Centre is also within a 10min walk. It is therefore concluded that the development is provided in an appropriate location within an established settlement accessible by means other than the private car. It is considered appropriate for a travel information pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes to be provided to the residents of the new dwellings. This can be addressed by condition.

Flooding and drainage

- 7.33** With respect to flooding and drainage, the applicant has submitted a flood risk assessment in support of the application. The application is below the threshold for SEPA to be consulted and accordingly the assessment is guided by the advice of the Council's Roads Service who have advised that there is no flood risk to the development or resulting from the development. The drainage strategy submitted with the application comprises separate storm and foul water sewer runs located with the new road carriageway. Foul water from the development will be collected via a new foul water sewer and discharged to the existing foul sewer local adjacent to the site's western boundary. Surface water run-off from the new development will be collected and treated via an end of line SuDS basin located within the south east extent of the site. While the proposed drainage arrangements are acceptable in principle, further detailed information on the methodology and calculations, together with surface flow pathways, is required to confirm acceptability. This matter can be addressed through condition.

Ecology

- 7.34** The preliminary ecological appraisal submitted with the application found that the habitats on the site were of low ecological importance overall. Suitability for nesting birds was found, with a number of measures to avoid and mitigate any impacts identified. While the appraisal found some suitability for water vole, a follow up survey found no evidence of water vole presence. The Council's Biodiversity Officer has, however, requested that the water vole survey be refreshed as evidence of water vole presence has since be found in close proximity to the site. While the preliminary appraisal found that the clubhouse building had moderate bat roost suitability, two follow up bat activity surveys found that no bats were using potential roost features. Specific methods for the demolition of the building were identified. Habitats suitable for badgers were

found and a pre-commencement badger survey was recommended. Finally, actions for the removal and management of invasive non-native species and fox occurring within the site were identified, and a number of biodiversity mitigation or enhancement measures suggested. The Council's Biodiversity Officer has no objection to the Preliminary Ecological Appraisal, but requests that a Biodiversity Enhancement Plan be provided. The recommendations of the preliminary appraisal and the bat activity surveys, including further surveys, can be addressed through condition.

#### Cultural Heritage

- 7.35** West of Scotland Archaeological Service (WOSAS) advises that no archaeological features are identified within the site and previous development will likely have removed any potential for significant sub-surface archaeology. Archaeological work is not identified as being required. The potential impact on the setting of the Antonine Wall is also noted, but this is some 570 metres from the site and WOSAS consider that the new buildings will be viewed in the context of the wider urban area. No concerns therefore arise.

#### Waste Provision

- 7.36** The houses and cottage flats have in curtilage bin stores, with the flatted block having its own designated communal bin store.

#### Other Technical matters

- 7.37** With respect to the re-use of a brownfield site, a Site Investigation Report, which includes remedial measures for contaminated land, is acceptable to the Council's Environmental Health Service. In further considering the consultation response from Environmental Health, this does not highlight any concerns over and above the standard need for conditions to address unexpected land contamination, validation of soils, construction operating hours, delivery vehicle times, dust control, and piling method statement, all of which can be addressed through condition. Scottish Water have raised no objection. It is noted that there is currently capacity in the Burnocks Water Treatment Works and the Dalmeir PFI Waste Water Treatment works.

#### Other Matters raised in representations

- 7.38** With respect to other issues raised in the objections and not already assessed above, it was highlighted that the proposal would result in a loss of view and loss of property value. It is noted that both these issues are not material planning considerations and do not therefore form part of this assessment.

#### Pre-application Consultation and Place and Design Panel

- 7.39** The applicant and their project team engaged in a pre-application framework process with West Dunbartonshire Council Planning Service between October 2022 and February 2023. Four meetings were held in which comments were made by the Planning Service which are reflected in the submitted design. The design proposal was also reviewed by the Council's Place and Design Panel in November 2022. The panel commended the provision of a mix of housing typologies within the proposal, noting that this would support a sustainable proposal. It was further acknowledged that the proposal responded to adjacent housing. The significant area of community open space provision, as well as



provide a route through the site connecting Abbeylands Road into Faifley Knowes, was welcomed with the Panel highlighting how the design could further evolve by exploring how building design and massing could aid in signalling a hierarchy of spaces and route to Faifley Knowes. The Panel also encouraged further consideration of how the impact on the vehicle infrastructure could be reduced and pedestrian movement prioritised. The comments of the panel were taken into account in concluding the final design.

## **8. CONCLUSION**

- 8.1** The proposed redevelopment of this former bowling club and green for 27 affordable residential units of 1, 2, 3 and 4 bedroom accommodation is welcomed. The site is within an existing residential area and, subject to the appropriate use of conditions, the proposed development is acceptable. The layout and design of the development has been developed to ensure that it integrates with the existing residential form as well as creating a high quality development which enhances the local residential area as well as improvements to the footpath and greenspace networks. The development will provide high quality housing with good connections to the surrounding area and wider green network. The provision of a community garden and enhanced open space will not only benefit this development but the wider area.
- 8.2** The proposal will result in a high quality residential development that presents no conflict with the policy requirements of NPF4, the adopted Local Plan and the proposed Local Development Plan.

## **9. CONDITIONS**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the houses within the development site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, all facing bricks to be used shall be good quality clay bricks. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.
2. Further to Condition 1 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
3. That prior to the commencement of works on site full details of the timescale for the phasing of the development shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless an alternative timescale is first agreed in writing by the Planning Authority.

4. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be proceed in accordance with the approved details.
5. Prior to the commencement of development on site, a detailed soft landscaping plan shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved plan.
6. Prior to the commencement of development on site, a Biodiversity Enhancement Plan setting out how the proposal enhances biodiversity beyond the current baseline, together with the implementation on site, shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in accordance with the approved plan.
7. The approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed with the Planning Authority prior to the commencement of works on site.
8. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
9. Full details of the form, management, operation and timescale for completion on site of the community allotments, community gardens and play space or any alternative form of community space developed following the results of a community consultation shall be submitted to and approved by the Planning Authority prior to the occupation of the first dwellinghouse hereby permitted. Management and operation shall then be undertaken in accordance with the approved details at all times thereafter.
10. In addition to the water survey submitted with the application, a follow up water vole survey shall be undertaken and submitted to and approved in writing by the Planning Authority. All recommendations shall then be implemented as approved.
11. All recommendations within the Preliminary Ecological Appraisal dated 18th May 2023, the Bat Activity Surveys dated July 20223, shall be implemented. This shall include all required further survey work identified as being required for badgers. This further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and implemented as approved.
12. Prior to the commencement of development on site, details of the design and location of cycle storage shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any housing

unit within the development, unless otherwise agreed in writing with the Planning Authority.

13. That prior to each house hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.
14. That within 4 weeks of the last of the houses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
15. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
16. All on street parking and visitor parking spaces shall be formed commensurately with the development of the houses that they serve.
17. That prior to the commencement of works on site, full details of the proposed drainage regime inclusive of calculations and overland flow details shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
18. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing to the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
19. No site clearance works shall be undertaken during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority. For the avoidance of doubt, any such agreement will require a full nesting bird survey prior to the commencement of works on site, the methodology and findings of which shall be submitted to and approved by the Planning Authority and shall be implemented as approved.
20. Prior to the commencement of development on site, details of the location and design of electric charging points/units and associated infrastructure and ducting to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging points/units/ducting and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained at all times thereafter.
21. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where

available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.

22. Prior to the commencement of works on site, details of any street furniture inclusive of grit bins and telecommunications cabinets shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed as approved.
23. No house shall be occupied until the contents of a Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
24. Prior to the commencement of any works on site, full details of the incorporation of photovoltaic panels shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.
25. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
26. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.

On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.

27. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
  - Mondays to Fridays: 0800 – 1800
  - Saturdays: 0800 – 1300
  - Sundays and public holidays: No Working

28. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.
29. No commercial vehicle making deliveries to or collecting material from the development during construction shall enter or leave the site before 0800 or after 1800.
30. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**

**Date: 20<sup>th</sup> September 2023**

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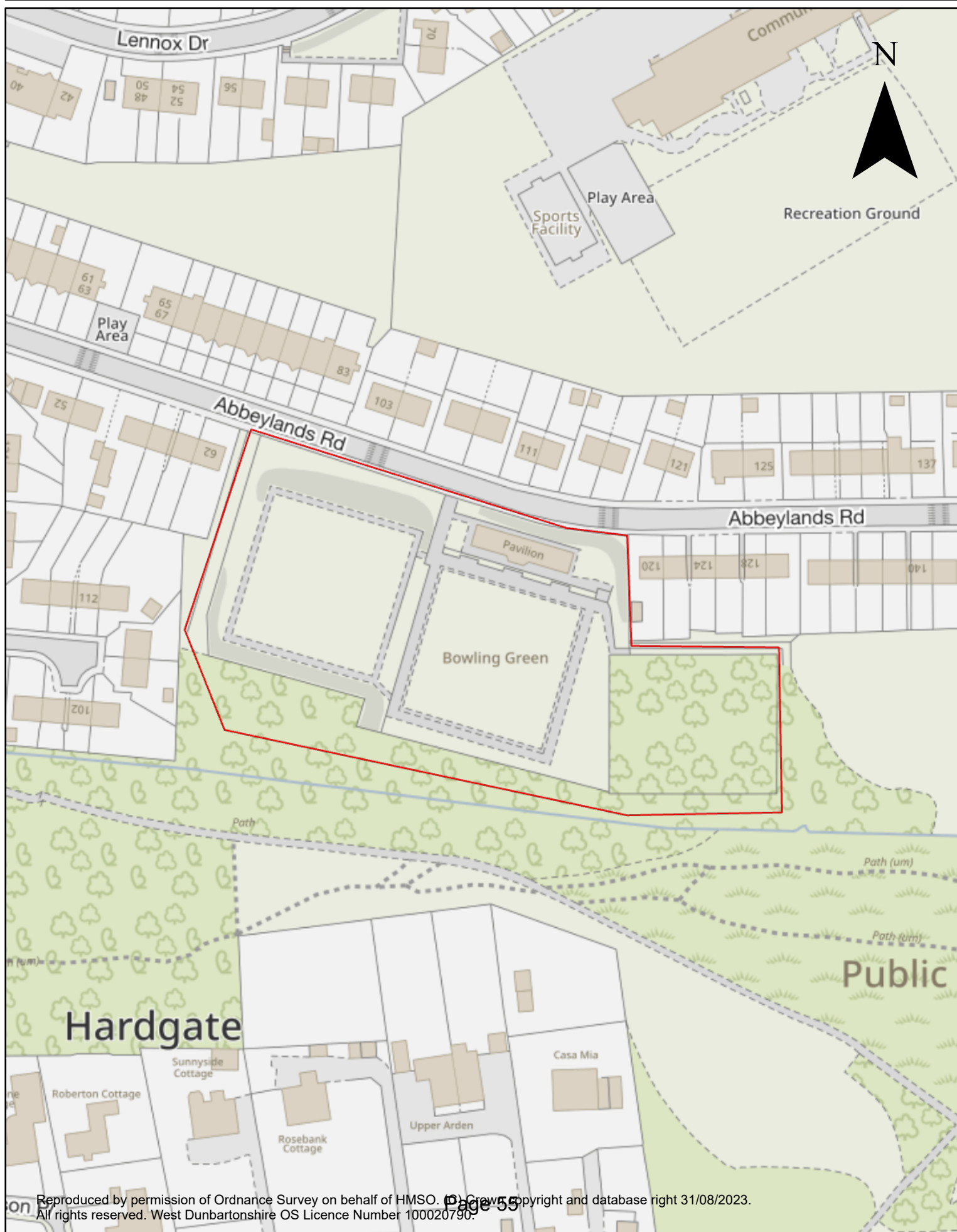
**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. Representations

4. National Planning Framework 4
5. West Dunbartonshire Local Plan 2010
6. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
7. 'Green Network and Green Infrastructure' Planning Guidance (2022)
8. Creating Places Planning Guidance (2022)

**Wards affected:** Ward 4 - Kilpatrick







## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 20<sup>th</sup> September 2023

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**DC23/102/FUL:      Proposed erection of 26 dwellings with associated ancillary development at Development Site, Pappert, Bonhill, Alexandria by West Dunbartonshire Council**

### 1.      **REASON FOR REPORT**

- 1.1**      The planning application raises issues that in the opinion of the appointed officer merits the determination of the application by Committee. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

### 2.      **RECOMMENDATION**

- 2.1**      **Grant planning permission** subject to the conditions set out in Section 9 below.

### 3.      **DEVELOPMENT DETAILS**

- 3.1**      The application site is located within the Bonhill area of Alexandria and extends to 1.36 hectares. The site's northern, eastern and southern boundaries adjoin the street of Pappert which takes the form of a loop road through the locality with a variety of secondary roads, spurs and cul-de-sacs. Adjacent residential properties take the form of two storey terraced dwellings, all of a similar design. The western boundary of the site is adjacent to an area of mature tree planting and beyond that, the street of Redburn. As well as the residential properties of Pappert, to the north and east there are community facilities in the form of a playground and a blaes sports pitch.
- 3.2**      The site was cleared following the demolition of the flatted blocks a number of years ago. With the exception of two parking areas which are remnants from these previous housing developments, the site has re-naturalised over time and is now covered with unmaintained grass, areas of dense vegetation and a variety of immature trees. An area of maintained grassland lies to the northern part of the site. Of the two parking areas, the lower area is well used and has a well maintained surface. The upper area is roughly surfaced and there is little use.
- 3.3**      There is a steep gradient across the site with a drop of approximately 20 meters from east to the west. The top half of the site is fully enclosed with a brick and metal railing fence, likely remaining from the previous development on the site. A footpath crosses the site diagonally connecting from the upper part of Pappert to the overbridged at Redburn and this footpath forms part of the core path

network. A network of other paths connecting to the residential terraces surround the site.

**3.4** Planning permission is sought for the construction of 26 no. houses and associated works. The development comprises of a range of dwelling sizes as detailed below:

- 3 no. x 3-bedroom terraced Passivhaus standard houses
- 6 no. x 3-bedroom semi-detached houses
- 4 no. x 4-bedroom semi-detached and terraced houses
- 1 no. x 4-bedroom semi-detached house
- 3 no. x 4-bedroom terraced cottage flats
- 6 no. x 1-bedroom terraced cottage flats
- 3 no. x 3-bedroom terraced Passivhaus standard houses

Three of the proposed properties have been designed to be wheelchair accessible with the remaining properties all including a ground floor bedroom to allow for future adaptability for tenants.

**3.5** The development will comprise seven different house types all of which will be two storey. External materials are proposed to comprise interlocking concrete roof tiles, a combination of facing bricks together with dark grey uPVC windows and doors. Each property will feature in curtilage driveway parking and a private front and rear garden area. Rear gardens will be defined by 1800mm high timber slatted fences. Due to the levels on site there are two timber crib walls proposed within the centre of the site in order to create the two platforms. The walls extend to a height of 4.15 metres and 4.7 metres respectively at the highest points. Two further crib walls are located to the rear of blocks 9 and 10 to height of 2.6 metres and 1.5 metres respectively.

**3.6** There are two existing vehicular access points on Pappert from which it is proposed to extend access from into the site. These will form upper and lower platforms from which the proposed new houses will be accessed. The existing levels prohibit the formation of a road which runs from east to west to access the site connecting the new streets and therefore two turning heads are proposed. The turning heads have been proposed over existing wayleaves to maximise the area of the site available for the development of houses and landscaped green space. Each dwellinghouse is proposed to have its own dedicated parking space with additional visitor parking spaces located throughout the development.

**3.7** The proposed development will connect to the existing path network. It will, however, impact upon the core path crossing the site from the north-east to the south-west and it is therefore proposed to divert it. The proposed diverted core path omits the section of path across the centre of the site, in favour of a new footpath connection adjacent to the proposed road at the east of the site at a gradient of 1:30. From there, the route utilises the existing stepped path at the north boundary of the site, connecting to a new stepped path adjacent to the play area. This proposed core path route features 41m of stepped path within

the site boundary and no sections of ramped path with a gradient of 1:12 or steeper.

- 3.8** The proposal features open and amenity green space. This is principally comprised of a large graded area of open space to the north of the site and a large flat area of open space over the location of the attenuation tank, totalling an area in excess of 2500sqm. Additionally, a section of woodland planting is proposed through the centre of the site as part of the green network within the site.
- 3.9** In support of the proposal the applicant has submitted a range of supporting documentation and information including a Supporting Planning Statement, Design and Access Statement, Transport Statement, Tree Report, Ecology Report, Landscape Design Statement and Engineering Statement.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have no objection to the proposal in respect of roads and parking together with flooding matters.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objections subject to conditions relating to noise from air source heat pumps, construction noise, contaminated land, dust control and waste.
- 4.3** West Dunbartonshire Council Biodiversity Officer has no objections to the proposal and welcome the various elements to provide mixed habitat features and trees retained where possible. Due to the high mobility of badgers a pre-construction survey is recommended as a condition. All recommendations in section 5 of the Preliminary Ecological Appraisal should be conditioned.
- 4.4** Scottish Water have no objections to the proposed development.
- 4.5** West Dunbartonshire Council Greenspace have no objections to the submitted plans in relation to the core path and access.

#### **5. REPRESENTATIONS**

- 5.1** None received.

#### **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

##### National Planning Policy 4

- 6.1** National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13<sup>th</sup> of February 2023 and now forms part of the Development Plan.
- 6.2** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as

possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

- 6.3** As the site has been previously developed, Policy 9 addressing brownfield, vacant and derelict land applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.
- 6.4** Policy 13 supports proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs. This includes proposals for electric vehicle charging infrastructure.
- 6.5** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.
- 6.6** Policy 16 relates to quality homes. Part (c) supports proposals for new homes that improve affordability and choice. This includes a range of size of homes. Part (e) supports proposals for new homes where they make provision for affordable homes to meet an identified need. Part (f) states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where: the proposal is supported by an agreed timescale for build-out; the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; and the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- 6.7** Under part (f) of Policy 19 proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 6.8** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.
- 6.9** Policy 22 - Flood risk and water management states that proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.

- 6.10** The proposed development is supported by NPF4 and is assessed fully in Section 7 below.

West Dunbartonshire Adopted Local Plan 2010

- 6.11** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy RD1 give preference to residential development on brownfield sites within the urban area rather than on greenfield land.
- 6.12** Policy H3 supports social housing opportunities on sites identified in Schedules H3 and H4. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy H5 safeguards and where possible enhances the character and amenity of existing residential area. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.13** Under Policy R1 there is a presumption against development which adversely affects the use, character or amenity of functional and valuable open space. Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Our Green Network” Planning Guidance (2015) in Section 7 below. Policy R5 protects Core Paths and Rights of Way and Policy GN1 promotes and protects the Green Network including core paths.
- 6.14** Policy T1 and T4 requires sites to be integrated with sustainable travel. Policy E1 relates to the Councils biodiversity duty and Policy E5 requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. Policy DC7 supports the inclusion of on-site micro-renewable technologies.
- 6.15** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

**7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council’s most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers’ Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.

- 7.2** Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.3** Policy H4 relates to residential amenity. The policy states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times.
- 7.4** Policies GI2 and GI4 relate to green infrastructure. Policy GI2 requires new development to meet with the open space standards set out within the policy. Where a development has difficulty providing these standards on site, or where a relaxation of the standards can be justified, developers will require to accord with Policy GI4 and provide a contribution towards the types of projects outlined within the policy and detailed in the Green Network and Green Infrastructure Supplementary Guidance. GI4 sets out the requirements for Developer contributions.
- 7.5** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport. CON3 encourages improvements to core paths and the development of new core paths and Policy CON4 sets out a need for all developments to install sufficient broadband provisions.
- 7.6** Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.
- 7.7** RE4 encourages micro-generation and heat recovery technologies within or associated with individual properties and Policy RE5 relates to low and zero carbon buildings and states that new buildings should conform to the sustainability standards.
- 7.8** Policies ENV1, ENV4, and ENV6 are all similar to the ecology and tree, water environment and flooding policies of the adopted Local Plan. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.9** It is considered that the application proposal being assessed comply with the relevant policies above as set out in the following assessment.

## Creating Places Guidance and Green Network and Green Infrastructure Guidance

- 7.10** The Creating Places Supplementary Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context, and sets out that this is expected for all development proposals. The proposal has been informed by a comprehensive pre-application as encourage by the Guidance. This has resulted in a development proposal that achieves a high quality design that responds to the local context and accords with the approach set out in the Guidance.
- 7.11** The Green Network and Green Infrastructure Supplementary Guidance - November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement. The on-site provision follows the Guidance in respect of residential development proposals. The open space also integrates with the wider green network adjacent inclusive of pathway connections. The proposal accords with the approach set out in the Guidance.

## Principle of Development

- 7.12** The site is a brownfield site within a well-established residential area but is not specifically identified in either the adopted Local Plan (LP) the proposed Local Development Plan 2 (LDP2) as a residential development opportunity. Whilst not identified as a development opportunity, the sustainable re-use of brownfield land is supported through Policy 9 of NPF4. Policy 16 also supports that development proposals for new homes on land not allocated for housing where they are supported by an agreed timescale for build-out and that the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan. A timescale for the build-out can be addressed via condition. In any case, it is acknowledged that the proposal has gained funding through the Vacant and Derelict Land Fund and as such there are certain targets which will require to be met in order to utilise the funding.
- 7.13** The proposal to redevelop underused and vacant land is also supported by Policy UR1 of the Local Plan together with Policy RD1 which sets out a preference for residential development on brownfield sites. Whilst Policy H3 supports social housing opportunities on sites identified in Schedules H3 and H4, it does not preclude the development of other sites where appropriate. Policy H2 of proposed LDP2 also supports new housing development on sites in Schedules 2 and 3. Like the adopted Plan, this Policy also does not preclude the development of other sites where appropriate.
- 7.14** As such, the principle of the development of the site for new housing is supported on this site.

## Site Layout, Design and Appearance

- 7.15** New residential layouts require to be well designed, take cognisance of the setting into which they are introduced and provide a high quality environment

of well-designed buildings in a setting of gardens and open space whilst recognising the impact on existing neighbouring properties. The surrounding locality is based on an approach of mostly terraced homes situated within individual curtilages, in a setting which includes open space and a variety of interconnecting pathways. The proposed development follows the overall theme and pattern of development in the locality whilst providing a wider range of housing sizes and it is considered that the density of development is compatible with the character and amenity of the wider adjacent residential area.

- 7.16** It is recognised that the layout requires to be designed to respond to the constraints of the site, inclusive of steeply sloping levels. There are two existing vehicular access points which form a continuation of Pappert housing development and therefore extending these existing points and centring the proposed dwellings around them responds to and strengthens the established pattern of development. Considering design, the proposed buildings are all two storeys with a variety of different house types which will assist in creating visual interest within the development. This visual interest is enhanced further by the use of stepped terraces and by levels created by the topography of the site. The proposed houses will be of a modern design and it is considered that this approach will enhance and contribute positively to the aesthetic of the area. The houses will also feature solar panels incorporated into the roof covers and some properties will include air source heat pumps. The proposed layout has responded to, and made the most of the site layout and levels and its topographical character and what is proposed successfully integrates into the wider residential area. The built ratio of each plot accords with the requirements of the Council's Creating Places Guidance (2022) and this ensures a suitable level of garden ground and associated private amenity space is provided for new residents.
- 7.17** The proposed houses have been developed in accordance with the principles of Housing for Varying Needs. This incorporates: barrier free access to all houses and cottage flats, sufficient space around internal and common doors to facilitate east access for residents and visitor in wheelchairs and those who may use other mobility aids; self-contained wheelchair adaptable flat types on the ground floor of cottage flats; fully accessibly kitchens and en-suite bathrooms within wheelchair accessible units to ensure maximum flexibility in tenancy. The approach will have a positive benefit in terms of available affordable housing stock and is supported.
- 7.18** Turning to the proposed materials, the new houses will be finished externally in facing brick and a concrete tile roof. The facing brick details submitted by the applicant comprise light and darker brown tones. The suggested bricks are, however, pressed concrete bricks and not good quality clay bricks. The use of concrete bricks would not provide a high quality visual appearance and this material would be to the detriment of the wider development. The use of such a material is also at odds with the established approach taken on other sites where the use of high quality materials has been proposed to ensure the best possible development. In the absence of acceptable materials having been



proposed, the final choice of external materials can be addressed by condition and the condition will require a quality clay brick to be proposed.

- 7.19** In further considering the appearance of the new development, it is acknowledged that street furniture can have an adverse visual impact and dilute the quality of the appearance of the development if not carefully considered. It is therefore appropriate to attach a condition requiring full details of the siting and position of items such as telecommunications cabinets and grit bins.
- 7.20** Overall, subject to the final choice of external materials, it is considered that the proposal will create a well-designed and integrated development which will address the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the adopted and proposed Plans alongside the Residential Development Design Guidance.

#### Low carbon design and technologies

- 7.21** One of the key elements of the design proposals is the low energy strategy all dwellings will adopt. The levels of sustainability are defined within the Scottish Building Regulations and the proposals aim for active silver and net zero units. All buildings will have photovoltaic panels and the net zero units take the proposed sustainability a step further with enhanced thermal envelope as well as air source heat pumps. The remaining units will be designed to meet the Passive House Design Criteria which is not only low energy standard but also a comfort standard. Passive Houses utilise enhanced thermal insulation, triple glazing, ventilation with heat recovery, air tightness and are thermal bridge free. By applying these principles, Passive Houses are not only highly energy efficient with a very low heat demand but also offer improved comfort to their occupants by having a high indoor air quality and improved thermal comfort as external surface temperatures are as close to the internal air temperature as possible. Such an approach ensures that the proposal minimises greenhouse emissions and incorporates low carbon infrastructure and thus embraces the requirements set out by NPF4. The low carbon approach incorporating new homes to the Passivehaus standard was also key in securing the Vacant and Derelict Land funding that has allowed the development to be brought forward.

#### Residential Amenity

- 7.22** It has been some time since the proposed site has been utilised as a residential site and in the meantime the site has renaturalised. Whilst the new development may introduce new houses in closer proximity to existing properties than the previous buildings on site, these new buildings do not have the scale and massing of the flatted blocks which existed previously. Whilst a number of plots adjoin the existing garden boundaries of houses to the south of the development site they will not be dominant, and the gable ended windows which face onto the gardens are not for habitable rooms. It is further considered that there is no adverse impact on daylight or sunlight to the nearest houses will occur due to the separation distances proposed. Window to window relationships within the development itself are also acceptable. Whilst the development will undoubtedly bring additional activity to the area, the

occupation of new dwellings is not expected to cause any noise or activity beyond that typically found in a residential area. Whilst it is accepted that any construction site will produce an element of short term noise and disruption, the Council's Environmental Health Service highlight the requirement that the construction of the development is undertaken in a way that ensures that adjacent residential amenity is not adversely affected. A range of conditions are recommended and it is considered appropriate to attach these. These include restricting working hours to 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays. Conditions relating to piling and dust control are also recommended.

#### Trees, landscaping and open space

- 7.23** A variety of trees exist within the site. These are in the form of the existing shelterbelt to the west of the site as well as self-seeded sapling trees throughout the site. They are not protected by a Tree Protection Order. Some of the trees are Ash trees affected by die back and the appropriate course of action is to remove them. It is accepted that other trees are removed to accommodate the development. It is not considered that they are significant specimens and new tree planting is provided at a rate of two for one (i.e. seventy two new trees proposed) as part of the new development.
- 7.24** The landscaping strategy includes a variety of plants, flowers and trees to encourage wildlife and biodiversity to the site. In terms of hard landscaping areas, variety is also proposed with a mix of materials. New tree planting is also proposed throughout the development. In respect of the planting strategy, the Council's Biodiversity Officer highlights that the street trees and ornamental planting proposals for birch and whitebeam account for the majority of trees throughout the streetscape of the development. Being mindful of the various tree diseases that have required to be managed, it is advised by the Biodiversity Officer that it would be a better option to include a variety of tree types throughout the development to provide additional resistance to disease and climate change. As such a condition is recommended for the submission of further planting details. The overall approach to open space provision and planting is considered appropriate and the implementation and maintenance can be addressed by condition together with the recommendations of the Council's Biodiversity Officer in respect of the planting schedule.
- 7.25** The majority of the open ground within this site was formed following the demolition of the previous flatted blocks a number of years ago. The function of this open area was to provide an acceptable appearance in the absence of any immediate redevelopment proposals for the site at the time. It is recognised that this area was never originally set out as part of the open space provision within the locality. Within the adopted Local Plan, a small part of the site is designated as open space. This has however, not been brought forward into the proposed LDP2. The part of the site that is designated as open space is a triangle of land, extending down from the playground to the north. This parcel of land is not developed for housing as part of the proposal and will form part of the wider open space land landscaping proposals for the site, which will enhance the quality of open space within the locality. As such the ground remains undeveloped and so the use, character and amenity of this specific aspect of the open space is not adversely impacted. An area of maintained grassland is

adjoining the terraced block to the north of the site. Whilst the development does encroach into this area, any impact is outweighed by the enhancements that will occur to the green network locally as a result of the landscaping proposals associated with this development.

- 7.26** In respect of open space within the proposed development, this is principally comprised of a large graded area of open space to the north of the site and large flat area of open space over the location of the attenuation tank. In terms of the requirements of Policy GI2 of proposed Local Development Plan 2 together with the Our Green Network guidance, the required greenspace for the number of bedrooms provided within the overall development of this site is 1755sqm. The greenspace for this site provided well exceeds this required number and therefore the level of green space provided by the development is acceptable. It is noted that the site is also well served by existing play facilities. It is in direct proximity of two dedicated plan areas – a fenced blaes pitch on the eastern boundary and a mulit-use games area to the north, although these are not included in the site boundary.
- 7.27** Overall, there is no unacceptable impact on existing open space and the quality and range of open spaces will all contribute to the overall success of the transformation of this vacant site.

#### Impact on the Core Path network

- 7.28** Core path 145 crosses the site from the north-east to the south-west connecting from the upper part of Pappert to the overbridged at Redburn. The current path is of slabbed construction made up of sections of long steps and variously graded ramped paths. In considering options for the core path, a retained path running through the central spine of the development between the rear fence lines of the dwellings was considered. Retaining a realigned path through the centre of the site would result in a pathway running between rear fences and retaining walls and this would lack passive surveillance and also potentially result in overlooking and privacy implications for the new dwellings which sit below. An alternative approach which seeks to locally divert the core path was brought forward and it is proposed that the core path will now run along the northern boundary of the site, and then travel through the western spur of the development and reconnect into the existing path network. The Council's Greenspace Service offer no objections to this approach from an access perspective. Notwithstanding stepped nature of some of the path on the diverted route, the existing core path already features steps. It is considered that the proposed approach allows for the suitable diversion of the core path in accordance with Policy CON3 of proposed Local Development Plan 2 which balances the retention of the core path route whilst allowing for the development. The formal diversion of the existing path will be addressed via the relevant provisions in the Planning Legislation following the grant of planning permission.

#### Traffic, parking and road safety

- 7.29** The applicant has submitted a Transport Statement in support of the proposal. Given the scale of the proposed development, there is no need for a full

Transport Assessment. The Council's Roads Service have no objections to the proposal on roads and parking grounds.

- 7.30** In terms of parking, twenty seven parking spaces are provided within the curtilage of the properties as well as a further eight visitor parking spaces within the development. Two existing parking areas are found within the site dating from the previous flatted development. The upper area is roughly surfaced and sees little use, and no concerns arise from its loss. The lower area is well used by adjacent residents and has a well maintained surface. To the north-west of the site, an additional thirteen car parking spaces have been provided to compensate for the loss of this existing parking area and continue to provide parking for existing residents of Pappert. A further four overspill visitor parking spaces for the new development are also proposed on Pappert. This totals fifty two vehicle parking spaces created. This is considered acceptable. The provision of electric vehicle charging infrastructure can be addressed by condition.
- 7.31** It is noted that twenty six affordable houses is expected to generate between ten and fifteen traffic movements an hour during the weekday peak traffic periods. These flows would be insignificant in relation to surrounding traffic flows. Also noted within Transport Statement is that it would be prudent to agree a site traffic management scheme for the development during construction. This would help alleviate any issues created by the construction of the development within the existing residential area and will be addressed by condition.
- 7.32** In terms of pedestrian movements, there are existing pedestrian facilities along all the surrounding roads in the vicinity of the proposed development. There are also new pedestrian and cycle routes incorporated within the proposed scheme. The Statement also notes that cycle parking should be at a rate of one space per flat and this has not been shown on the drawings. It is recommended any granting of permission should include a condition requiring details of cycle storage to be submitted and approved prior to any houses being occupied.

#### Sustainable Transport

- 7.33** A number of secondary roads connect the site via the surrounding housing neighbourhoods to the primary road of O'Hare/Redburn and the wider area. The closest bus stops to the site are on O'Hare (400m), Redburn (300m) and Braehead (150m). Advertised weekday bus services from these stops include the 206 Service which operates every 15 minutes and the 207 Service which provides an additional hourly service both of which go via Alexandria which has a railway connection. Alexandria Train Station itself is some 1.5 miles from the site. It is therefore concluded that the development is provided in an appropriate location within an established settlement accessible by means other than the private car. It is recommended within the Transport Statement that a travel information pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes to be provided to the residents of the new dwellings. This can be addressed by condition.

### Flooding and drainage

- 7.34** With respect to flooding and drainage, no flood risk assessment was required due to the site being outwith any areas of flood risk within the current SEPA maps. The Council's Roads Service is content that there is no flood risk to the development or resulting from the development. In terms of drainage, SuDS is incorporated into the development to address surface water, with attenuation proposed via an underground tanked arrangement. Whilst details of the overall approach is provided, this is not supported by detailed calculations to allow it to be concluded that the design capacity is appropriate. Overland flow pathways are also not provided and it cannot be concluded that any run-off in extreme events will not impact on either the existing or proposed residential properties. However, there is no suggestion that a suitable system cannot be provided and final details can therefore be addressed by condition.

### Ecology

- 7.35** There are no environmental designations covering any part of the site nor are there any in the surrounding area. There are also no buildings to be demolished. The preliminary ecological appraisal does not highlight any protected species of concern. Whilst the area may support foraging bats, no further surveys are required. However due to the high mobility of badgers and presence of suitable foraging habitat, a pre-construction survey is recommended to be required by condition eight weeks before construction. The report also highlights the timing of the works to take account of nesting bird season and this is recommended to be conditioned for any granting of permission. Further recommendations are contained within the preliminary ecological appraisal including Tool Box Talks for contractors, root protection areas for trees, tree and vegetation removal to be avoided outwith the bird nesting season, methods to avoid injury, obstruction and disturbance of mammal species, sensitive lighting designs to avoid affecting foraging or commuting bats, designs to avoid trapping amphibians and biodiversity enhancement measures. This will be addressed by condition. The Council's Biodiversity Officer also offers no concerns in respect of the proposal in respect of ecological impact or the findings of the ecological appraisal and welcomes the inclusion of a variety of features as part of the landscaping scheme which will provide biodiversity enhancement.

### Other Technical Matters

- 7.36** The Council's Environmental Health Service requested further details of the air source heat pumps (ASHP) proposed as part of the development. In further consultation Environmental Health raised no objection to ASHP and recommended conditions relating to noise limits at habitable windows as well as noise validation testing. A ground investigation report has been submitted in support of the proposal and Environmental Health raise no concerns. Conditions are recommended to address the presence of any unexpected contamination and in respect ensuring the suitability of either re-using site won material or importing material to the site. Scottish Water offer no objection noting current capacity within the existing network.

### Pre-application Consultation

- 7.37** The applicant and their project team engaged in a pre-application framework process with the Planning Service in March of 2023. Three meetings were held in which comments were made by the Planning Service which are reflected in the submitted design. The applicant has also undertaken a community consultation which was held in conjunction with the Bonhill and Dalmonach Community Council in May 2023. This meeting was attended by approximately ten residents. The applicant highlights concerns from neighbouring residents that the existing path through the site is poorly maintained and collecting mud off the adjacent hill making it difficult to use. It is considered the diverted core path route will assist in addressing these concerns. Significant concern was raised on the level of parking and the removal of existing parking within the lower part of the site (approximately thirteen spaces). Subsequent to the meeting, the layout was further revised to increase parking and to compensate for the removal of the current parking area used for parking. Thirteen additional bays are now proposed on the site of the former garages (currently scrubland) to the north west of the site.

## **8 CONCLUSION**

- 8.1** The proposed redevelopment of this former housing site with twenty six dwellings in a mix of one, two, three and four bedroom affordable homes is welcomed. The site is within an existing residential area and, subject to the appropriate use of conditions, the proposed development is acceptable. The layout and design of the development has been developed to ensure that it integrates with the existing residential form as well as creating a high quality development which enhances the local residential area whilst also taking into consideration the constraints of the site. The development will provide high quality housing with good connections to the surrounding area and wider green network.
- 8.2** A key element of the development is its low energy strategy, utilising photovoltaic panels, air source heat pumps and enhanced thermal envelopes as well as Passive House standards for some dwellings. This together with the proposed biodiversity enhancement proposals respond to tackling the climate and nature crisis. Furthermore the development is supported by the Scottish Government Vacant and Derelict Land Investment Programme and will provide well insulated affordable houses.
- 8.3** The proposal will result in a high quality residential development that presents no conflict with the policy requirements of NPF4, the adopted Local Plan and the proposed Local Development Plan.

## **9. CONDITIONS**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt no consent is granted for the brick samples submitted prior to determination and all facing bricks to be used shall

be good quality clay bricks. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.

2. Further to Condition 1 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
3. That prior to the commencement of works on site, full details of the timescale for the build-out of the development shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless an alternative timescale is first agreed in writing by the Planning Authority.
4. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be proceed in accordance with the approved details.
5. Prior to the commencement of development on site, details of the design and location of cycle storage shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any house within the development, unless otherwise agreed in writing with the Planning Authority.
6. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated 18th May 2023 shall be followed. This shall include all required further survey work identified as being required for badgers. Further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and implemented as approved.
7. Notwithstanding the approved plans and condition 6 above, and prior to the commencement of works on site, a further submission which demonstrates an understanding on how the proposal enhances biodiversity beyond the current baseline including any adjustments to the approved landscaping proposals together with the implementation on site shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.
8. The approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed with the Planning Authority prior to the commencement of works on site.
9. Notwithstanding the approved plans, an updated planting schedule to incorporate a variety of tree types throughout the development shall be

submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and shall be implemented with a timescale to be agreed with the Planning Authority.

10. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
11. That full details of maintenance and management for the landscaping approved shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the first dwellinghouse hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
12. Prior to commencement of any works on site, a site management scheme for construction traffic as recommended within the submitted Transport Statement, shall be submitted to, and approved in writing by the Planning Authority and thereafter shall be implemented in accordance with the approved scheme.
13. That prior to each house hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.
14. That within 4 weeks of the last of the houses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
15. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
16. The additional parking provided on Pappert shall be constructed and made available for use by local residents prior to the removal of the existing parking area opposite no's 127 to 131 Pappert.
17. That prior to the commencement of works on site, full details of the proposed drainage regime inclusive of calculations and overland flow details shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
18. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
19. Prior to the commencement of development with the site, details of the number, location and design of electric charging points/units and associated



infrastructure and ducting to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging points/units/ducting and associated infrastructure shall thereafter be installed in accordance with the approved details in a timescale agreed by the Planning Authority and maintained at all times thereafter.

20. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
21. Prior to the commencement of works on site, details of any street furniture inclusive of grit bins and telecommunications cabinets shall be submitted to and approved in writing by the Planning Authority. Development shall then proceed as approved.
22. No house shall be occupied until the contents of a Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
23. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
24. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
25. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
26. No development shall take place on site until such time as a noise impact assessment in respect of the proposed air source heat pumps has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for the

proposed heat pumps to cause noise nuisance affecting both the new houses hereby permitted together with existing adjacent properties. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. Should the approved noise attenuation scheme impose restrictions upon the way in which operations on the site are carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

27. Prior to the site being occupied the applicant shall have a third party independent verifier submit a verification report to the satisfaction of the Planning Authority. Compliance with the relevant condition shall be evidenced in the report. This shall demonstrate that the projections as detailed within Noise Impact Assessment are reliable and meet with Noise Impact Assessment condition.
28. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
29. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800 – 1800
  - Saturdays: 0800 – 1300
  - Sundays and public holidays: No Working
30. No commercial vehicle making deliveries to or collecting material from the development during construction shall enter or leave the site before 0800 or after 1800.
31. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared

by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

32. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.

33. No development shall commence on site until details for the storage and the collection of waste arising from the development has been submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**

**Date: 20<sup>th</sup> September 2023**

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**Person to Contact:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager  
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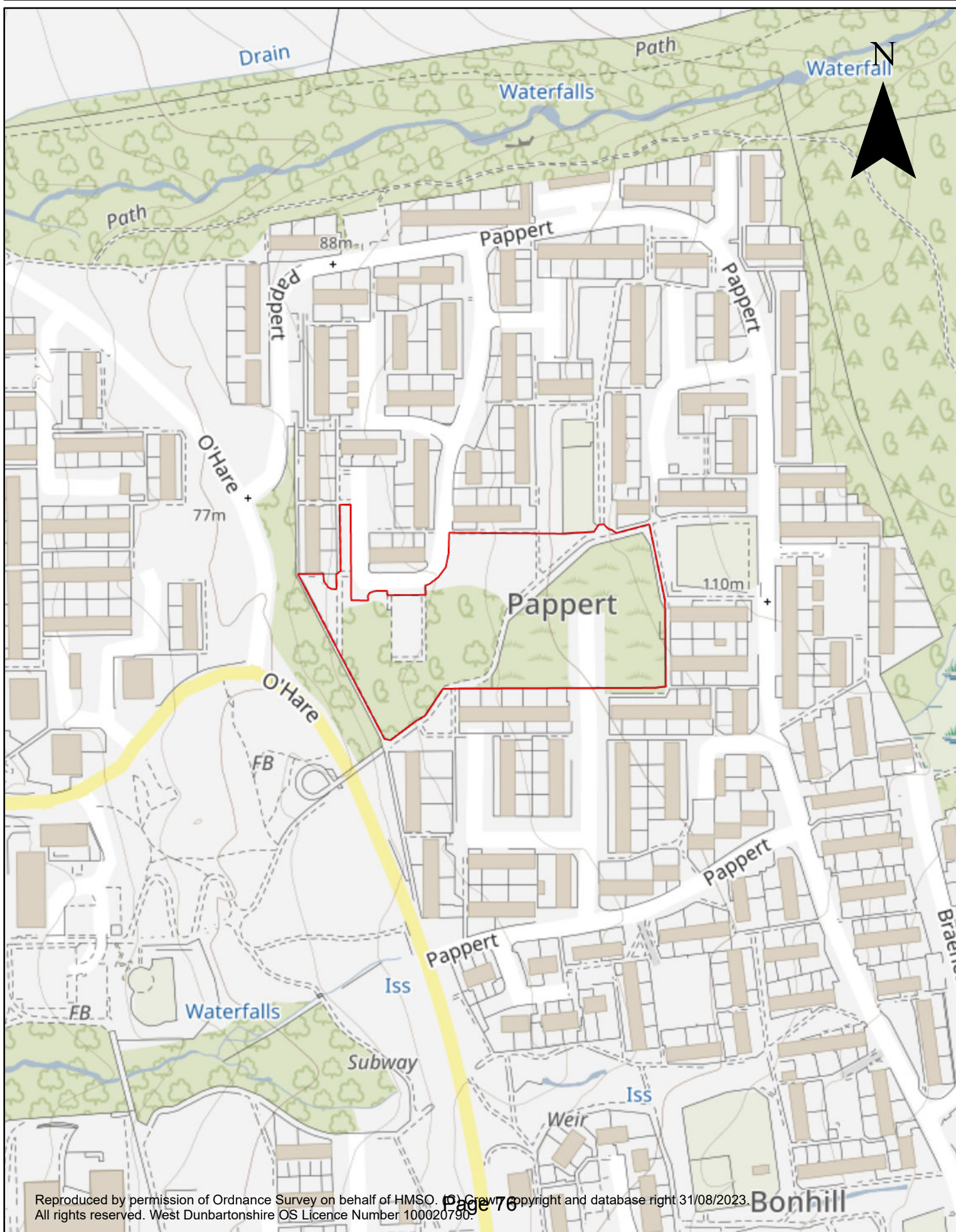
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**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. National Planning Framework 4
4. West Dunbartonshire Local Plan 2010
5. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
7. Creating Places Guidance (2022)
8. Green Network and Green Infrastructure Supplementary Guidance (2022)

**Wards affected:** Ward 2 (Leven)



**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 20<sup>th</sup> September 2023**

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**DC23/070/FUL: Change of use from cafe to tyre change garage at 6 Old Street Duntocher, Clydebank, Alexandria by Mr Peter Ferrier****1. REASON FOR REPORT**

- 1.1** The planning application is subject to a substantial body of objection. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

**2. RECOMMENDATION**

- 2.1** **Refuse planning permission** for the reasons set out in Section 9 of this report.

**3. DEVELOPMENT DETAILS**

- 3.1** The application relates to 6 Old Street in Duntocher, Clydebank. The site is bounded to the north by a car park with bus shelter, beyond which lies the former Duntocher West United Free Church of Scotland, however this building is no longer in use. To the east, south and west are residential properties. The residential properties to the east comprise three storey blocks of flats, to the south and west is mostly two storey terraced dwellinghouses, the closest of which has an adjoining boundary with the application site. Directly to the south, and also with an adjoining boundary, lies a one and a half storey, detached dwellinghouse. The site measures approximately 348 square metres and the building was most recently operating at a café, however the café has now closed. The orientation of the building sees its gable onto Old Street with the entrance facing the parking area and bus stop. When in operation as a café, an outdoor seating area was situated adjacent to the gable, between the pavement and the building. The building is single storey in height with only one window on the east elevation facing the road. A gated access from Old Street leads to a rear yard.
- 3.2** The application seeks to change the use from a café to a tyre-changing garage. Externally, the changes to building are limited with the window on the gable elevation changing to a door and a new refuse store created with timber fence screen on the side elevation which fronts the carpark. The outdoor seating enclosure will also be removed. Three car parking spaces are proposed to be located on the eastern side of the building, accessing from Old Street. No cars will be brought into the building itself, with all works for tyre fitting to be undertaken outside. Internally, what was the kitchen would become storage and a reception is proposed which is accessed via the doorway on the side elevation. The former café area itself would become an area associated with

the operation of the tyre fitting use. The business in its current location has three full time members of staff with another person who can work for the business on occasion i.e. to cover holidays. The proposed move would allow for an apprentice to be taken on as well as a full time receptionist, bring the number employed on a full time basis to five.

- 3.3** The planning history for the site includes a change of use from an office to a deli with hot food takeaway which was approved in September of 2015 (application DC15/138) as well as an outside seating area associated to the café which was approved in June 2017 (application DC17/056). An application for a change of use of the café to form a dwellinghouse as well as alterations and extension has also previously been submitted but not determined at this time due to difficulties in engaging with the agent (application DC22/221/FUL).

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Environmental Health Service have no objections subject to a condition for the submission of a noise impact assessment as this operation is introducing a commercial activity with the potential to generate noise levels that could have an adverse effect on nearby sensitive receptors.
- 4.2** West Dunbartonshire Council Roads Service have no objections to the proposal on roads or flooding matters.

#### **5. REPRESENTATIONS**

- 5.1** Ninety six representations have been received in connection with the proposal. Eleven are in objection and eighty five are in support. Those in objection to the application mostly reside locally to the site and those in support of the application are mostly from a wider area. The full details are contained within the planning file and are available for public viewing. However, the points raised in both objection and support can be summarised as follows:

**5.2** Objection

- This is a residential area which is not suitable for this type of business.
- There will be an increase in traffic congestion.
- Concerns that the use is near a play park.
- The road infrastructure is not in place to support an industrial business.
- There are sufficient provisions of this type of business in the area.
- The development would be unsightly with hazardous materials and chemicals.
- There will be an increase in noise.
- There isn't enough parking in the area currently.

**5.3** Support

- This site has been everything from a tyre garage, to a car garage, to selling head stones before it was a cafe.
- The café had longer opening hours and more customers so would have more traffic.

- The café was allowed to function without any onsite parking as is proposed in this application.
- The proposed site is a much safer location to trade from than the existing site.
- It's a great idea to move the business off the main road
- As it only opens 8am to around 5pm the noise level would be restricted to the times and no noise at night time.
- There is no problem with residents living near as it would be normal hours of business.
- Cars get tyres changed and are away so are not parking overnight
- Clydebank/Duntocher needs these services as seen from the original premises.
- These services are to the highest standards.
- This is a valuable, reliable and affordable service to the community.
- This is a long standing local business run by local people.
- They support other local firms.
- Full support should be given to local businesses looking to expand / improve.
- They will return community value to the entire area.
- The proposal could bring more jobs

**5.4** The matters raised above are considered and addressed in Section 7 below.

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### National Planning Policy 4

**6.1** National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13<sup>th</sup> of February 2023 and now forms part of the Development Plan.

**6.2** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

**6.3** As the building is currently vacant, Policy 9 which relates to brownfield, vacant and derelict land, and empty buildings applies. Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Policy 12 which considers zero waste also supports the reuse of existing buildings and infrastructure.

**6.4** Policy 14 requires that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to employment.



- 6.5** Policy 23 relates to health and safety. Part (e) states that development proposals that are likely to raise unacceptable noise issues will not be supported. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- 6.6** As the development is for a Class 5 (General Industrial) use, Policy 26 Business and industry applies. Policy 26 states that development proposals for business and industry uses on sites allocated for those uses in the LDP will be supported. Part (d) also states that development proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where: it is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit; and the nature and scale of the activity will be compatible with the surrounding area. Part (e) also states that development proposals for business and industry will take into account: impact on surrounding residential amenity and the need for appropriate site restoration at the end of a period of commercial use.
- 6.7** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. It is concluded that the proposal is not in accordance with Policies 9, 23 and 26 of NPF4.

West Dunbartonshire Adopted Local Plan 2010

- 6.8** As stated, the building has become vacant, Policy UR1 - Urban Renewal applies. The Council, in conjunction with other agencies, will continue to promote the re-use of land and buildings in the urban area that become vacant, derelict or underused in order to stimulate the process of urban renewal and thereby enhance the Plan area as a place to live, work and visit.
- 6.9** All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located in accordance with Policy GD1.
- 6.10** As the proposed use of Class 5 (General Industrial) on a site not designated for industrial use, Policy LE3 - Industrial & Business Use Development Outwith Designated Sites applies. Policy LE3 states that proposals for industrial, business and warehousing developments (Use Class 4, 5 and 6) on sites other than those identified on the Proposals Map under Policy LE 1 as being existing or potential employment areas, will require to be justified against the following criteria:
- the proposed development could not be accommodated on any other available industrial/business site in the Plan area;
  - there would be significant overall economic benefit to the Plan area;
  - there will be no significant undesirable landscape and amenity impacts;
  - there would be no major infrastructure implications;
  - the site is accessible to public transport, walking and cycling routes; and
  - the proposed development conforms with other Local Plan policies.



- 6.11** Policy H5 relates to development within Existing Residential Areas. The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. With regard to non-residential uses, it will be assessed whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance.
- 6.12** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. It is concluded that the proposal is not in accordance with policies GD1, H5 and LE3 of the adopted Local Plan.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** Policy H4 of the LPD2 relates to residential amenity. The policy states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against: b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents.
- 7.3** Policy ENV8 relates to air, light and noise pollution. All new development must ensure that significant adverse noise impacts on surrounding properties and uses are avoided.
- 7.4** Policy E1 supports economic development by directing proposals for business, industrial, or storage and distribution uses to the sites listed in Schedule 4. Development of Class 4, 5 and 6 uses within existing business and industrial areas not listed within Schedule 4, but identified on the Proposals Map, will be supported by the Council.
- 7.5** Policy CP1 requires new development to take a design led approach to creating sustainable places which puts the needs of people first and demonstrate the six qualities of successful places.
- 7.6** Overall, the proposal is not supported by the policies CP1, H4 and ENV8 of proposed Local Development Plan 2.

### Principle of Development

- 7.7** The site is located within a residential area as defined by both the adopted Local Plan and proposed Local Development Plan 2. Overall, the area is residential in character with residential properties immediately to the east, south and west. Notwithstanding this, a variety of other uses are also found within the vicinity of the site, mostly located on the A810 Dumbarton Road, and providing local facilities within the area. These include retail shops, a barbers, a beauticians, hot food takeaways and public houses. Areas of open space also lie in close proximity to the site. The proposed site, is however off the main A810 and within an area more characteristically residential.
- 7.8** In assessing whether the principle of the development is acceptable at this location, Policy 26 Business and industry of NPF4, Policy LE3 of the Local Plan and Policy E1 of the Local Development Plan 2 all direct industrial uses to existing industrial sites or sites which have been allocated for industrial uses. Policy 26 of NPF4 allows for industrial uses outwith the defined areas where it has been demonstrated that there are no suitable alternatives allocated within the LDP. Policy LE3 of the adopted Local Plan takes a similar position with this Policy requiring justification that the proposed development could not be accommodated on any other available industrial/business site in the Plan area. Whilst there are no designated industrial sites adjacent to the site itself, there are multiple sites allocated within the adopted Local Plan and proposed Local Development Plan 2 within Clydebank. No supporting information has been submitted in relation to the application in terms of what other sites have been considered and why the proposal could not be accommodated within an existing business and industrial area as defined by the adopted Local Plan and proposed Local Development Plan 2, Policy LE3 also sets out a requirement that any proposal for a business and industrial use outwith designated areas, would result in significant overall economic benefit to the plan area. Whilst no details, figures or supporting documents have been provided by the applicant to quantify economic benefit, it is acknowledged that the new use will create local employment and contribute to the local economy. However, due to the small scale of the proposal, any new employment generated and associated economic benefit would also be at a small scale and not of a significant level. It is also noted that the previous use of the premises as a café would have resulted in a level of economic activity contributing to the area and there is no evidence to suggest that the introduction of an alternative industrial use would lead to any significant benefits beyond the previously established position.
- 7.9** Whilst the reuse of vacant buildings is supported by Policies 9 and 12 of NPF4, the former requires that their suitability for the proposed use has to be considered. The benefits of the re-use of this building require to be weighed against their suitability for conversion and it does not follow that this Policy supports new uses within existing buildings where they are not compatible with established adjacent uses. Policy UR1 of the adopted Local Plan supports the re-use of vacant buildings in order to stimulate the process of urban renewal, it is not considered that the re-use of this standalone building would itself contribute to any wider urban renewal within this locality.

### Visual Amenity

- 7.10** In regard to the appearance of the building, there are few external alterations to the existing building. There are no proposals for permanently sited outdoor storage and equipment associated with the use which would be to the visual detriment of the area. As such the proposal will have no unacceptable impact upon the visual amenity of the area.

### Impact on Residential Amenity

- 7.11** Residential properties surround the site on three sides, with two properties also sharing a boundary fence with the site. Policy 26 of NPF4 requires the suitability of the building for the proposed use to be taken into account and the impact on residential amenity is a key consideration in this respect. Policy 23 of NPF4 further advises that development proposals that are likely to raise unacceptable noise issues will not be supported. It is further set out that the agent of change principle applies to noise sensitive development and that a Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. Policy H5 of the adopted Local Plan requires that non-residential proposals in residential areas do not have an adverse impact on residential amenity, with noise specifically highlighted. Policy GD1 requires proposals to be appropriate in terms of land use. Policy H4 of proposed LDP2 further states that there will be a general presumption against the establishment of non-residential uses within, or in close proximity to residential area which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents. Policy CP1 requires proposal to respond to the established pattern of development.
- 7.12** Noise disturbance is raised as a concern in the objections received. The Council's Environmental Health Service highlighted that the proposal is introducing a commercial activity with the potential to generate noise levels that could have an adverse effect on nearby residential properties. It is recognised that the nature of the use which would involve fitting of tyres in the open air would likely create disturbance from noise and activity generated by the use of machinery as part of the processes for changing tyres. Even if the process of mounting tyres to wheels was undertaken inside, with vehicles being located outside it is inevitable that the door of the premises would remain open during working hours with the associated transference of noise outside.
- 7.13** The recent appeal decision in respect of an outdoor tyre fitting use on a nearby site at the corner of Dumbarton Road and Beeches Road is also noted. Like this proposal, the appeal site was also opposite residential properties and in determining the appeal the Reporter consider that the proposed use would generate noise of a type incongruous with a residential area, different in nature to that arising from other existing local businesses within the vicinity, and that residential neighbours would be likely to experience it as disturbance. The conclusions of the Reporter are material in the consideration of this application with the location and relationship to existing residential properties being very similar. The Council's Environmental Health Service does highlight that a noise impact assessment could be undertaken to consider noise impact and potential mitigation further. In the event that the Council had been otherwise minded to

grant planning permission this could have been requested to provide further information to inform the application assessment on matters relating to noise.

- 7.14** In further considering residential amenity, development proposals should be designed to improve the quality of an area regardless of scale. Whilst it is accepted that the last planning use as a café brings people into the area, the main activity of the café would have been contained within the building. The proposal for the tyre changing business proposes to use what is currently the outside seating area for the café to change the tyres and is not contained within the building itself. The outdoor seating area was previously granted for the café and as such the associated activity at the front of the building was considered acceptable. However, the proposed new use has the potential to result in an increase in noise and activity beyond the previous position as set out above which would not improve the quality of the area. Also noise activity from an outside area associated with a café is different in nature from the changing of tyres which would be a noisy activity due to machinery and equipment involved in tyre changing as detailed above.

#### Parking and Access

- 7.15** The proposal provides three additional parking spaces which are to the front of the building where the outside seating area and access to the rear yard is currently. The submitted drawings indicate that these spaces would be used for the changing of tyres. The Council's Roads Service initially raised concern that three parking space was not sufficient when there is no internal garage space. Evidence was requested to demonstrate that the provided spaces was sufficient for the business. The applicant advises that the three spaces are adequate for the business as proposed as tyres are repaired/replaced when vehicles arrive and jobs are not accepted and then left sitting. If a job requires something to be ordered then customers are asked to return at a later date. It has also been stated that due to manpower/machinery, only a certain number of tyres can be repaired/replaced at any one time and a booking system is required. In addition, the applicant highlighted that the previous use as a café, did not provide any dedicated parking. In response, the Roads Service have no objections to the proposal. Whilst the concerns raised in the objections in this regard are acknowledged, there are thus no issues in respect of road safety which arise that would justify refusal.

#### Other Technical Considerations

- 7.16** Whilst the SEPA flood maps indicate a localised surface water flood risk in the vicinity of the site, the site itself is not affected and the Council's Roads service offers no objections on flood risk grounds. This proposal for the change of use of an existing building does not raise any concerns in respect of the climate and nature crises or climate mitigation or adaption.

#### Matters raised in representations

- 7.17** Turning to the outstanding points raised in the submitted representations which have not been assessed above. It has been raised in objection that there is a sufficient provision of this type of business in the area. It has also been raised in support that Duntocher/Clydebank needs this service. It is however, not the place of the planning system to inhibit competition and as such this is not a

justification for the refusal of planning permission. Whilst the possibility of hazardous materials and chemicals being stored is also raised as a concern, and any such storage would be of a low level. Some of the letters of support relate to the high levels of service, reliability, long standing nature and prices of the business proposed in its current location. Again, these are not material planning considerations.

**7.18** The letters of support also note that the café had longer opening hours. Planning application DC15/138 limited that hours of operation for the café from 7am to 6pm, Monday to Saturdays. Whilst no proposed working hours have been noted as part of the application submission, hours of operation for any granting of the tyre business would be conditioned. The tyre business creating less traffic than the café has been highlighted in support. Neither business has had objections on traffic basis and as such either business would be appropriate in terms of traffic generation.

**7.19** The improvement in safety from the current location that the applicant runs their business from resulting from the proposed premises not being located on a main road has also been noted. Working hours expected being from 8am to around 5pm and therefore noise not being at night has been highlighted. It is accepted that the business would be anticipated to run to these standard working hours, however with residential properties so close in proximity, there is still the possibility for noise nuisance from this industrial use during the day.

## **8. CONCLUSION**

**8.1** The proposal would result in the siting of a Class 5 (General Industrial) use within an existing residential area and not in a business and industrial area. No supporting information has been submitted in terms of what other sites have been considered and why the proposal could not be accommodated within an existing business and industrial area as defined by the adopted Local Plan and proposed Local Development Plan 2. This results in the proposal not being supported by Policy 26(d) (i) of NPF4 together with Policy LE 3 of the adopted West Dunbartonshire Local Plan. Additionally the proposal is not supported by Policy LE3 of the adopted Local Plan as it is not considered that the proposal would result in significant overall economic benefit to the area.

**8.2** It is further considered that the proposal is incompatible with established residential amenity due to the potential for noise disturbance to occur to the detriment of adjacent residents. The proposal is therefore not acceptable with reference to Policies 9, 23(e) and 26(d) (ii) of NPF4, Policies GD1, H5 and LE3 of the adopted Local Plan and policies CP1 and H4 of the proposed Local Development Plan 2.

## **9. REASONS FOR REFUSAL**

1. The proposal would result in the siting of a Class 5 (General Industrial) use – tyre changing garage within an existing residential area. . No supporting information has been submitted in terms of what other sites have been considered and why the proposal could not be accommodated within an

existing business and industrial area as defined by the adopted Local Plan and proposed Local Development Plan 2. Accordingly the proposal is not supported by Policy 26(d) (i) of NPF4 together with Policy LE 3 of the adopted West Dunbartonshire Local Plan.

2. The proposal would not result in significant overall economic benefit to the local area and therefore the proposal is not supported by Policy LE3 of the adopted Local Plan.
3. The proposal is incompatible with established residential amenity due to the potential for noise disturbance to occur to the detriment of adjacent residential properties. The proposal is therefore contrary to Policies, 9, 23(e) and 26(d)(ii) of NPF4, Policies GD1, H5 and LE3 of the adopted Local Plan and policies CP1 and H4 of the proposed Local Development Plan 2.

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**

**Date: 20<sup>th</sup> September 2023**

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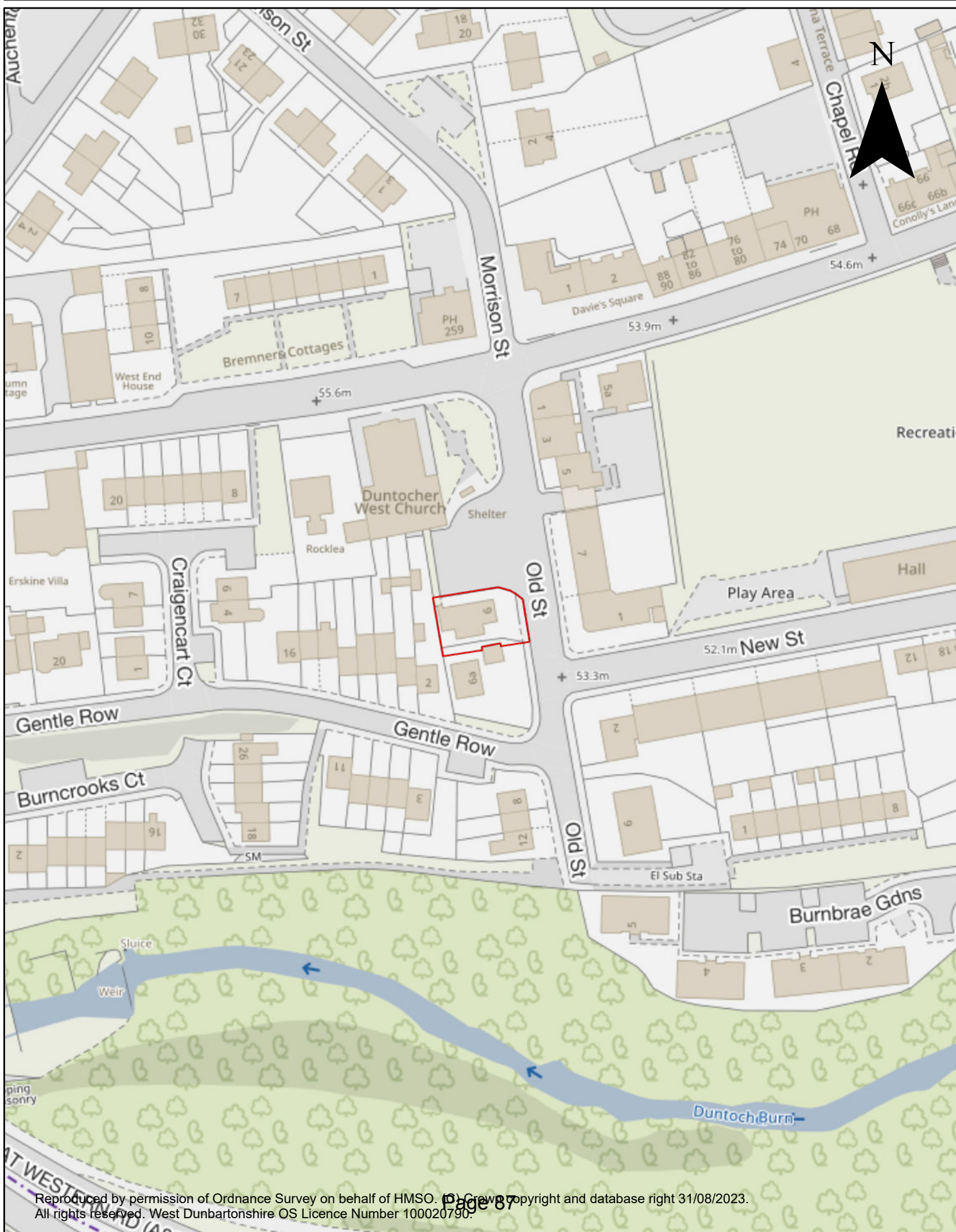
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**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. Representations
4. National Planning Framework 4
5. West Dunbartonshire Local Plan 2010
6. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended

**Wards affected:** Ward 4 (Kilpatrick)







## WEST DUNBARTONSHIRE COUNCIL

### Report by the Planning, Building Standards and Environmental Health Manager

**Planning Committee: 20<sup>th</sup> September 2023**

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**Subject:      Development Plan Update**

#### **1.      Purpose**

- 1.1**    The purpose of this report is to seek approval of a consultation draft Development Plan Scheme and Participation Statement in relation to a new Local Development Plan (LDP3).

#### **2.      Recommendation**

- 2.1**    It is recommended that the Committee agrees the publication of the consultation draft Development Plan Scheme and Participation Statement set out in Appendix 1.

#### **3.      Background**

- 3.1**    The development planning system in Scotland has changed with the introduction of the development planning provisions of the Planning (Scotland) Act 2019. The Fourth National Planning Framework (NPF4) has been adopted by the Scottish Government and now forms part of the development plan for all planning authorities in Scotland. New style local development plans are to be prepared, which are to be place-based, people-centred and delivery focused. They are to be visual plans with the inclusion of a clear spatial strategy, and a collection of maps, development briefs and masterplans, instead of lengthy written text and policy. Plans are to be prepared collaboratively with communities and other stakeholders, with people with protected characteristics given particular support to engage in the plan preparation process. The Development Plan Scheme and Participation Statement is to set out the timeline for preparing new local development plans and how participation in the preparation of plans will be encouraged.

- 3.2**    The West Dunbartonshire planning authority area excludes that part of West Dunbartonshire within the Loch Lomond and the Trossachs National Park. The National Park Authority has responsibility for preparing the Local Development Plan for that area.

#### **4.      Main Issues**

##### Current development plan and planning guidance

- 4.1**    The fourth National Planning Framework (NPF4) was adopted by the Scottish Government on 13 February 2023 and now forms part of the development

plan for West Dunbartonshire (and all other planning authorities in Scotland including National Park Authorities). As planning applications are to be determined in accordance with the development plan, unless material considerations indicate otherwise, NPF4 has an enhanced status in the determination of planning applications and is the most up to date part of West Dunbartonshire's development plan.

- 4.2** The current adopted local development plan for the West Dunbartonshire Council planning authority area is the West Dunbartonshire Local Plan 2010. Although dated, it remains part of the statutory development plan for the West Dunbartonshire planning authority area, and is still relevant for decision-making purposes.
- 4.3** At its meeting of 15<sup>th</sup> March 2023, the Planning Committee agreed not to adopt the Proposed West Dunbartonshire Local Development Plan (2020, as modified). This decision was taken with reference to legal advice received that there were grounds to legally challenge the adoption of the plan. The Proposed Local Development Plan incorporating the recommended modifications of the examination report, as agreed at the 19 August 2020 Planning Committee, remains a material consideration in the determination of planning applications.
- 4.4** The Council has a number of planning guidance documents relating to specific topics or places. These do not form part of the development plan but do form part of the decision-making process for planning application when relevant. The planning guidance currently in effect in the West Dunbartonshire planning authority area is:
- Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (2022)\*
  - Clydebank Business Park (2023 draft)\*
  - Clydebank Town Centre Development Framework (2021)
  - Commuted payments for Parking (2015)
  - Creating Places (2022)\*
  - Dumbarton Waterfront Path (2017)
  - Green Network and Green Infrastructure (2022)\*
  - Pay Day lending and Betting Shops (2016)
  - Queens Quay Design Codes (2020)
- \* these planning guidance documents are associated with Proposed West Dunbartonshire Local Development Plan (2020, as modified)

#### New Local Development Plan

- 4.5** The Scottish Government published Local Development Planning Guidance in May 2023. This sets out guidance on the new development planning system introduced by the Planning (Scotland) Act 2019 and the publication of the guidance allows the Council to begin the process of preparing a new local development plan (LDP3). The Scottish Government expects every planning authority in Scotland to have a new style local development plan in place by May 2028, with an expected plan preparation time of 3-4 years. The main stages in the preparation of the new Local Development Plan are:

- 4.6 Development Plan Scheme including Participation Statement** – this document is produced annually and acts as a communication tool for letting stakeholders know when and how they can get involved in the local development plan process keep them informed of progress. It sets out the timetable for the preparation of the local development plan and what is involved at each stage of the process. The Participation Statement part of the document sets out how stakeholders are to be involved in the preparation of the local development plan. It is to include targeted methods to reach under-represented groups, help to make public participation inclusive, ensure that wider public engagement directly feeds into the preparation of the local development plan, and promote proactive engagement at all stages of the plan's preparation. In preparing the Development Plan Scheme, a planning authority are to seek and to have regard to the views of the public as to the content of the Participation Statement. The Council's draft Development Plan Scheme including the Participation Statement is attached for approval at Appendix 1.
- 4.7 Evidence Report** – the purpose of the Evidence Report is to support the quality and effectiveness of the Local Development Plan. Its aim is to gather and use evidence to clearly inform what to plan for before the Proposed Plan looks at where development should take place. Stakeholders' views are to be sought when preparing the Evidence Report. Legislation and guidance sets out the expected content of the Evidence Report. The Evidence Report must be approved by the full Council before it is submitted to the Scottish Ministers. The Evidence Report stage is likely to be the most challenging stage of the new Local Development Plan process. It is a new requirement and whilst the Scottish Government promote a proportionate approach, the breadth and depth of evidence required by Scottish Government Guidance is substantial, as is the level of engagement required. The Guidance sets out information likely to be required, and other information planning authorities may wish to prepare or review, as part of the Evidence Report for 33 different policy areas. Examples of evidence to be submitted include: information on local sources of greenhouse gases and local opportunities for greenhouse gas sequestration; identification of nature networks; green belt review and local landscape character assessment; urban capacity study; heat network zones; and community assets and community wealth building priorities. While many evidence data sources already exist or will be prepared by others, other evidence will need to be sourced or created primarily for the local development plan process.
- 4.8 Gate Check** – the assessment of the Evidence Report, most likely by a Reporter from the Directorate and Environmental Appeals (DPEA), is known as the Gate Check. The Reporter can decide that there is sufficient information and the planning authority can move to prepare its Proposed Plan, or the Reporter may consider there is not sufficient information and provide recommendations for improving the Evidence Report. The aim of the Gate Check is to reduce the level of debate at the Examination stage of the plan preparation process and made for a better evidence-led plan. This Gate Check is a new requirement of the local development plan preparation

process and the costs of the Gate Check are to be met by the planning authority.

- 4.9 Proposed Plan** – the Proposed Plan identifies where new development should take place and where it should not and articulates the ambitions and priorities for the future development of the Plan area. The preparation of the Proposed Plan is to be informed by community engagement and a wide range of prescribed policy and strategy documents. The Scottish Government guidance sets out requirements in relation to the form and content of the Proposed Plan. The Proposed Plan must be approved by the full Council. It must then be published for consultation. Proposed Plans can be modified after consultation.
- 4.10 Delivery Programme** – the Delivery Programme sets out how an authority proposes to implement its Local Development Plan. A proposed Delivery Programme must be published with the Proposed Plan, and like the Proposed Plan it is to be approved by full Council. The Delivery Programme is to be a corporate document, which can influence the authority's financial investments, and support delivery of the Plan's policies and proposals to achieve Council priorities. It is to be reviewed and renewed at least every two years.
- 4.11 Examination** – the Examination is the opportunity for independent consideration on any issues raised during the formal consultation on the Proposed Plan that have not been resolved through modifications. The Examination will most likely be undertaken by a Reporter from the Directorate of Planning and Environmental Appeals, who will determine whether the Examination should be in public, by hearing or by written submissions. Most recent Examinations now undertaken primarily by written submission. The Examination will consider unresolved issues following consultation on the Proposed Plan and also the consultation and involvement of the public in the preparation of the Plan. Following the Examination, the Reporter will prepare a report setting out reasons for their conclusions and recommendations, including any modifications to the Plan. There are limited circumstances under which a planning authority can decline a Reporter's recommendations. These are that the recommendation would make the Plan inconsistent or incompatible with the environmental assessment, the National Planning Framework or Habitat Regulations; or that the recommended modification could not reasonably have been reached based on the evidence considered in the course of the Examination. The planning authority are to meet the costs of the Examination.
- 4.12 Adoption** – adoption is the final stage in the preparation of the Plan and occurs after the Council has received and considered the Examination report and any recommendations and modifications it proposes.

#### Local Development Plan preparation timeline

- 4.13** The proposed timeline for the preparation of a new Local development Plan for West Dunbartonshire is as follows and also set out in the draft Development Plan Scheme in Appendix 1. Legislation stipulates the time line

be set out on quarters based on a financial year running from April to March. Estimated months are included below to ease understanding of the timeline. The timeline is considered challenging but realistic and within the 3-4 year preparation timeline expected by the Scottish Government, and is similar to a number of other authorities that have already published their preparation timelines.

Action	Proposed timeline
Publication of draft Development Plan Scheme/Participation Statement	Quarter 2, 2023/24 (September 2023)
Publication of finalised Development Plan Scheme and Participation Statement	Quarter 3, 2023/24 (December 2023)
Publication of Evidence Report and submission for Gatecheck	Quarter 3, 2024/25 (December 2024)
Publication of Proposed Plan and draft Delivery Programme	Quarter 4, 2025/26 (January 2026)
Submission of Proposed Plan to the Scottish Ministers for Examination	Quarter 3, 2026/27 (October 2026)
Expected adoption of Local Development Plan	Quarter 2, 2027/28 (September 2027)

#### Associated requirements and impact assessments

**4.14** The Planning (Scotland) Act 2019 and associated Regulations set out requirements for other work to be undertaken in association with the Local Development Plan process. This includes:

- Open Space Strategy – work has started on the undertaking of open space audit that will form the basis of this strategy
- Play Sufficiency Assessment
- Forestry and Woodland Strategy

**4.15** There are a number of different assessments that must be undertaken to support the preparation of the Local Development Plan. These are:

- Equalities Impact Assessment
- Public Sector Equality Duty Assessment
- Fairer Scotland Duty Assessment
- Strategic Environmental Assessment
- Habitat Regulations Appraisal

Each of these assessments will also be required for the requirements set out in paragraph 4.13. Some of these assessments are significant pieces of work in its own right. The assessments are undertaken and updated throughout the Plan preparation period as detailed above.

#### Local Place Plans

**4.16** The Planning (Scotland) Act 2019 includes provision for local communities to prepare Local Plan Plans. Planning authorities are to take account of any registered Local Place Plan when preparing its Local Development Plan.

There is a separate report to the September Planning Committee setting out the proposed approach to Local Place Plans in West Dunbartonshire planning authority area.

### Participation

- 4.17** The participation of communities and other stakeholders in the Local Development Plan process is an important feature of the new planning system. Although engagement has always been part of the process and encouraged, there are now much stronger requirements set out in legislation and guidance, including engagement with specific groups such as children and young people; disabled people; and Gypsies and Travellers.
- 4.18** The Participation Statement element of the Development Plan Scheme sets out how the Council intends to encourage participation in the Local Development Plan process. A draft Development Plan Scheme is attached at Appendix 1 for approval, and will be used to seek the views of communities and other stakeholders on how they want to be involved in the Local Development Plan process.

## **5. People Implications**

- 5.1** The Planning (Scotland) Act 2019 introduces significant new requirements for planning authorities which will have an impact on the workloads, skills and training requirements of planning staff. The Development Planning and Place Team within West Dunbartonshire Council, which is responsible for the preparation of the Local Development Plan and other planning policy related work, is a small team and meeting the timescales for the preparation of the new Plan will be challenging.

## **6. Financial and Procurement Implications**

- 6.1** The costs of the Gate Check and Examination processes are to be met by the planning authority. Based on previous Examinations, it is estimated these may cost £30,000 each. A burden bid will be made for a £30,000 budget for each financial year 2024/25 and 2026/27.

## **7. Risk Analysis**

- 7.1** Not having an up-to-date local development plan may have an impact on planning decisions taken by the Council and could result in appeal decisions being upheld.
- 7.2** As there is a new Local Development Plan process there is a risk associated with the proposed timeline, particularly the Evidence Report stage and the Gate Check as these are new requirements, so there is uncertainty around how long the preparation and gathering of the necessary evidence will take, and also around the expectations of the Reporter who will be assigned to undertake the Gate Check. It would also be preferable for community-prepared Local Place Plans to be validated in time for them to be reflected in

the Proposed Plan, but as the timing of these are to be decided by communities there is no guarantee of this.

## **8. Equalities Impact Assessment (EIA)**

**8.1** The Development Plan Scheme and Participation Statement is a document that sets out how communities will be involved in the preparation of the Local Development Plan. It includes an emphasis on engaging with people with protected characteristics and groups that represent them. The document is published initially as a draft for consultation so that the views of people with protected characteristics can be sought and engagement with them can be improved. A summary of the EIA can be found below, with the full assessment in Appendix 2.

EIA 774: The council will be proactive in engaging with underrepresented groups in preparing the local development plan. This will include seeking views on the draft Participation Statement itself to better understand how to engage with these groups.

## **9. Consultation**

**9.1** The draft Development Plan Scheme will be published for consultation following approval by Planning Committee for an 8 week consultation period ending on 17 November 2023. This will allow a finalised Development Plan Scheme to be reported to the December 2023 Planning Committee and to meet the timelines of the Local Development Plan outlined above.

**9.2** The views of the following teams/services have been sought during the preparation of this report: Legal, Finance, Communities, and Performance and Strategy. The views of these and other Council services will also be sought during the consultation on the draft Development Plan Scheme and Participation Statement.

## **11. Strategic Assessment**

**11.1** The new Local Development is considered to be relevant to, and will help deliver, all of the Council's strategic priorities:

- Our Communities – Resilient and Thriving
- Our Environment – A Greener Future
- Our Economy – Strong and Flourishing
- Our Council – Inclusive and Adaptable

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**

**Date: 20<sup>th</sup> September 2023**

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**Appendices:** Appendix 1: Consultation Draft Development Plan Scheme and Participation Statement

Appendix 2: Equalities Impact Assessment for Development Plan Scheme and Participation Statement

**Background Papers:** None

**Wards Affected:** All



**West Dunbartonshire Local Development Plan (LDP3)**

**Draft Development Plan Scheme and Participation Statement**

**September 2023**

## **Development Plan Scheme**

### **Introduction**

Thank you for your interest in West Dunbartonshire's Development Plan.

This draft Development Plan Scheme explains what a Development Plan is. It sets out what Development Plans are currently active in West Dunbartonshire and provides an estimated timeline for the preparation of a new Local Development Plan for the West Dunbartonshire planning authority area. It includes a Participation Statement which sets out how the planning authority (part of the Council) will involve the community and other stakeholders in the preparation of the new Local Development Plan.

This draft version of the Development Plan Scheme has been published so that you can comment on the estimated timeline for the preparation of the new Local Development Plan and also comment on how participation in the preparation of the Plan can best be achieved. It would also be helpful to have your views on whether the purpose of this document and its content is clear. For this reason there are survey questions included throughout the document that we would welcome your comments on.

### **What is the Development Plan?**

The purpose of the planning system is to manage development and the use of land in the long term public interest. Development and land use in Scotland is "plan led", making the Development Plan an important document for decision making. It is a statutory plan used by planning authorities to make decisions about what development takes place and how land is used in their area.

There are two main parts of the Development Plan. The first is the National Planning Framework. This is prepared by the Scottish Government, who formally adopted the Fourth National Planning Framework (NPF4) in February 2023. NPF4 contains a spatial strategy which highlights development areas and types that are of national importance. It also contains a set of policies used by planning authorities to make planning decisions.

The second part of the Development Plan is the Local Development Plan, prepared by planning authorities. A Local Development Plan sets out how places will change, importantly identifying where and what development should and should not happen. It is a more detailed and specific plan for a local area which identifies infrastructure needs, allocates land for development, or for protection from inappropriate development. Local Development Plans can also contain policies which add greater detail or local context to policies in NPF4 or to address issues not addressed by NPF4.

**Question 1 – does this section clearly explain what the Development Plan is? If not, how could it be improved?**

### Current Development Plans and Planning Guidance covering West Dunbartonshire

The West Dunbartonshire Council area is covered by two different planning authorities. The West Dunbartonshire Council planning authority area covers all of West Dunbartonshire with the exception of that area within the Loch Lomond and the Trossachs National Park, for which the Park Authority is the planning authority. The Park Authority prepares its own Local Development Plan and Development Plan Scheme which you can read more about at <https://www.lochlomond-trossachs.org/planning/planning-guidance/>.

<insert map of planning authority areas>

West Dunbartonshire's Development Plan consists of NPF4<sup>1</sup> and the 'West Dunbartonshire Local Plan (2010)'<sup>2</sup>. In addition, the Council also uses the Proposed West Dunbartonshire Local Development Plan (2020, as modified) as a material consideration in planning decisions, but as it was not adopted it is not a part of the statutory Development Plan.

The Council has a number of planning guidance documents relating to specific topics or places. These do not form part of the development plan but do form part of the decision-making process for planning application when relevant. A list of current planning guidance documents is set out in Appendix 1.

To view West Dunbartonshire Council's current development plan and planning guidance documents, visit [Development Plan | West Dunbartonshire Council \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk/development-plan/).

**Question 2 – does this question clearly explain the current Development Plan and Planning Guidance coverage in West Dunbartonshire?**

### Preparing a new Local Development Plan

The Council has commenced preparation of a new Local Development Plan. This will be a 'new style' Local Development Plan, which will be prepared differently and have a different format, following changes introduced by the Planning (Scotland) Act 2019. The National Planning Framework (NPF4) now contains the detailed policy framework that was previously set out in old style local

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<sup>1</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/02/national-planning-framework-4/documents/national-planning-framework-4-revised-draft/national-planning-framework-4-revised-draft/govscot%3Adocument/national-planning-framework-4.pdf>

<sup>2</sup> <https://www.west-dunbarton.gov.uk/council/key-council-documents/local-development-planning/development-plan/#:~:text=The%20Development%20Plan%20Scheme%20and%20Participation%20Statementsets%20out,the%20preparation%20of%20the%20new%20local%20development%20plan.>

development plans. New style local development plans are expected to be place-based, people-centred and delivery-focused. With regard to format, this means that local development plans are expected to be place-based, visual plans with the inclusion of a clear spatial strategy, and a collection of maps, development briefs and masterplans, instead of lengthy written text and policy. Plans are to be prepared collaboratively with communities and other stakeholders, with people with protected characteristics given particular support to engage in the plan preparation process.

The preparation of the new Plan will follow statutory processes set out in the Planning Act and associated Regulations and Guidance. The key stages are:

**Development Plan Scheme including Participation Statement** – this document is produced annually and acts as a communication tool for letting stakeholders know when and how they can get involved in the local development plan process keep them informed of progress. It sets out the timetable for the preparation of the local development plan and what is involved at each stage of the process. The Participation Statement part of the document sets out how stakeholders are to be involved in the preparation of the local development plan. It is to include targeted methods to reach under-represented groups, help to make public participation inclusive, ensure that wider public engagement directly feeds into the preparation of the local development plan, and promote proactive engagement at all stages of the plan's preparation.

**Evidence Report** – the purpose of the Evidence Report is to support the quality and effectiveness of the Local Development Plan. Its aim is to gather and use evidence to clearly inform what to plan for before the Proposed Plan looks at where development should take place. Stakeholders' views are to be sought when preparing the Evidence Report.

**Gate Check** – the assessment of the Evidence Report by a Directorate and Environmental Appeals Reporter is known as the Gate Check. The Reporter can decide that there is sufficient information and the planning authority can move to prepare its Proposed Plan, or the Reporter may consider there is not sufficient information and provide recommendations for improving the Evidence Report. The Gate Check also provides an opportunity for the Reporter to consider and attempt to resolve disputes that may exist about the evidence submitted. The aim of the Gate Check is to reduce the level of debate at the Examination stage of the plan preparation process and made for a better evidence-led plan.

**Proposed Plan** – the Proposed Plan identifies where new development should take place and where it should not and articulates the ambitions and priorities for the future development of the Plan area. The preparation of the proposed Plan is to be informed by community engagement and a wide range of other policy and strategy documents. The Scottish Government guidance sets out

requirements in relation to the form and content of the Proposed Plan. The Proposed Plan is published for consultation, after which Proposed Plans can be modified.

**Delivery Programme** – the Delivery Programme sets out how an authority proposes to implement its Local Development Plan. A proposed Delivery Programme must be published with the Proposed Plan. The Delivery Programme is a corporate document, which can influence the authority’s financial investments, and support delivery of the Plan’s policies and proposals to achieve Council priorities. It is to be reviewed and renewed at least every two years.

**Examination** – the Examination is the opportunity for independent consideration on any issues raised during the formal consultation on the Proposed Plan that have not been resolved through modifications. The Examination will be undertaken by a Reporter from the Directorate of Planning and Environmental Appeals. The Examination will consider unresolved issues following consultation on the Proposed Plan and also the consultation and involvement of the public in the preparation of the Plan. Following the Examination, the Reporter will prepare a report setting out reasons for their conclusions and recommendations, including modifications to the Plan.

**Adoption** – adoption is the final stage in the preparation of the Plan and occurs after the Council has received and considered the Examination report and any recommendations and modifications it proposes.

### **Question 3 – does this section clearly explain the key stages in the preparation of a new Local Development Plan?**

The estimated timetable for the preparation of the new Local Development Plan is set out below. Legislation requires for this to be set out in financial year quarters but the Council has included estimated months to ease understanding of the timetable.

<b>Action</b>	<b>Estimated date</b>
Publication of finalised Development Plan Scheme and Participation Statement	Quarter 3, 2023/24 (December 2023)
Publication of Evidence Report and submission for Gatecheck	Quarter 3, 2024/25 (December 2024)
Publication of Proposed Plan and Draft Delivery Programme	Quarter 4, 2025/26 (January 2026)
Submission of Proposed Plan to the Scottish Ministers for Examination	Quarter 3, 2026/27 (October 2026)

Expected adoption of Local Development Plan	Quarter 2, 2027/28 (September 2027)
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#### **Question 4 – does the timeline for the preparation of the new Local Development Plan seem reasonable?**

The preparation of the new Local Development Plan will be supported and informed by a number of assessment documents that will be concurrently prepared. These are:

- Equalities Impact Assessment
- Public Sector Equality Duty Assessment
- Fairer Scotland Duty Assessment
- Strategic Environmental Assessment
- Child Rights and Wellbeing Impact Assessment
- Habitat Regulations Appraisal

#### Other Plans and Strategies

The Planning (Scotland) Act 2019 introduced the requirement for a number of other plan and strategy documents to inform and improve the planning system in Scotland. These are:

**Local Place Plans** – these are community-led plans focused on the development and use of land in the area covered by the Plan. West Dunbartonshire Council will issue an invitation to communities to prepare Local Place Plans and will set out what assistance the Council can offer with their preparation. Once prepared, the Council will validate properly-prepared Local Place Plans and take them into account when preparing the Local Development Plan.

**Regional Spatial Strategies** – are to be produced by a planning authority, or jointly by a group of planning authorities, and will set out a long-term spatial strategy in respect of the strategic development of the area it covers. The West Dunbartonshire planning authority area is likely to be included within a Regional Spatial Strategy covering the Glasgow City-Region area.

Local Place Plans and Regional Spatial Strategies will not be part of the Development Plan but all of these documents will inform the content of the others.

<insert diagram>

Open Space Strategy – planning authorities are required to prepare a strategy setting out a strategic framework of policies and proposals for the development, maintenance and use of green infrastructure, including open spaces and green networks. The strategy is to contain an audit of existing open space provision and an assessment of current and future requirements. The Council will consult on the findings of its audit and the Open Space Strategy

Play Sufficiency Assessment – planning authorities are required to assess the sufficiency of play opportunities for children in preparing the Evidence Report for the Local Development Plan. The Council will consult on its Play Sufficiency Assessment.

As at August 2023, West Dunbartonshire Council has commenced its open space audit including the noting of locations of play opportunities.

Forestry and Woodland Strategy – planning authorities are to prepare a strategy which identifies woodlands of high nature conservation, and sets policies and proposals for the development of forestry and woodland, and the protection, enhancement and expansion of woodlands. The Council will consult on its Forestry and Woodland Strategy.

**Question 5 – Does this section clearly explain the other plans and strategies associated with the Local Development Plan?**

## **Participation Statement**

### **Introduction**

The Scottish Government intends the preparation of the Local Development Plan to be a collaborative process. Local Development Plans are expected to be place based, people centred and delivery focussed. The involvement of all stakeholders within the planning process will be required to achieve this, including:

- local communities;
- services within the council;
- service providers, infrastructure providers and government agencies outside of the council (sometimes referred to as Key Agencies);
- businesses and other organisations; and
- developers and land and property owners.

The Participation Statement sets out how we will achieve this by identifying who we will include, how we will keep them informed, how they will be included, what methods we will use to include people, and when engagement will take place.

### **Who we will include**

Legislation requires planning authorities to involve the public at large in preparing a Local Development Plan, however there are also specific groups that planning authorities need to include, which are:

- children and young people (those under the age of 25);
- people with disabilities;
- Gypsies and Travellers; and
- community councils
- 

There are other groups that guidance states should be given support to engage with the Local Development Plan process including people with protected characteristics (including race, age, sex, and sexual orientation), as well as people from a range of socio-economic backgrounds.

### **Children and Young People**

There will be three main ways we will include children and young people. We will:



- engage with the Youth Parliament Representatives for the West Dunbartonshire Planning Area,
- engage with the West Dunbartonshire Youth Council
- engage with schools (including early education, primary, secondary, and special needs schools).

We will also reach out to known youth groups in the area and ask if they are interested in engaging in the Local Development Plan process

### **People with disabilities**

There are a number of existing disability groups known to the council we will reach out to and request their input to the Local Development Plan process.

We will also consider the barriers to engaging with people with disabilities and how to overcome them, to provide opportunities to fully engage. This will include providing information in an accessible format.

### **Gypsies and Travellers**

We will approach existing contacts we have for Gypsy and Traveller communities to discuss their needs.

### **Community Councils**

We will use existing channels of communications to contact active community councils.

In areas where there are no active community councils we will seek the views of other active community groups in these areas

### **Question 6 – are there any other specific groups that we should involve or target our consultation at?**

#### How we will keep you informed

We will keep the public up to date by publishing regular updates on the plan preparation milestones listed in the Local Development Plan Scheme. Updates will be published to the Council website, posted on social media, and circulated via a newsletter for those who wish to sign up to this.

Some stages of plan preparation require us to advertise in local newspapers, including

- inviting communities to make Local Place Plans
- publishing the Proposed Local Development Plan
- advertise the examination of the Local Development Plan
- publishing a report of modifications to the Plan

- the adoption of the Local Development Plan

We will make key documents available in libraries at the appropriate times, including the Evidence Report and Proposed Local Development Plan.

### **How we will involve and collaborate with you**

We will use a variety of methods to engage with specific groups as well as the public at large.

We will hold public consultations to collect ideas for and views on proposals within the Local Development Plan, using online survey tools and public events.

A survey of the Citizens Panel will collect information about places across West Dunbartonshire.

We will hold a 'Call for Ideas' consultation for communities, developers and landowners to identify sites for development.

We will work directly with Community Councils and other local community groups to identify key issues and opportunities for their local area, and to work together on development briefs and masterplans.

One of the most direct ways communities can influence the plan is by making a Local Place Plan. We will invite communities to make Local Place Plans. The contents of Local Place Plans are decided by their community, and once completed and registered are incorporated in the Local Development Plan.

### **The tools, materials, and methods we will use to involve you**

A variety of tools and materials will be used to reach as many people as possible and to reduce barriers to participation as far as possible.

Published information and the proposed plan will be provided in accessible formats. This will include information published online and in physical information left in public places.

We will collect ideas and views using the Councils online survey platform 'Survey 123'.

The place standard tool will help us to collect and focus views about a place. The tool will be used in a variety of formats, including: in online surveys; at meetings with specific groups, community councils, and community organisations; and at consultation events. Different versions of the tool will be used in specific context, such as the version for children and young people.

**Question 7 – are there any consultation approaches/techniques you would suggest we should use to improve engagement in the Local Development Plan process?**

The table below sets out the different stages of the Local Development Plan and the engagement activity that will be undertaken at each stage. It has been informed by the Scottish Government consultation draft guidance on 'Effective Community Engagement in Local Development Planning' (May 2023) and is based on the following levels of engagement: inform; consult; involve; collaborate; and empower.

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
Evidence Gathering	Early engagement and data collection	Publication of Draft Development Plan Scheme and Participation Statement	September> November 2023	<p><b><i>Inform</i></b> participants (existing and potential of the publication of the Draft Development Plan Scheme Participation Statement and <b><i>involve</i></b> people and organisations by seeking and having regard to their views on the document.</p> <p>Publish document on the Council website and make copies of the document available in the Council headquarters and libraries. Include survey questions within document seeking views on format of document and participation techniques.</p> <p>Publish survey/form to allow people and organisations to register their interest in the Local Development Plan process.</p> <p>Meet with Community Councils and other community organisations to encourage participation in the Local Development Plan process and comments on the Draft Development Plan Scheme and Participation Statement. Engage with local anchor organisations to fill gaps where there are no community councils or other community organisations currently running.</p> <p>Engage with youth organisations and representatives</p>

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				<p>on the best way to engage children and young people in the Local Development Plan process</p> <p>Engage with disability and carers community groups on the best ways to enable participation</p> <p>Engage Gypsies and Travellers groups on best ways to enable participation</p> <p>Contact known community groups/organisations (including those of protected characteristics) and West Dunbartonshire CVS to invite expression of interest in taking part in plan preparation, and for views on how to engage</p> <p>Inform other Council services and Key Agencies of the proposed Local Development Plan timeline.</p>
		Issue invite to participate in Local Development Plan process	September 2023	<p><b>Inform</b> participants in previous Local Development Plan process of new process and encourage registration and participation. Create online form to enable registration.</p> <p>Establish new Local Development Plan participant database.</p>
		Invite communities to prepare Local Place Plans and support their preparation	September 2023 (ongoing)	<p><b>Inform</b> community organisations that they are invited to prepare a Local Place Plan, as means to <b>involve</b> communities in the preparation of the Local Development Plan. <b>Empower</b> communities to decide on the content of their Local Place Plans.</p>

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				<p>Publish invitation to prepare Local Place Plans on the Council website and social media. Place posters in public buildings. Send direct invitation to groups who may have an interest in preparing a Local Place Plan, and promote through West Dunbartonshire CVS.</p> <p>Advise community organisations of the type of Council support that will be available to them to prepare Local Place Plans.</p> <p>Meet with Community Councils and other community organisations to encourage preparation of Local Place Plans.</p>
		Publication of finalised Development Plan Scheme and Participation Statement	December 2023	<p><b>Inform</b> of publication through website, social media, and direct communication with registered participants.</p> <p>Publish document on the Council website and make copies of the document available in the Council headquarters and libraries.</p>
		Preparation of Evidence Report	September 2023>November 2024	<p><b>Involve participants in the creation of the Evidence Report. Inform participants on how their views were sought and taken into account</b></p> <p>Incorporate results of previous engagement exercises where relevant (e.g. Citizens Panel responses)</p> <p>Undertake Place Standard Consultation to assess place quality and collect ideas for improvement. Distribute to general public online through website and social media. Distribute to citizens panel</p>

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				<p>Engage with children and young people through schools, Youth Council, Youth Parliament, and other young people's organisations. Use childrens/young persons' versions of Place Standard Tool.</p> <p>Engage people with disabilities. Options include establish disabled working group like with LDP2, and undertaking events/workshops with BSL interpreters available.</p> <p>Work with Key and Government Agencies, city-region organisations, Health and Social Care Partnership, etc to identify best available evidence.</p>
		Publication of Evidence Report and submission to Scottish Minister for Gate Check	December 2024	<p><b>Inform</b> of publication of Evidence Report through website, social media and direct communication with registered participants.</p> <p>Publish document on the Council website and make copies of the document available in the Council headquarters and libraries.</p>
		Gate Check	December 2024> Spring 2025	<p><i>The person appointed to undertake the Gate Check may <b>consult</b> with certain stakeholders either in writing or through a hearing.</i></p>
Plan Preparation	Proposed Plan	Preparation of Proposed Local Development Plan and Draft Delivery Programme	January 2024> December 2025	<p><b>Involve</b> and <b>collaborate</b> with participants in the preparation of the Proposed Local Development Plan.</p> <p>Undertake a 'Call for Ideas' consultation. Promote this through an online survey, making use of mapping tools if available, and face-to-face events with community councils and other community groups. The 'Call for</p>

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				<p>Ideas' will also provide land and property owners and the development industry the opportunity to suggest sites for development.</p> <p>Hold discussions with groups that have prepared or are preparing Local Place Plans to consider how the Proposed plan can deliver or reflect the content and aspirations of Local Place Plans.</p> <p>Develop masterplans and site briefs with communities, developers, landowners and key agencies and share potential content of the Proposed Plan as it becomes available allowing participants the chance to influence it before it is formally published in the Proposed Plan.</p> <p>Identify potential areas of conflict and make use of mediation if this is likely to help resolve or reduce dispute between different parties.</p> <p>Liaise with organisations who will be identified for the delivery of actions set out in the Draft Delivery Programme.</p>
	Consultation	Consultation on Proposed Local Development Plan and Draft Delivery Programme	January 2026> March 2026	<p><b>Inform</b> participants of the publication of the <i>Proposed Local Development Plan and Draft Delivery Programme</i> and <b>consult</b> with them on its content.</p> <p>Publish notice in local newspaper and on Council website informing that the Proposed Local Development Plan and Draft Delivery Programme has been published</p>



Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				<p>Publish documents on the Council website and make copies of the document available in the Council headquarters and libraries.</p> <p>Notify the owner, lessee or occupiers of sites and neighbouring land that may be affected by development proposals set out in the Plan.</p> <p>Meet with Community Councils and other community organisations to encourage participation in the Proposed Local Development Plan consultation process.</p>
	Examination	Preparation of 'Summary of Unresolved Issues'	April 2026> October 2026	Although there is no formal engagement at this stage of the process, the Council may make use of mediation if this is likely to help resolve or reduce dispute between different parties.
		Modify Proposed Local Development Plan following consultation	April 2026> October 2026	<b>Inform</b> communities of modifications made in response to representations made on the Proposed Plan.
		Submission of Proposed Local Development Plan for Examination	October 2026	<b>Inform</b> anyone who made representations on the Proposed Plan about the upcoming Examination and also advertise the Examination in a local newspaper, in local public libraries, and on Council website and social media.
		Examination	October 2026>June 2027	The person appointed to undertake the Examination may <b>consult</b> with stakeholders to seek further information on a submitted representation.

Local Development Plan Preparation Stage		Activity	Timescale	Engagement Activity
				The appointed person will publish the Examination Report and notify anyone who made an unresolved representation.
Delivery	Adopted Plan	Adopt the Local Development Plan	September 2027	<p><b><i>Inform participants of the adoption of the Local Development Plan.</i></b></p> <p>Publish the adopted Local Development Plan on the Council website and make copies available in local public libraries.</p> <p>Notify participants, including those who made a representation on the Proposed Local Development Plan or Examination.</p> <p>Place an advertisement in a local newspaper stating where the adopted Plan can be viewed.</p>
	Delivery Programme	Publish the Delivery Programme	December 2027	<p><b><i>Inform participants of the publication of the Delivery Programme.</i></b></p> <p>Publish the Delivery Programme on the Council website and make copies available in local public libraries</p>
	Monitoring and Delivery	Publish information on monitoring and delivery	Ongoing	<p>Publish an updated Delivery Programme at least every two years and make available on Council website and local public libraries.</p> <p>Publish annual land use survey information on Council website.</p>

**Question 8 – is the above table helpful in setting out the Local Development Plan process and how we will engage at each stage?**

### **Impact assessments**

The preparation of the Local Development Plan is to be supported and informed by a number of assessment documents. These documents have engagement requirements, which are summarised in the table below which has been lifted from the consultation draft Scottish Government guidance on Effective Community Engagement in Local Development Planning.

<b>Assessment</b>	<b>Level</b>	<b>Engagement needs and timing</b>
Strategic Environmental Assessment	Inform Consult	<p>Legal requirement for 'early and effective' public engagement. Engagement is focused on the Environmental Report consultation, but earlier engagement is recommended.</p> <p>A Post Adoption Statement is prepared, published and advertised to inform people about how the assessment findings and comments received on the proposed plan and Environmental Report have been taken into account.</p>
Habitat Regulations Appraisal	Inform	No requirement for public engagement. Report to be published at the proposed plan stage to inform people of the appraisal.
Public Sector Equality Duty Assessment	Inform Involve	<p>The timing of the publication of the assessment could usefully be set out in the Development Plan Scheme.</p> <p>Proportionate involvement is needed throughout the process, from the early preparation stage to its delivery.</p> <p>The planning authority should publish the assessment findings on their website to inform stakeholders about it.</p> <p>Legally the results should be published within a reasonable period, and guidance suggests this should be as soon as possible after the decision to implement (adopt) the policy is taken.</p>
Fairer Scotland Duty Assessment	Inform Involve	<p>It is important to involve relevant communities through the stages of assessment.</p> <p>The assessment should be published to inform people about how socio-economic disadvantage is being considered.</p>

Child Rights and Wellbeing Impact Assessment	Inform Consult Involve	<p>Opportunities to involve people may arise at both the evidence gathering and proposed plan stages.</p> <p>The assessment requires an explanation of consultation with stakeholders - including children and young people.</p> <p>Publication informs people of the outcome of the assessment.</p>
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### **Contact and follow us**

The Development Planning and Place team can be contacted:

By e-mail at [lsp@west-dunbarton.gov.uk](mailto:lsp@west-dunbarton.gov.uk)

By telephone on 07990 426481

In writing to Development Planning & Place team, Planning & Building Standards, 16 Church Street, Dumbarton, G82 1QL

You can follow us on Twitter/X - @wdcplanning

Please register your interest in the Local Development Plan process at <Achieve Form link to be inserted>

## **Appendix 1 – Planning Guidance and other useful information**

<p><u>LDP2 Planning Guidance</u></p> <ul style="list-style-type: none"><li>▪ Antonine Wall, 2022</li><li>▪ Clydebank Business Park Planning Guidance, 2023 (Draft)</li><li>▪ Creating Places, 2022</li><li>▪ Green Network &amp; Green Infrastructure, 2022</li></ul> <p><u>Other Planning Guidance</u></p> <ul style="list-style-type: none"><li>▪ Clydebank Town Centre Development Framework, 2021</li><li>▪ Commuted Payments for Parking 2015</li><li>▪ Dumbarton Waterfront Path Planning Guidance, 2017</li><li>▪ Pay Day Lending &amp; Betting Shops, 2016</li><li>▪ Renewable Energy, 2016</li><li>▪ Queens Quay Design Codes, 2020.</li></ul>	<p><u>Developer Contributions</u></p> <ul style="list-style-type: none"><li>▪ Procedure for monitoring, requesting and allocating developer contributions (2022)</li><li>▪ Allocation of green network developer contributions (2022)</li></ul> <p><u>Other Useful Information</u></p> <ul style="list-style-type: none"><li>▪ Alexandria Streetscape Design Guide, 2007</li><li>▪ Alexandria Town Centre Masterplan, 2008</li><li>▪ Alexandria Town Centre Masterplan, 2021</li><li>▪ Balloch Charrette Report, 2016</li><li>▪ Bowling Basin Charrette Report 2014</li><li>▪ Clyde Riverside Masterplan, 2000</li><li>▪ Clydebank Design Guidelines (Page and Park), 2003</li><li>▪ Clydebank Town Centre Charrette report, 2015</li><li>▪ Dumbarton Town Centre Public Realm Design Guide, 2001</li><li>▪ Dumbarton Town Centre &amp; Waterfront – Revised Urban Strategy, 2014</li><li>▪ Dumbarton Rock &amp; Castle Charrette Report, 2015</li><li>▪ Kilpatrick Hills Local Landscape Area: Statement of Importance, 2015</li></ul>
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**ITEM 7 - APPENDIX 2**

<b>AssessmentNo</b>	774	<b>Owner</b>	alan.williamson	
<b>Resource</b>	Regeneration, Environment and Growth		<b>Service/Establishment</b>	Regeneration
	First Name	Surname	<b>Job title</b>	
<b>Head Officer</b>	Alan	Williamson	Development Planning &Place Team Leader	
	(include job titles/organisation)			
<b>Members</b>	Cameron Clow, Pamela Clifford			
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>			
<b>Policy Title</b>	Development Plan Scheme and Participation Statement			
	<b>The aim, objective,purpose and intended out come of policy</b>			
	This document sets out the timeline for the preparation of a new Local Development Plan and how the Council will encourage participation.			
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>			
	Communities Team Performance and Strategy Team			
<b>Does the proposals involve the procurement of any goods or services?</b>			<b>Yes</b>	
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>			<b>No</b>	
<b>SCREENING</b>				
<i>You must indicate if there is any relevance to the four areas</i>				
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>			<b>Yes</b>	
<b>Relevance to Human Rights (HR)</b>			<b>Yes</b>	
<b>Relevance to Health Impacts (H)</b>			<b>Yes</b>	
<b>Relevance to Social Economic Impacts (SE)</b>			<b>Yes</b>	
<b>Who will be affected by this policy?</b>				
Communities, businesses and organisations operating within West Dunbartonshire. People who work in and visit West Dunbartonshire. Property owners and developers.				
<b>Who will be/has been involved in the consultation process?</b>				
Residents of West Dunbartonshire and businesses and organisations active or with an interest in West Dunbartonshire.				
<b>Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.</b>				
	<b>Needs</b>	<b>Evidence</b>	<b>Impact</b>	
<b>Age</b>	Young people should be engaged in the Local Development Plan process. The needs of older people and their carers should be addressed by the	Planning is concerned with the creation of better places. This requires development that can accommodate future changes of use, taking into	There is a statutory requirement for young people and children to be engaged in the Local Development Plan process, and for a statement to be	

	Local Development Plan.	account how people use places differently, for example depending on age and degree of personal mobility.	prepared setting out the steps taken, and how views have been taken into account. The Participation Statement highlights the requirement to engage with children and young people and seeks views on how to do this. Consultation on the associated Play Sufficiency Assessment will be particularly relevant for children and young people. The needs of older people, including for housing, will be consulted on as part of the Local Development Plan process.
<b>Cross Cutting</b>			
<b>Disability</b>	Disabled people and their carers should be engaged in the Local Development Plan process.	Planning is concerned with the creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on the degree of personal mobility and how places can affect people's health and wellbeing. Though planning may have focussed on issues around barriers to mobility, it should also include consideration of people with mental health needs and	There is a statutory requirement for disabled people to be engaged in the Local Development Plan process, and for a statement to be prepared setting out the steps taken, and how views have been taken into account.

		those living with dementia.	
<b>Social &amp; Economic Impact</b>	People from disadvantaged communities should be able to participate in the Local Development Plan process.	There is a spatial element to socio economic deprivation and development. For example more deprived people are more likely to live near vacant or derelict land than less deprived people.	The consultation will target residents and resident groups in disadvantaged areas.
<b>Sex</b>	People of different sex should be able to participate in the Local Development Plan process	Planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on their sex. Organisations such as The World Bank have noted in general, 'cities work better for heterosexual, able-bodied, cisgender men than they do for women, girls, sexual and gender minorities, and people with disabilities'.	Consultation will be monitored to ensure that it is being directed
<b>Gender Reassign</b>	Transgender people should be able to participate in the Local Development Plan process	Transgender people may not feel comfortable attending consultation events.	Consultation events should be welcoming for all and online consultation will be available.
<b>Health</b>	People in poor health should be able to engage in the Local Development Plan process	Health and wellbeing is significantly impacted by where people live by, for example, access to services, greens space and air	Groups representing people in ill health and carers will be contacted as part of the consultation process.



		quality. This cross cuts with social and economic issues as more deprived communities have worse health outcomes	
<b>Human Rights</b>	In line with the UN Convention on Rights of the Child children and young people should be able to participate in the Local Development Plan Process. The human rights act gives people the right to freedom of expression, freedom from discrimination, and freedom to enjoy property. Article 8 also protects participation	Children and young people tend to be an under represented group in consultation and engagement. Scottish governments impact assessment on NPF4 noted that opportunities to participate in the planning system will help to uphold human rights.	In line with statutory duties in relation to engagement with Children and Young people, the participation statement sets out how we will engage with these groups. In line with the statutory duty to engage with the public at large and certain under represented groups we will enable people to express their views on the preparation of the development plan.
<b>Marriage &amp; Civil Partnership</b>			
<b>Pregnancy &amp; Maternity</b>	Pregnant women and the parents of very young children should be able to participate in the Local Development Plan process	There is considerable evidence of beneficial effects of access to green space for the health of pregnant women. Specifically, studies in Europe showed positive associations between access to nearby green space and both reduced blood pressure and reduced depression in pregnant women, with a stronger effect for reduced depression in disadvantaged groups. Research also shows that access to green	Pregnancy and maternity will not be monitored as part of equality monitoring, so relevant groups can be targetted during consultation, for example pre and post natal groups and health workers.

		<p>space in close proximity to the homes of pregnant women was positively associated with birth weight.</p> <p>Birth weight is a useful indicator of health in early life: low birth weight is one of the major predictors of neonatal and infant mortality, as well as long-term adverse effects in childhood and beyond. Recent studies also found a positive association between residential greenness measured and birth weight.</p>	
<b>Race</b>	<p>People of all races should be able to participate in the Local Development Plan process.</p>	<p>People who do not have English as a first language may not be aware of the Local Development Plan process or understand its significance for the area. They may struggle to submit consultation responses. Gypsy and Traveller groups have</p>	<p>There is a statutory requirement for Gypsy and Traveller groups to be engaged in the Local Development Plan process, and for a statement to be prepared setting out the steps taken, and how views have been taken into account.</p>
<b>Religion and Belief</b>	<p>People of different religions and beliefs should be able to participate in the Local development Plan process and have their views taken into account.</p>	<p>Local groups will be contacted as part of the consultation process.</p>	<p>The wide approach and proactive support should support participation.</p>
<b>Sexual Orientation</b>	<p>People of all sexual orientation should be able to participate in the Local Development Plan process</p>	<p>It has been suggested that there is a spatial dimension to where the LGBT community lives in Scotland, with a focus of the community in large</p>	<p>If there is a small LGBT population within West Dunbartonshire, this could impact on hearing voices from that community. Consultation will be monitored to</p>

		urban areas. This has, for example, potential implications for effective engagement with the community.	attempt to ensure participation from that community is achieved.	
<b>Actions</b>				
<b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>				
<b>Will the impact of the policy be monitored and reported on an ongoing basis?</b>				
Yes, equalities information of all LDP participants will be monitored. Where gaps exist, action will be taken to address them.				
<b>Q7 What is your recommendation for this policy?</b>				
Introduce				
<b>Please provide a meaningful summary of how you have reached the recommendation</b>				
EIA 774: The council will be proactive in engaging with under represented groups in preparing the local development plan. This will include seeking views on the draft Participation Statement itself to better understand how to engage with these groups.				



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Planning, Building Standards and Environmental Health Manager

**Planning Committee: 20<sup>th</sup> September 2023**

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**Subject: Local Place Plans**

#### **1. Purpose**

- 1.1** The purpose of this report is to seek approval of an approach to Local Place Plans which will deliver new duties arising from the Planning (Scotland) Act 2019.

#### **2. Recommendation**

- 2.1** That the Committee agrees the approach to Local Place Plans as set out in this report and gives authority to officers to issue the invitation to prepare Local Place Plans to communities.
- 2.2** That the Committee notes that officers will submit a burden item for members consideration in setting the 2024-25 budget for the preparation of Local Place Plans.

#### **3. Background**

- 3.1** The Planning (Scotland) Act 2019 give new powers to communities to prepare Local Place Plans for their area, as well as placing associated duties on Planning Authorities. Local Place Plans are community led plans which set out proposals for the development and use of land. A Local Place Plan, must be prepared by a Community Council or another Community Controlled Body, as defined by the Community Empowerment Act.
- 3.2** The Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021 set out the requirements which communities must fulfil when preparing a Local Place Plan. This includes matters to which a community body must have regard; the form and content of a Local Place Plan; steps required to be taken before submission of a Local Place Plan; and information to be submitted with a Local Place Plan.
- 3.3** The following duties arise for the Council; to invite this form of participation; to maintain a register of Local Place Plans; and take account of Local Place Plans when preparing Local Development Plans. This report sets out how the Council will meet these duties and the support that the Council will give to communities to better enable them to fulfil the requirements for preparing a Local Place Plan.

#### **4. Main Issues**

### Invitation to Prepare Local Place Plans

- 4.1** The Council is required to issue an invitation to prepare Local Place Plans. In line with Scottish Government's guidance a stand-alone invitation to prepare a Local Place Plan will be placed on the Council website, email, public notice and social media will be used to inform community bodies of the invitation. The invitation will set out the link to the Local Development Plan preparation process, and timeframes which are set out within the Development Plan Scheme and Participation Statement which are also being considered at the September Planning Committee. The invitation will also set out what assistance is available to groups which wish to prepare a Local Place Plan.
- 4.2** Community groups are likely to require more than one year to prepare a Local Place Plan. It is noted that community groups are required to define the area covered by their Local Place Plan and indicate this on a map. It is not required that this follow any predefined area, such as a Community Council boundary, and it is possible for different groups to prepare separate Local Place Plans covering the same area. In these circumstances, the Council would encourage groups to work together to prepare a single plan.
- 4.3** It is not known how many community groups will want to prepare a Local Place Plan, although some have already expressed an interest. The invitation would request that community groups get in touch with Planning Services if they are considering to start the process, so as to gauge the level of interest.
- 4.4** The Council will commission consultants to prepare a "how to guide", graphics and template to support the plan making process. The consultants will work with groups interested in preparing a Local Place Plan to ensure that the "how to guide" meets their needs. In addition, the following assistance would be offered to all community groups by the Council:
- Provision of mapping or access to facilities with which to prepare maps.
  - Key Documents would be provided on the Local Place Plan pages of the Council website, and any group which comes forward would be provided with those which are required to be considered to meet the legislative requirements.
  - A start up meeting would be offered to any group coming forward to talk through the legislative requirements, explain the support that is on offer and discuss any further requirements.
  - When the community group has a draft plan, the planning service would coordinate responses on the draft Local Place Plan from relevant Council services.

- Pre-validation check would be offered to give communities an opportunity to undertake any outstanding processes which would be required to ensure a Local Place Plan is valid prior to formal submission.

**4.5** The Council may be able to offer other assistance to groups, however due to resource implications, and dependent on the level of interest, these may not be able to be provided to every group. Interested groups will be asked to submit an expression of interest for further support within the invitation. The following would be outlined within the invitation as additional supports which we may be able to offer.

- Start-up funding (The Draft 'How to' Guide indicates that there are essential expenses of between £500 and £1000 which will arise in the preparation of a Local Place Plan).
- Support to form a "community-controlled body" as defined by the Community Empowerment Act.
- Printed mapping and materials
- Subscriptions to Online platforms such as Placebuilder and Community Map Scotland.
- Training in for example facilitation, engagement or the Place Standard.
- Assistance to apply for funding opportunities for professional/consultancy support

#### Validation

**4.6** The Council, as Planning Authority, is required to validate Local Place Plans which meet paragraphs 1(4) and 2(1) of Schedule 19 of the Planning (Scotland) Act.

**4.7** Validation of submitted Local Place Plans will be undertaken by officers in the Development Planning and Place team of Planning Services. The validation only considers the requirements of legislation and is not based on the content of the Local Place Plans. Officers would submit recommendations in relation validation of a Local Place Plan to Planning Committee for approval.

**4.8** An explanation is required to be provided to groups when a Local Place Plan is not considered valid. Officers would aim to support communities to meet the requirements for validation before recommending that a Local Place Plan is not valid to the Planning Committee.

**4.9** The planning service will share draft Local Place Plans for consultation with relevant services prior to submission for validation. Where a validated Local Place Plan includes proposals which relate to other Council services the validated Local Place Plan will be shared with the relevant service for their consideration.

### Register of Local Place Plans

- 4.10** The Planning Authority will maintain a register of valid Local Place Plans, which will be available to view by the public in person and on a website maintained for that purpose. It is anticipated that this will follow the form of other planning registers and be hosted on the Council website and Geographical Information System (GIS). This would include the map showing the land to which Local Place Plans relate as well as copies of Local Place Plans and accompanying documents, including the validation report.

### Preparation of Local Development Plan

- 4.11** The Council is also required to take into account any registered Local Place Plans when preparing the Local Development Plan. The Development Plan Scheme, Participation Statement, and invitation to prepare Local Place Plans set out the timescales in which will allow sufficient time for Local Place Plans to be prepared, validated, and considered before the Proposed Local Development Plan is published. It is anticipated that Local Place Plans can take up to 1 year to produce.
- 4.12** Members of the Development Planning and Place team will provide a response to valid Local Place Plans, setting out how the Local Place Plan has been considered when preparing the Local Development Plan. Where the Local Place Plan has been submitted during an early stage of the Local Development Plan preparation this will be provided as a background report to the Proposed Local Development Plan. Local Place Plans which are validated after Proposed Local Development Plan publication would be responded to as part of the Local Development Plan Examination process.

## **5. People Implications**

- 5.1** It is difficult (at this time) to quantify the Council resources required to support a successful Local Place Plan programme. It is for communities to decide if they want to do one, the timing of it, and the geography and content of it. The plans are to be community-led, but different communities are likely to require different levels of support from the Council. Beyond the invitation and validation of Local Place Plans, there is likely to be a call on the time of staff within the Planning and Communities teams to support the development of Local Place Plans. It is anticipated that this new requirement of the Planning (Scotland) Act 2019 is likely to place additional resource requirements on both the Planning and Communities teams.
- 5.2** It is anticipated that Local Place Plans will include proposals which go beyond the definition of development and would not be considered within the Local Development Plan. These will be passed to the relevant services for consideration.

## **6. Financial and Procurement Implications**



- 6.1** It is considered that consultancy support would be beneficial in encouraging the preparation of Local Place Plans, particularly through ensuring they are communicated and consulted on as effectively as possible, and presented in a manner that is likely to be understood by the communities they cover and able to effectively influence the future development of the area (and potentially the services that affect it).
- 6.2** As detailed above it is difficult to determine how many communities will come forward to prepare Local Place Plans and to determine the support they will require. However once invitations are issued it will be clearer the interest from community groups and the likely costs. Officers will submit a proposal as a burden item for Members consideration in setting the 2024/25 budget. In the meantime, the commissioning of consultants to prepare a “how to guide”, graphics and template to support the plan making process will be met within the existing Planning and Building Standards budget.

## **7. Risk Analysis**

- 7.1** Failure to meet the duties arising from the Planning (Scotland) Act 2019 places the Council at risk of legal challenge.
- 7.2** The Council is required to consider validated Local Place Plans in preparing the next Local Development Plan. It would be preferable for community prepared Local Place Plans to be validated in time for them to be reflected in the Proposed Plan, but as the timing of these are to be decided by communities there is no guarantee of this.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** Equalities Impact Assessment 778 is attached as Appendix 1 to this report. The EqlA sets out a recommendation to introduce the policy within the following summary: We will pro-actively engage with groups which are under-represented in the Local Development Plan preparation process. Potential impacts are detailed in the EIA in terms of equality and human rights as they relate to participation.

## **9. Environmental Sustainability**

- 9.1** The Local Development Plan and any proposals arising from Local Place Plans will be subject to a strategic environmental assessment.

## **10. Consultation**

- 10.1** Issuing the invitation to prepare Local Place Plans is a key consultation stage of preparing the next Local Development Plan. The Development Plan Scheme and Participation Statement will be consulted on for a period of 8 weeks if approved.

**10.2** The views of the Communities team has been sought during the preparation of this report.

## **11. Strategic Assessment**

**11.1** Local Place Plans are considered to be relevant to, and will help deliver, all of the Council's strategic priorities:

- Our Communities – Resilient and Thriving
- Our Environment – A Greener Future
- Our Economy – Strong and Flourishing
- Our Council – Inclusive and Adaptable

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**

**Date: 20<sup>th</sup> September 2023**

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**Person to Contact:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager,  
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**Appendices:** Appendix 1 - Equalities Impact Assessment 778

**Background Papers:** Planning (Scotland) Act 2019  
<https://www.legislation.gov.uk/asp/2019/13/section/14/enacted>

Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021  
<https://www.legislation.gov.uk/ssi/2021/353/introduction/made>

Circular 1/2022: Local Place Plans  
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2022/01/circular-1-2022-local-place-plans/documents/circular-1-2022-local-place-plans/circular-1-2022-local-place-plans/govscot%3Adocument/circular-1-2022-local-place-plans.pdf>

**Wards Affected:** All

# ITEM 8 - APPENDIX 1

<b>AssessmentNo</b>	778	<b>Owner</b>	mspurway	
<b>Resource</b>	Regeneration, Environment and Growth		<b>Service/Establishment</b>	Regeneration
	First Name	Surname	<b>Job title</b>	
<b>Head Officer</b>	Matthew	Spurway	Development Planning &Place Officer	
	(include job titles/organisation)			
<b>Members</b>	Cameron Clow, Pamela Clifford			
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>			
<b>Policy Title</b>	Local Place Plans			
	<b>The aim, objective,purpose and intended out come of policy</b>			
	The purpose of this report is to seek approval of an approach to Local Place Plans which will deliver new duties arising from the Planning (Scotland) Act 2019, which amended the Town and Country Planning (Scotland) Act 1997. Local Place Plans offer the opportunity for a community led, but collaborative, approach to influencing the preparation of the Local Development Plan. The approach in this report sets out how the Council will deliver its duties in relation to this legislation and the support that will be offered to communities wishing to prepare local place plans.			
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>			
	Communities Team			
<b>Does the proposals involve the procurement of any goods or services?</b>			<b>Yes</b>	
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>			<b>No</b>	
<b>SCREENING</b>				
<i>You must indicate if there is any relevance to the four areas</i>				
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>			<b>Yes</b>	
<b>Relevance to Human Rights (HR)</b>			<b>Yes</b>	
<b>Relevance to Health Impacts (H)</b>			<b>Yes</b>	
<b>Relevance to Social Economic Impacts (SE)</b>			<b>Yes</b>	
<b>Who will be affected by this policy?</b>				
Communities and organisations operating within West Dunbartonshire. People who work in and visit West Dunbartonshire. Property owners and developers.				
<b>Who will be/has been involved in the consultation process?</b>				
Local Place Plans must be prepared by a community council or a community controlled body as defined by the community empowerment act. The community body is required to include a statement of the level and nature of support for the Local Place Plan as well as the basis on which the community body has reached that view. The consultation requirements for community bodies are not otherwise prescriptive in nature. The support set out in this policy and guidance it proposes to prepare will seek to encourage community bodies to ensure participation and the proposals that they bring forward represent a wide range of the community.				

**Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.**

	Needs	Evidence	Impact
Age	<p>Planning is concerned with the creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on age and degree of personal mobility.</p>	<p>Scottish Councillors 2017-22 (Improvement Service, 2018) shows the age breakdown of councillors who responded to the Improvement Service survey. The majority (60.1%) were aged between 50 and 69 years old, whereas only 17% were aged below 40. The average age of councillors who responded to the survey was 53 years old. A Fairer Scotland for Older People: framework for action (Scottish Government, 2019) tells us that older people want action to ensure they have access to opportunities to remain actively engaged with, and involved in, their communities. The Scottish Household Survey: Annual Report 2019 (Scottish Government, 2020) notes that nearly 9 in 10 adults (88 per cent) in Scotland use the internet either for work or personal use, a steady increase over time from 65 per cent in 2007. Notably, there has been a significant increase</p>	<p>The evidence would suggest that consideration is made of putting provisions in place which encourage engagement with older people and that their aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect older people's disproportionate use of the internet. Evidence would also suggest that there may be barriers to children and young people's engagement. This highlights the need for supportive guidance which provides the scope for community bodies to seek the views of children and young people and reflect these views in their proposals on the development and use of land.</p>

		<p>in internet use amongst older adults aged 60+ (from 29 per cent to 66 per cent). There are lower rates of internet use among older adults than among younger adults. In 2019, almost all (99 per cent) adults aged 16-24 reported using the internet compared to 43 per cent of those aged 75+. The equivalent report published in 2019 noted that almost nine in 10 adults (87 per cent) aged 75 and above said they felt a very strong or fairly strong sense of belonging to their community, compared to just over seven in ten (73 per cent) of those aged between 16 and 24. Evidence relating to the age characteristic relates primarily to older people's aspirations to remain active in their communities. There is additionally evidence around older people's disproportionate use of the internet. The Planning Places Survey Report (Scottish Government 2017) concluded that the majority of young people felt they should be involved in planning in their local area and that</p>	
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		<p>their local councils should look at ways to support children and young people to do this. A specific question was asked about whether LPPs would be a good thing. 104 young people answered this question with 88% of young people saying yes, that 'LPPs' would be a good thing. When asked what would help you get involved in preparing one of these plans, there were 76 answers to this question. Many of the responses mentioned that if there were local community meetings where they were provided with lots of information this would help them to get involved. Also, if they knew that their opinions would be taken seriously and listened to and not just used to 'tick a box.' Many also felt that if the opportunity to get involved was linked into their time at school, this would help.</p>	
<b>Cross Cutting</b>	Need to take account of intersectionality	<p>People can and do belong to multiple groups. WD Equalities Forum (WDEF) brings together multiple groups. WDEF in the past has contributed to our Local Housing Strategy, Local</p>	<p>Information to WDEF is likely to work well to raise awareness. The Council will seek to use the use the communicating effectively guidance when preparing and publicising the</p>

		Transport Strategy, Equality plans etc.	invitation as well as the how to guide. The consultants preparing the how to guide will be required to follow this guidance and the council will encourage its use through the guidance and support that we are offering to communities.
<b>Disability</b>	As with the age characteristic, planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on the degree of personal mobility and how places can affect people's health and wellbeing.	Census data from 2011 reports that the proportion of people in Scotland with a long-term activity-limiting health problem or disability was 20%. A higher proportion of women than men were limited in their day-to-day activities by a long-term health problem or disability. The 2018 Improvement Service Survey noted that the proportion of councillors who had a physical or mental health condition or illness lasting or expected to last 12 months or more was comparable with the Scottish population. A Fairer Scotland for Disabled People: delivery plan (2016) sets out active participation as one of its five ambitions - disabled people can participate as active citizens in all aspects of daily and public life in Scotland. Disabled people are	The evidence would suggest that consideration is made of putting provisions in place which encourage engagement with disabled people and that their aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect disabled people's disproportionate use of the internet.



		<p>             keen to be involved in shaping the places that they stay, but that there can be barriers to that engagement.           </p> <p>             Supercharged: A human catastrophe (2020) prepared by the Glasgow Disability Alliance calls for the lived experience of disabled people to be embedded in redesign of public spaces and town planning. It goes on to state that through inclusive digital and offline engagement and capacity building, disabled people's aspirations should be raised, providing opportunities to fulfil their potential, and strengthen participation and democracy. As reported in the National Performance Framework - disability perspective: analysis (2021) disabled people were slightly less likely than non-disabled people to agree with the statement 'I can influence decisions affecting my local area' With regard to the priorities for disabled people, the particular issue of accessible housing supply has been raised, including through calls for the           </p>	
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		<p>needs of groups such as older and disabled people to be explicitly considered at every stage of the development of National Planning Framework 4 and the other policies and strategies that will sit alongside it. Housing and other issues were raised in Inclusion Scotland's Disabled People's Views of the Fairer Scotland For Disabled People Delivery Plan (2020). It set out that almost half (43%) of people said the accessibility of places had stayed the same, around a third (31%) said they had got worse, 16% said they had got better and 10% said they were not sure. The issues for disabled people were 1. There is not enough accessible housing and disabled people are still living in unsuitable accommodation which does not meet their needs. 2. Transport is inaccessible and unreliable. Disabled people are still unable to use public transport in a consistent way. 3. The built environment is often inaccessible and initiatives like</p>	
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		<p>'shared spaces' and others which promote active travel have had particular detrimental impacts on disabled people.</p> <p>The Scottish Household Survey: Annual Report 2019 (2020) noted that seventyone per cent of adults who have some form of limiting long-term physical or mental health condition or illness reported using the internet, lower than for those who have some form of non-limiting condition or illness (90 per cent) and those who have none (94 per cent).</p> <p>The Royal Town Planning Institute's practice advice: Mental Health and Planning (2020) notes four key themes for places: Green, Active, Pro-social and Safe. The Coronavirus (COVID-19): health and social impact assessment (2020) noted that digital exclusion is also an issue for people with learning disabilities as they may not have access to or be able to effectively access online support and services and connect with friends and family.</p>	
<b>Social &amp; Economic Impact</b>	Planning is concerned with creation of better	Evidence from England's experience with	The evidence would suggest that the invitation and

	places. This requires development that can accommodate future changes of use, taking into account how people use places differently, regardless of their social or economic status	Nieghbourhood plans, suggests that more affluent communities are more likely to seek to prepare local place plans.	support offered should seek to ensure that all communities are given the opportunity to prepare local place plans.
Sex	Planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on their sex.	<p>The responses to the Improvement Service survey<sup>13</sup> of councilors (2018) indicated a gender imbalance among councillors, with 65.7% describing themselves as male, compared with 32.6% female, and 1% 'In another way'.</p> <p>Research from 2004<sup>24</sup> would suggest that women were slightly more likely than men to become involved in the planning process. This was focussed on development management. The Scottish household survey: Key Findings report<sup>25</sup> from 2020 outlined that over three-quarters (78 per cent) of adults felt a very or fairly strong sense of belonging to their neighbourhood. It also noted that older people and women were more likely to report a strong sense of belonging to their neighbourhood. The First Minister's National Advisory</p>	<p>The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect particular barriers to engagement which are based on a person's sex.</p>

		<p>Council on Women and Girls 2019 Report and Recommendations<sup>26</sup> (2020) noted that:</p> <ul style="list-style-type: none"> <li>- Women have better cultural participation and sense of community belonging. Women are somewhat more likely than men to say that they have a very strong feeling of belonging to their community (38% vs 34%).</li> <li>- More women (28%) than men (25%) volunteer for groups or organisations.</li> <li>- Women are much less likely to feel safe walking alone in their neighbourhood after dark (66% vs 89% of men). There are examples of where women's stories are used to illustrate how people use their neighbourhoods. For example, Margaret's Journey in Glasgow City Council's Liveable Neighbourhoods<sup>27</sup> document (2021).</li> <li>The Royal Town Planning Institute's Women in Planning (Part II)<sup>28</sup> (2021) provides a narrative around the impact of the planning profession on the day-to-day lives of women. Many of the study respondents appeared to agree that inequalities associated with</li> </ul>	
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		<p>women's movement through, and enjoyment of, the built environment stem from society's car dependency. With the design of cities principally focused around creating and improving road infrastructure for the private motor vehicle, this not only presents problems for the walkability and safety of neighbourhoods, but also for women's access to employment and educational opportunities with implications on career advancement. Study respondents also reported safety concerns with respect to public transport, lack of public surveillance in town centres, and inadequate street lighting that make the built environment awkward for women. In addition to safety concerns, lack of locally accessible employment opportunities, childcare facilities, public transport services, public toilet facilities, as well as inadequate pedestrian infrastructure were frequently cited by study respondents as significant</p>	
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		barriers to women's access to equal opportunities in the built environment. This was particularly the case for those with caring responsibilities.	
<b>Gender Reassign</b>	Planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on their Gender or Reassignment.	Limited evidence, but under-representation is considered a possibility.	We will encourage an inclusive approach to engaging with all groups through the guidance and support that we offer to communities.
<b>Health</b>	As with the age characteristic, planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on the degree of personal mobility and how places can affect people's health and wellbeing.	Census data from 2011 reports that the proportion of people in Scotland with a long-term activity-limiting health problem or disability was 20%. A higher proportion of women than men were limited in their day-to-day activities by a long-term health problem or disability. The 2018 Improvement Service Survey noted that the proportion of councillors who had a physical or mental health condition or illness lasting or expected to last 12 months or more was comparable with the Scottish population. The Scottish Household Survey: Annual Report 2019 (2020) noted that	The evidence would suggest that consideration is made of putting provisions in place which encourage engagement with disabled people and that their aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect people with limiting long-term physical or mental health condition or illness's disproportionate use of the internet.

		<p>seventyone per cent of adults who have some form of limiting long-term physical or mental health condition or illness reported using the internet, lower than for those who have some form of non-limiting condition or illness (90 per cent) and those who have none (94 per cent). The Royal Town Planning Institute's practice advice: Mental Health and Planning (2020) notes four key themes for places: Green, Active, Pro-social and Safe.</p>	
<b>Human Rights</b>	<p>Using the perspective of the UNCRC is good practice to help include Children and Young People. Article 8 ECHR This includes a right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to help you enjoy your right to a private life, including your ability to participate in society.</p>	<p>Our approach will be informed by Human Rights considerations noted.</p>	<p>In Council communications in relation to Local Place Plans, such as the invitation and "how to guide" we will commit to ensuring that the requirements of UNCRC and support good practice in this regard through guidance.</p>
<b>Marriage &amp; Civil Partnership</b>			
<b>Pregnancy &amp; Maternity</b>	<p>Planning is concerned with creation of better places. This requires development that can accommodate future changes of</p>	<p>There is limited evidence in this regard, but it is considered likely that maternity and/or pregnancy may impact on</p>	<p>We will encourage an inclusive approach to engaging with all groups through the guidance and support that we</p>



	use, taking into account how people use places differently, for example depending on whether they are pregnant or their maternity status.	peoples ability to participate in some engagement processes.	offer to communities.
Race	Evidence below relating to the race characteristic relates primarily to people's aspirations to maintain active engagement in their communities. It also notes that there is a spatial dimension to where people live in Scotland.	Data from the 2011 Census would suggest that around four per cent of people in Scotland were from minority ethnic groups - an increase of two percentage points since 2001. Council areas with large cities had the highest proportion of their population from a minority ethnic group: 12 per cent in Glasgow City, 8 per cent in City of Edinburgh and Aberdeen City and 6 per cent in Dundee City. In addition, 0.8% of the population in rural areas were from an ethnic minority background. Census data also shows that, with regard to the Gypsy / Traveler community there are spatial variations across Scotland. Just over 4,000 people in Scotland identified in the 2011 census that their ethnic group was 'White: Gypsy/Traveller' and this represented 0.1 per cent of the population. However, it has been suggested that this is likely to	The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP. It should be recognised that there should be a range of engagement practices which reflect particular barriers to engagement which are based on a person's race. The range of such practices will depend on local circumstances.

		<p>underestimate the Gypsy/Traveller population due to a range of issues such as reluctance of individuals to identify as Gypsy/Traveller and challenges accessing the population living on sites and by the roadside. The highest proportion of the community reside in the Perth and Kinross Council area. Much of the evidence around the aspirations of Gypsy/Travellers has related to the voices of Gypsy/Traveller children being engaged in decision-making. We also know that many Gypsy/Travellers prefer to live on private sites, which can help support their independence, self-sufficiency and security. But they have often found it difficult to access the planning system and get the appropriate permission to develop their own sites. Making provision for the development of private sites can help Gypsy/Travellers to maintain their traditional lifestyle. White councillors are over represented in the 2018 Improvement Service survey</p>	
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		<p>(98%), compared with 96% in the Scottish population.</p> <p>Planning Advice Note 3/2010: Community Engagement recognises that an understanding is needed about the support particular individuals or groups require to help them engage. It notes that the needs of minority groups should be accommodated where possible, including the opportunity to access information in alternative formats such as the provision of information in alternative languages.</p>	
<p><b>Religion and Belief</b></p>	<p>It is considered that there may be some cross cutting impact in relation to race or ethnicity.</p>	<p>Planning Advice Note 3/2010: Community Engagement recognises that an understanding is needed about the support particular individuals or groups require to help them engage. It notes that the needs of minority groups should be accommodated where possible, including the opportunity to access information in alternative formats such as the provision of information in alternative languages.</p>	<p>We will encourage an inclusive approach to engaging with all groups through the guidance and support that we offer to communities.</p>

<p><b>Sexual Orientation</b></p>	<p>Planning is concerned with creation of better places. This requires development that can accommodate future changes of use, taking into account how people use places differently, for example depending on their sexual orientation.</p>	<p>Data in Sexual Orientation in Scotland 2017: summary of evidence base<sup>29</sup> would suggest that there are in the region of 2% of people in Scotland who identify as LGBO (Lesbian, Gay, Bisexual, Other). Spatially, the above summary of evidence considered that access to the community may be one reason why a higher proportion of LGBO people live in urban areas. Compared with the Scottish population the councillors who responded to the 2018 Improvement Service survey<sup>13</sup> had more diverse sexual orientations (Scotland's People Annual Report: Results from the 2016 Scottish Household Survey). 5.6% of councillors who responded identify as gay/lesbian and 1.5% identify as bi/bisexual, compared with 1.1% and 0.4% of the Scottish population. As a whole, Consultation on the Modernisation of the Planning System with 'seldom heard' Groups<sup>30</sup> (2009) suggested that this group had no special needs or requirements when</p>	<p>The evidence would suggest that consideration is made of putting provisions in place which encourage engagement and that people's aspirations relating to the development and use of land are expressed through the proposals that are contained in the LPP.</p>
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		<p>it came to planning with their views representative of the general population.</p> <p>However, more recent research and guidance including in the World Bank's Handbook for Gender-Inclusive Urban Planning and Design<sup>31</sup> (2020) suggests that our understanding of the needs of marginalised groups is developing.</p>	
<b>Actions</b>			
<b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>			
<b>Will the impact of the policy be monitored and reported on an ongoing basis?</b>			
<p>Local Place Plans, prepared by communities must be accompanied by a statement in relation to the consultation which has been undertaken by the community body. This statement is one of the accompanying documents which must be recorded in the register of local place plans. When preparing the Local Development Plan, the Council will consider the extent to which a Local Place Plan is representative of local views, and seek to ensure that a wide range of views are consulted on proposals.</p>			
<b>Q7 What is your recommendation for this policy?</b>			
Introduce			
<b>Please provide a meaningful summary of how you have reached the recommendation</b>			
<p>EIA 778: We will pro-actively engage with groups which are under-represented in the Local Development Plan preparation process. Potential impacts are detailed in the EIA in terms of equality and human rights as they relate to participation.</p>			