

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by Strategic Lead- Regulatory**

**Planning Committee: 13<sup>th</sup> May 2020**

---

**DC20/028:**                **Erection of 62 unit residential development with associated access road, infrastructure, open space and landscaping at land at Miller Street, Clydebank by Miller Homes.**

#### **1. REASON FOR REPORT**

- 1.1** This application relates to a major development and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

#### **2. RECOMMENDATION**

- 2.1** That the Committee indicate that it is **Minded to Grant** planning permission and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision in the local area.

#### **3. DEVELOPMENT DETAILS**

- 3.1** The site extends to approximately 1.43 hectares and is located within Clydebank Town Centre, immediately to the south of Clydebank Business Park and south west of Clyde Shopping Centre. It is situated along the southern bank of the Forth and Clyde Canal, which is a designated Scheduled Monument. Flatted properties lie immediately beyond the site to the west with a series of commercial properties to the south and the Kilbowie Road (A8014) to the east of the site. In terms of site history, the northern part of the site previously contained a section of railway line and until its demolition in November 2017, the southern part of the site accommodated the former Clydebank Council office.
- 3.2** The site slopes down from the north eastern corner with some raised areas of made ground towards both the canal and Kilbowie Road. The northern part of the site consists of some landscaped areas adjacent to

the canal and Kilbowie Road. There are some trees at this edge of the site and some of the landscaping is supported by retaining walls with a 1 metre level difference from the landscaping area to the canal towpath. Between the landscaped area and the former offices, there are two areas of parking with a flat site area where the former Council office building once stood.

- 3.3** Planning permission is sought for a residential development of 62 units comprising of 3 and 4 bedroom properties in the form of a mix of town houses, as well as, terraced family properties. Of the 9 houses fronting Kilbowie Road, the 4 town houses on the south east corner incorporate a 'sawtooth' gable feature. This is reflected in the remaining residential terraced blocks which front onto Kilbowie Road and Miller Street in the form of 'bookend' feature houses. A row of 19 terraced properties arranged in 4 distinct staggered blocks are to be positioned to face onto the Forth and Clyde Canal. The remainder of the houses predominantly face internally within the site towards its centre and around the road network. The houses incorporate full brickwork elevations with areas of grey metal profile feature cladding for certain properties fronting the canal side. The proposed material palette also includes grey roof tiles, grey doors and window frames and black upvc rainwater goods. Other design features, such as plinths and canopies, solar panels and Juliet balconies, are proposed on various house types. Boundary treatments for the site include hedging and planting and a 0.8 metre high and 1.8 metre high timber fence arrangement.
- 3.4** The development will utilise the existing access road directly off Kilbowie Road and Miller Street as the access and egress for the site. Parking is to be predominantly formed in courtyard arrangements or rows nearby to the houses they serve with complimentary screen planting and landscaping around the curtilage. An area of open space accommodating a variety of play equipment is to be located centrally within the development which is overlooked by houses on various sides. New path connections are proposed alongside upgrades to existing path networks near to the site to make use of the canal towpath.
- 3.5** Supporting technical information has been provided as part of the application and this includes a Design and Access Statement, a Phase 1 Habitats Survey, a Pre-application Consultation Report, a Tree Survey Report, a Ground Investigation Report, a Flood Risk Assessment, a Drainage Statement and a Transport Assessment.

## **4.0 CONSULTATIONS**

- 4.1 West Dunbartonshire Council Roads Service have no objections subject to conditions regarding path upgrades, monitoring of the Kilbowie Road and Miller Street accesses after occupation of the houses, allocated parking spaces and a Travel Plan.
- 4.2 Greenspace Service and Environmental Health Service have no objections subject to conditions regarding noise and the land remediation treatment.
- 4.3 SEPA, Scottish Water, Scottish Natural Heritage (SNH) and Scottish Canals have no objections to the proposed development.

## **5. REPRESENTATIONS**

- 5.1 One representation has been received in response to this application with this individual outlining their supporting for the proposed development whilst at the same seeking clarification on certain points. This individual sought confirmation that the roads layout and access between Kilbowie Road and Miller Street represented the final arrangement proposed as part of the development. As part of their representation they outlined their support for the access and layout as shown given that it does not compromise emergency and delivery vehicles accessing both Miller Street and the application site respectively. They also requested confirmation that the housing stock is for owner occupied and for private tender.
- 5.2 In direct response to these points, the housing stock is private tender and the layout proposed on the road layout shown on the proposed plans represents the final layout and the one which is being considered as part of this application.

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

### West Dunbartonshire Adopted Local Plan 2010

- 6.1 Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. 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 GD1 seeks to

ensure that all new development is of a high quality of design and respects the character and amenity of the area.

- 6.2** 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.
- 6.3** Policy R4 seeks to ensure that development near to and within the proximity of the Canal is designed so that it maintains or enhances its setting. Policy BE5 seeks to protect the Scheduled Monument. Policy T1 and T4 requires sites to integrated with sustainable travel and Policy E5 relates to trees and requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 & F2 aims to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. 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 (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers’ Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The site is identified as a ‘Residential Opportunity Site’ with an indicative capacity for 120 units. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming. Policy BC4 supports the principle of residential development within existing residential locations, provided there is no adverse impact on neighbouring amenity or character of an area. It is considered that there will be no adverse impacts on either of these.
- 7.3** The consideration of policies DS1, GN2, SD1, DS6 and GN3 and GN5 with regards to new residential development, green network, transport, flooding and drainage and protected species and trees are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to

ensure a high design quality in housing and being suitable for a mix of occupants rather than a specific demographic. Policy BH2 and GN7 relate to the Scheduled Monument, built heritage and the Forth and Clyde Canal and are similar to those within the Adopted Plan (2010).

- 7.4** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

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

- 7.5** On 19<sup>th</sup> September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.
- 7.6** The site is identified under Policy H2 as a housing opportunity site with an indicative capacity for 70 units. The proposed development of 62 private houses is acceptable
- 7.7** Similarly to Policy DS1 of Proposed Plan 1, 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 WD1 is also applicable for developments fronting onto watercourses and requires them to have a positive relationship and front onto them.
- 7.8** Policy GI2, BE1, FCC1, ENV1, ENV4, ENV5 and ENV6 are similar to the green network, built heritage, tree, water environment and flooding policies of the Adopted and Proposed Plan 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and Local Development Plan 1. Policies 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** For applications referred to the Place and Design Panel, Policy CP4 is relevant requiring the outcomes to be taken into account and responded to by the applicant. Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. 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. It is considered that the proposals comply with the above policies as discussed below.

#### Principle of Development

- 7.10** The site is designated within LDP2 as a 'housing opportunity' site with an indicative capacity of 70 units. The site is brownfield and is located with Clydebank town centre and is situated within an urban mixed use area. The redevelopment of this brownfield site for residential purposes would contribute towards the regeneration of the surrounding town centre area and would be consistent with the applicable land use policies of the adopted local plan and proposed plans which seek to prioritise the regeneration of vacant brownfield sites.
- 7.11** The residential development is considered to be compatible noting the surrounding area and established land uses and that this type of development offers the best opportunity to redevelopment this strategic town centre site and activate the adjacent Forth and Clyde Canal. On this basis, the principle of residential development on this site is considered to be acceptable.

#### Site Layout, Design and Appearance.

- 7.12** This is a key strategic site given its town centre location, being next to the Canal and on fronting onto Kilbowie Road. A high quality development solution which maximises its canal location and provides a strong frontage to Kilbowie Road was required which echoes the industrial heritage of the area. It was within this context that a significant amount of time at the pre-application stage was invested by planning officers in achieving a high quality design, layout and material finish. The development includes a mix of 3 and 4 bedroom properties, which includes terraced houses and town houses. The houses fronting Kilbowie Road and Miller Street incorporate a 'sawtooth' roof feature which reflects the industrial past of the area. A simple palette of materials including a high quality tumbled red and grey brick together with metal cladding and metal railings are proposed. Careful consideration has been given to the proposed materials to ensure that they are durable in the long term given the sites location and the industrial heritage of the area.
- 7.13** The layout of the site has also been carefully considered whereby the houses have been orientated so they interact with Kilbowie Road, the

Canal and the adjacent existing houses on Miller Street. Distinctive town houses and terrace houses have been provided along Kilbowie Road which offers a robust frontage to the street and help to restore building form and activity back on Kilbowie Road. The terraced houses proposed along the Canal with the gable designed to have a bookend feature will enhance and create an attractive building form fronting the Canal. Once again, these houses have also been orientated to face outward towards the Canal with the use of hedging and planting to the front of the houses to ensure the houses have an open outlook to the Canal. This arrangement will help to promote an active and direct relationship with the Canal ensuring interaction, engagement and active surveillance along the towpath both for users of the towpath and residents alike.

- 7.14** Within the central area of the site two blocks of terraced houses have been orientated to face and overlook the central area of open space. Three blocks of terraced houses are located along Miller Street to give frontage and activity to this street with a further block of terraced houses located adjacent to the western path which provides a through path to the canal adjacent to the existing flats. The density, layout, materials and general appearance of the development are all considered to be acceptable. 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.

#### Open Space and Landscaping

- 7.15** The public open space provision within the development is considered to be proportionate for this town centre site. The main area of open space is positioned centrally within the site and will provide a visual focal point and amenity area which is well integrated within the development. This particular area is accessible to all and will contain natural play equipment and features to allow children to connect with the natural environment. It will also include tree planting which will add to the amenity value and attractiveness of the space and conditions will be attached to ensure this approach is secured. The space is well overlooked to ensure it can function as a safe and usable space. Landscaping has also been worked within the existing topography and constraints and a landscape strategy for the whole site has been developed for this which includes maintenance arrangements. This arrangement will see the introduction of a series of other modest areas of landscaping and tree planting to be located at prominent corner points within the development site and along the proposed and existing path networks to ensure a green character within

the site to compliment the built form and provide opportunities for biodiversity.

In terms of the open space, while quality areas are being provided appropriate to this site, as required by the 'Our Green Network Planning Guidance', a financial contribution is required in order to meet with the provisions of the Planning Guidance and applicable policies of LDP1 and LDP2. The required financial contribution fee is £26,310 and this will address the shortfall and can be secured through a legal agreement or other suitable mechanism. On balance, the open space and landscaping provision proposed for the site is appropriate and will contribute to creating a sense of place and character.

#### Canal Connections and Site Permeability

- 7.16** The existing path adjacent to the existing flats on Miller Street is to be upgraded and enhanced as part of this development. A terraced block of houses is proposed which fronts the path with their back gardens facing inward to the development. This will be of benefit and improve this path as a key route off the A814, up to the cycle tow path on the Canal, offering natural surveillance and integration to this existing path as well as increasing permeability and access to the Canal.
- 7.17** The existing path network adjacent to Kilbowie Road on the north eastern section of the site is also being retained and enhanced, adding further value to the development site. This existing path already provides access to the Canal towpath and offers a convenient route to the nearby shops and amenities within Clydebank Town Centre. The upgrade and enhancement of this path will furthering strengthen the connectivity and permeability of the development and once upgraded and improved will be of benefit for future inhabitants. As part of these works, the existing substation will be upgraded with a more appropriate boundary treatments and means of enclosure, replacing the existing metal security fencing currently in place. The exact details and make-up of these upgrades can be addressed through planning conditions.
- 7.18** The works proposed to these existing paths are positive and it is considered that these proposals combined with the layout of houses and landscaping collectively will activate and enhance the setting of the Canal, bringing residential living back to this part of the Canal.

#### Natural Heritage

- 7.19** The habitat survey and assessment concludes that there are no significant ecological constraints for development and whilst it acknowledged that the site does have characteristics whereby it could accommodate wildlife, the



capacity for the site to accommodate for protected species is limited. This is consistent with the response received from Scottish Natural Heritage (SNH). The assessment does make a number of recommendations in association with good practice for the construction of development to safeguard any potential for otters, bats and breeding birds including a number of additional surveys and these measures can be addressed by planning conditions.

- 7.21** The Tree Report undertaken is comprehensive and assesses all tree specimens in terms of their condition, appearance and lifespan with the majority in poor condition. None of the trees within the application site are the subject of a Tree Preservation Order (TPO) and it is proposed that all trees within the site are to be removed as part of the delivery of the development. Initially, existing trees sought to be retained, however following further detailed assessment and consultation their retention is not possible due to a combination of factors, specifically the need for extensive remediation of the site to remove contamination and make it suitable for re-development. A justification statement has been provided in this regard and covers the remediation challenges together with the topography of the site including the required reconfigurations of site levels and the positioning and orientation of houses to allow meaningful integration and interaction with the Canal. All these factors did not allow for the trees to be retained in this case
- 7.22** It is regrettable that these trees are to be removed however a comprehensive and viable redevelopment of the site could not be achieved if all the trees were to be retained. This is justified particularly with regards to the houses on the northern part of the site fronting the Canal where the majority of the trees are located. At present these trees essentially pose a barrier to development and their removal will facilitate the introduction of the housing fronting the Canal. This aspect of the development has significant merit with it helping to activate and improve the appearance, surveillance and role of the Forth and Clyde Canal.
- 7.23** Tree replacement is being proposed as part of the development which would be more appropriate for the residential development than the current trees. These new trees will inject further greenery and biodiversity within the site with 57 new heavy standard size trees being planted to compensate for those being lost. The replacement trees are considered acceptable.

## Roads, Parking, Access and Permeability

- 7.24** The road layout reflects the aspirations for the Scottish Government's policy statement on 'Designing Streets' through a more pedestrian focused layout as a result of the road alignment and geometry and the pedestrian links proposed. The development will utilise the existing access road directly off Kilbowie Road and Miller Street as the access and egress for the site. Crucially, this through route has been incorporated to allow service and emergency vehicles access to the development and the neighbouring existing flats noting the low level bridge at Miller Street. The internal loop road within the site will discourage through traffic requiring vehicles to take an indirect route through the proposed development and natural speed deterrents have been incorporated. The Roads Service have requested that this access be monitored 12 months after the full occupation of the development to ensure that it does not become a "rat-run". Traffic calming measures and features will be incorporate into the junctions and accesses at Kilbowie Road and Miller Street design to act as a deterrent. 74 car parking spaces are provided for the development which ensures every house benefits from one to two spaces and these will be allocated per house. The site is located within Clydebank town centre and so, it benefits from being highly accessible as it fronts the canal/ National Cycle Network 7, Clydebank train station is located approximately 300 metres from the site and Singer train station approximately 450 metres along Kilbowie Road. A number of bus services operate along Kilbowie Road and Glasgow Road whilst good pedestrian routes serve the surrounding locale. The Council's Road Service have indicated no objections to the proposed development.

## Technical Matters

- 7.25** The Flood Risk Assessment concludes that the site is not at significant risk from fluvial or coastal flooding and the development will not increase the flood risk to any neighbouring sites. In terms of drainage, the surface water will be through a central underground attenuation tank for road and roof water which will then outfall to the existing drainage network. Subject to the implementation of these measures outlined above, the proposal would comply with policies F1, F2, DS6 and ENV6 of the Adopted and Proposed Plans. Both SEPA and Scottish Water have no objections to these arrangements and the development as proposed.
- 7.26** Noting the site history which previously accommodated both sections of railway and office buildings, the Council's Environmental Health Service have requested planning conditions be imposed regarding extensive site investigation reports including remediation and mitigation measures.

These matters alongside others regarding noise, dust mitigation and construction activity can be addressed as planning conditions.

#### Pre-application Consultation

- 7.27** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to the submission of the application. One public event was held on the 19<sup>th</sup> June 2019 and local Community Councils, MPs and Councillors were contacted about the proposal. A statutory notice was published in the local process advertising the public event and submission of the proposal of application notice and additional consultation was undertaken by the applicant in accordance with Council's requirements as set out during the PAN response. The applicant has submitted a pre-application consultation report which highlights that 21 people attended the event through the course of the day. 10 of these attendees completed feedback forms provided by the applicant and this highlighted some positive responses to seeing this redundant brownfield site developed by a proportionately scaled residential proposal. The issues raised in the feedback predominantly centre on access and traffic congestion, the introduction of significantly more cars to the area and the loss of trees and greenery within the site. It is considered that these matters have been addressed as part of the application and the design reflects these concerns.

#### Place and Design Panel

- 7.28** In September 2019, the proposed development was presented to the Place & Design Panel. The Panel felt on principle that this was generally a positive development for a former brownfield and edge of town centre site and that it posed a great opportunity to improve connectivity and integration of the site to the wider locality.
- 7.29** However, the Panel raised a number of comments relating to the orientation and density of the scheme and felt that the layout required reconfigurations to not only be more in keeping with its town centre location but to better respond and interact with neighbouring sites. As part of this they highlighted that any revisions should include the introduction of bespoke and gateway housing features on the eastern side of the site facing Kilbowie Road given the prominence of this location. The Panel also felt that it was crucial that the housing on the northern side had an active gable end fronting the canal however outlined reservations about the need for physical and direct connection points to the Canal from this side, instead promoting the upgrade of existing connections within close

proximity to the site, particularly the western boundary. Finally, they specified that the centralised open space area be re-introduced from earlier schemes as this had merit for the balance of the site and would have tangible benefits for the future inhabitants. The observations of the Panel have influenced the final design of the development and the application is considered to be compliant with Policy CP4 on this basis.

#### Elected Members Briefing

- 7.30** The pre-application proposals were also presented to Elected Members at a briefing on 3<sup>rd</sup> October 2019. Some of the main planning issues discussed at this meeting included Placemaking, topography/site levels, accessibility, parking and open space. Members requested further consideration is given to the need for a slight change in parking provision given the sustainable location of the site and also made recommendations regarding the treatment and access along the Canal. It is considered that the main issues raised have been addressed through the final development.

### **8. CONCLUSION**

- 8.1** The redevelopment of this vacant brownfield site for residential purposes would assist in the further regeneration of Clydebank Town Centre and improve the attractiveness of the area by bringing both housing and activity to this part of Clydebank thus complying with local planning policies.
- 8.2** The proposals have been subject to extensive discussions with officers and the design of the site has clearly evolved through and been informed by the feedback provided through these pre-application processes. The development will provide much needed high quality private housing on a centrally located site. This has resulted in a high quality residential development on a key town centre site adjacent to the Forth and Clyde Canal and Kilbowie Road.

### **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. This shall include details of all materials and finishes as scheduled and annotated on the approved plan 'Site Layout (Drawing No. 001 Rev B)'. Thereafter, the development

shall be completed in strict accordance with the approved material details and palette.

2. Further to condition 1 above, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Western Blend Precon (Masonry Finish)' specification and variety. For the avoidance of doubt, the details, specification and samples of the final brick type provided in response to Condition 1 shall be predominantly red in tone and colour and shall be of tumbled finish.
3. Further to Conditions 1 and 2 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, the development shall be completed in strict accordance with the approved brick details.
4. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B)', prior to the commencement of development on site, full details of all hard and soft boundary treatments for across the site shall be submitted to and approved in writing by the Planning Authority. These details shall also include a variety of boundary treatments including the use of brick walls for the front, side and rear curtilages of residential properties within the site. Thereafter, the approved boundary treatments arrangements shall be installed prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority and maintained as such thereafter for the lifetime of the development.
5. Prior to the commencement of development on site, details of alternative boundary treatments and means of enclosure for the existing substation building located on the north east corner of the site shall be submitted to and approved in writing by the Planning Authority. The details shall include a brick treatment and the approved boundary treatment details shall be undertaken and completed prior to the occupation of any houses within the site and maintained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
6. Prior to the commencement of development on site, full details of all path upgrade works as indicated on approved plan 'Site Layout (Drawing No. 001 Rev B)', including material finishes, surfaces, levelling works and associated landscaping shall be submitted to and approved in writing by the Planning Authority. This shall include specific details for the works to the existing footpath located on the north eastern side boundary of the development site and the existing path located immediately neighbouring the site to the west. Thereafter, the path upgrade and improvement works approved shall be undertaken in full and completed prior to the occupation

of any houses within the site unless otherwise agreed in writing by the Planning Authority.

7. Prior to the commencement of development on site, full details of the design, appearance, height and location of all retaining walls and other retention features and associated levelling works across the site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the agreed retention and levelling details shall be implemented prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority. No changes or deviations from the approved and agreed levels and retention arrangements shall be undertaken without the further written consent of the Planning Authority.
8. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan 'Levels Layout for Planning (Drawing No E03 Rev A)'. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
9. Prior to the commencement of development on site, details of the design and location of cycle storage provision, street furniture (including bin stores) and external lighting, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the houses and thereafter maintained, unless otherwise agreed in writing with Planning Authority.
10. The soft landscape arrangements approved under drawing 'Landscape Proposals (Drawing No.109/103/02 Rev C)' including the associated planting schedule and maintenance arrangements shall be implemented no later than the next appropriate planting season or after occupation of the 30<sup>th</sup> property. Any trees, shrubs or plants forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
11. Notwithstanding approved plan 'Play Area Landscape Proposals (Drawing No. 109.103.02 Rev B)', a revised 'Play Equipment Strategy' for the site shall be submitted to and approved in writing by the Planning Authority. This shall include (but not be limited to) the following:

- Incorporate the reuse of existing trees within the site which are being felled as part of the development to create natural forms of play equipment.
- Details and specifications of other forms of natural play equipment and structures which offer design solutions that effectively navigate and manage the increase in gradient of the central public open space area within the site.
- Provide full details regarding the maintenance arrangements for all play equipment and associated features within the site.

Thereafter, the approved play equipment strategy and all associated features and specifications shall be installed prior to the completion of the 30<sup>th</sup> unit within the development unless otherwise in agreed in writing by the Planning Authority and maintained in accordance with the approved details for the lifetime of the development.

12. Prior the commencement of development on site and further to Sections 4.2.2 and 4.3.3 of the approved 'Extended Phase 1 Habitat Survey (Dated September 2019)', both an otter and bat survey and report (prepared and undertaken by a competent and qualified ecologist) shall be submitted to and approved writing by the Planning Authority. These surveys shall be undertaken a minimum of 6 weeks prior to any construction work commencing on site. Thereafter, any recommendations or mitigation measures contained within the reports shall be implemented prior to works commencing on site and shall be maintained as such for the lifetime of the development.
13. All construction work on site relevant to the application shall be carried out in accordance with the recommendation and mitigation measures outlined within Section 4 of the approved 'Extended Phase 1 Habitat Survey' (Dated September 2019). These measures and recommendations shall remain in effect until all construction work associated with the development is complete on site.
14. Further to condition 12 and 13 above, all ground or vegetation clearance works, including any tree felling or demolition works, shall take place outwith the main bird breeding season (i.e. outwith the period of April to July inclusive), and no demolition or ground or vegetation clearance works are permitted between April to July in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of a bird nesting activity and of any actions required to protect birds.

15. Prior to the occupation of the 30th housing unit within the site, the drainage of surface water shall be completed in accordance with the approved Sustainable Urban Drainage System (SUDS) design, as set out in the approved 'Drainage Strategy Report' (Dated August 2019) and the approved plans. The SUDS and associated features including the planted swales once installed shall thereafter be maintained on site in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.
16. No house shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed provided within the site in accordance with approved plan 'Site Layout (Drawing No. 001 Rev B)'. Further to the approved plans, each vehicular parking space shall be constructed to include a marking which clearly identifies it to the house number it is to be attributed within the site or alternatively be marked to identify it as a visitor parking space where relevant. The aforementioned parking shall thereafter be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.
17. Further to condition 16 above and unless otherwise agreed in writing by the Planning Authority, prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
18. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B)', specific details of traffic calming measures and features to be incorporated into the junctions and accesses at Kilbowie Road and Miller Street from within the development site shall be submitted to and approved in writing by the Planning Authority. The measures proposed shall include the use of speed tables or similar features and shall all be designed with the intention to inform drivers that the road network is residential in nature. Thereafter, the approved traffic calming measures and features shall be installed prior to the occupation of any house within the site and shall be maintained as such within the site for the lifetime of the development.
19. Within twelve months of the occupation of the last house within the development and no sooner than 6 months after full occupation, a vehicle count survey shall be undertaken to ascertain volumes and levels of vehicle movements entering and exiting the site from Kilbowie Road and



Miller Street respectively. The findings and recommendations of the survey shall be submitted to and approved in writing by the Planning Authority. If required by the review, any measures to reduce or deter such vehicle movements and address any traffic issues identified shall be formed and installed on site at a timescale to be agreed in writing by the Planning Authority. Thereafter, these measures shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

20. Unless otherwise agreed in writing, no development shall commence on site until a Travel Plan which includes details promoting sustainable travel to and from the site and appropriate measures and actions to reduce car dependence for the development is submitted for the written approval of the Planning Authority. The Travel Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. The approved Travel Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the 1<sup>st</sup> house associated with the development and maintained as such unless otherwise agreed in writing by the Planning Authority
21. Notwithstanding the 'Ground Investigation Report' (Dated February 2020) submitted, no development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
  - a) A detailed site investigation identifying the extent, scale and nature of the contamination on the site (irrespective of whether this contamination originates on the site).
  - b) An assessment of the potential risks (where applicable) to:
    - Human health
    - Property (existing and proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
    - Groundwater and surface waters
    - Ecological systems
    - Archaeological sites and ancient monuments
  - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.

22. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
23. 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 remediation works and prior to any house being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
24. If required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed by the Planning Authority in consultation with Environmental Health measures. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.

27. 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 and take into account the following:

- The impact of the piling on surrounding properties.
- Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

28. No development shall take place on site until such time as a Noise Impact Assessment has been submitted to and approved in writing by the Planning Authority. This Noise Impact Assessment (alongside any recommendations in respect of attenuation measures) shall be prepared by a suitably qualified person and shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby industrial / commercial units and from the impact of road traffic noise. Where a potential for 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 occupation of any of the houses within the site and shall thereafter be retained in accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority.

29. Further to Condition 28 above, within 4 weeks of the completion of the development on site, a 'Verification Report' demonstrating compliance and validation of the maximum noise projections and effectiveness of the noise

attenuation measures detailed within the approved 'Noise Impact Assessment' Report (approved through Condition 25) shall be submitted to and approved in writing by the Planning Authority. This 'Verification Report' shall be prepared and undertaken by an independent consultant and the measurements shall be carried out in accordance with BS4142:2014 - "Methods of rating and assessing industrial and commercial sound" (with respect to current best practice). These levels and measures as agreed and validated within the approved verification report shall be maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Planning Authority.

30. 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.

31. During the period of construction, all external works including piling and ancillary operations shall be carried out between the following hours and at no other time, unless otherwise agreed in writing by the Planning Authority:

- Mondays to Fridays : 0800 – 1800
- Saturdays: 0800 – 1300
- Sundays and public holidays: No Working

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 the Planning 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 the Planning Authority.

33. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be 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.

34. 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.

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 13<sup>th</sup> May 2020**

**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager  
Email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. 'Our Green Network' Guidance
7. Residential Development Design Guidance

**Wards affected:** Ward 6 – Clydebank Waterfront