

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 27 May 2015 at 2.00 p.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Raymond Walsh, Network Services Co-ordinator; Bernard Darroch, Lead Planning Officer; Nigel Ettles, Principal Solicitor and Nuala Borthwick, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn and Patrick McGlinchey.

**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 29 April 2015 were submitted and approved as a correct record.

### PLANNING APPLICATION

A report was submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning application.

#### **Continued Application:-**

- (a) DC14/210 – Erection of a single wind turbine (max hub height 30m and max blade tip height 43m) and associated works, including construction of an access track and sub-station at land east of Broomhill Wood, Bonhill by Harris Smith.

The Planning & Building Standards Manager was heard in further explanation of the report and in answer to Members' questions.

The Chair, Councillor O'Neill then invited Mr Simon Burton of the Waterman Group, representing the applicant, to address the Committee and thereafter, Mr Burton was heard in support of the application and in answer to Members' questions.

Following discussion, the Committee agreed to indicate that it was minded to grant planning permission and delegated authority to the Planning and Building Standards Manager to issue the decision subject to the conditions specified within the report, details of which are contained within Appendix 1 hereto, and subject to the conclusion of a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site and the community benefit contribution.

Councillor Agnew, having failed to find a seconder for a proposed amendment, requested that his dissent be recorded.

### **KILPATRICK HILLS STATEMENT OF IMPORTANCE**

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval of the Statement of Importance for the Kilpatrick Hills Local Landscape Area.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed:-

- (1) to approve the Kilpatrick Hills Local Landscape Area Statement of Importance attached as appendix 1 to the report; and
- (2) that the Statement of Importance would form a background paper, to support the policies and proposals of the Local Development Plan.

### **COMMUTED PAYMENTS FOR PARKING – PLANNING GUIDANCE**

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval of the Planning Guidance for Commuted Payments for Parking.

After consideration, the Committee agreed to approve the Planning Guidance for Commuted Payments for Parking.

### **EAST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of publication of the Proposed Local Development Plan for East Dunbartonshire and seeking agreement of the Committee's response to the Plan.

After consideration, the Committee agreed to approve the Council's response to the Proposed East Dunbartonshire Local Development Plan, attached as appendix 1 of the report, for submission to East Dunbartonshire Council.

### **PROPOSED ADDITION TO STREET NAMING POLICY**

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking agreement to an addition to the street naming policy to include consultation with Registered Tenants Organisations.

After consideration, the Committee agreed to approve the new street naming and numbering policy as contained at appendix 2 of the report.

### **NEW STREET NAMES FOR VALE OF LEVEN INDUSTRIAL ESTATE, DUMBARTON**

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking agreement to allocate new street names to the existing two streets within the Vale of Leven Industrial Estate, Dumbarton.

After consideration, the Committee agreed that Levenside Road and Burroughs Way be approved as the street names to the existing two streets within the Vale of Leven Industrial Estate, Dumbarton.

The meeting closed at 2.17 p.m.

**DC14/210 – Erection of a single wind turbine (max hub height 30m and max blade tip height 43m) and associated works, including construction of an access track and sub-station at land east of Broomhill Wood, Bonhill by Harris Smith.**

1. The permission hereby granted is for a temporary period only and shall expire 25 years from the date of the permission.
2. That on the earlier of the expiry of 25 years from the date of the permission, or the turbine ceasing to generate electricity for a period of 6 months, the turbine and ancillary equipment shall be removed from the site along with its associated hardstandings and the site restored to its original condition within 6 months.
3. All external colours of the turbine and associated equipment cabinet shall be agreed with the Planning Authority prior to the commencement of works and shall be implemented as approved.
4. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented. The statement shall include the following information:
  - a) The intended turbine transportation route including swept path analysis, timings and methodology.
  - b) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.
  - c) Any alteration to the public road network.
  - d) Details of the construction compound including staff car parking.
  - e) Details of proposed signage during the delivery and construction period.
  - f) Any necessary mitigation.
  - g) Details of the type, weight, and number of delivery and construction vehicles.
  - h) Details of wheel washing facilities.
  - i) A condition report based on a joint survey of the proposed route to ensure that all temporary alterations and any damage to the road network are made good.
5. No development shall take place within the development site 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 by the West of Scotland Archaeology 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 of archaeological resources within the

development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

6. Prior to the commencement of development full details of the surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
7. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
8. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.
9. 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 sources upon nearby residential properties and other 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.
10. Prior to any plant or machinery being used on site, it shall be enclosed with sound insulating materials in accordance with a scheme which shall be submitted for the written approval of the Planning Authority. Thereafter, the sound insulation measures shall be implemented as approved.
11. The level of noise emissions from the effects of the wind turbine (including the application of any tonal penalty) when calculated in accordance with a procedure agreed with the Planning Authority, shall not exceed the values set out in Table 1 and Table 2. Noise limits for dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in the tables below shall be those of the physically closest location listed in the tables unless otherwise agreed by the Planning Authority.

**Table 1 – LA<sub>90,10min</sub> dB Wind Turbine Noise Level between 23:00 and 07:00 hours:**

Location	Standardised wind speed (m/s) at 10m height within the site averaged over 10 minute periods								
	4	5	6	7	8	9	10	11	12

**Table 2 – LA<sub>90,10min</sub> dB Wind Turbine Noise Level between 07:00 and 23:00 hours:**

Location	Standardised wind speed (m/s) at 10m height within the site averaged over 10 minute periods								
	4	5	6	7	8	9	10	11	12

*(Information to follow in order to complete tables and will be reported to Committee orally.)*

12. Prior to the installation of the turbine, the developer shall submit a report for approval by the Planning Authority which demonstrates compliance with the noise limits in Condition 12 above. The report shall be prepared in accordance with reference to the Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 and associated supplementary guidance notes.
13. Prior to the installation of the turbine, the applicant shall provide written confirmation to the Planning Authority that the noise from turbine operation will be broad-band with no discernible tonal characteristics.
14. Within 21 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority from the occupant of a dwelling, the wind turbine operator shall, at the wind turbine operator's expense, employ an independent consultant approved by the Planning Authority to assess the level of noise emissions from the wind turbine at the complainant's property following procedures to be agreed with the Planning Authority.
15. The wind turbine operator shall provide to the Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such

information shall be provided within 2 months of the date of the written request of the Planning Authority unless otherwise extended in writing by the Planning Authority. The wind turbine operator shall take such remedial action as required by the Planning Authority.

16. Wind speed, wind direction and power generation data shall be continuously logged and provided to the Planning Authority in a format to be agreed at its request and within 28 days of such a request. Such data shall be retained by the operator for a period of not less than 12 months.
17. No development shall commence until details of a nominated person have been submitted in writing to the Planning Authority for the development who will act as a point of contact for local residents (in connection with conditions 12 - 17), together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with the Planning Authority in connection with any noise complaints made during the construction, operation and decommissioning of the wind turbines.

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## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 24 June 2015

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**DC11/242:**            **Extension to shopping centre to form foodstore, and associated alterations, including taking down and re-construction of an existing stone façade to form new elevation and erection of a glazed entrance at Lomond Galleries, Main Street, Alexandria by Hermiston Securities.**

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

- 1.1** This application is for development which is significantly contrary to the development plan. Under the approved scheme of delegation it requires to be determined by the Planning Committee

#### **2. RECOMMENDATION**

- 2.1** **Grant planning permission**, subject to the conditions in Section 9.

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

- 3.1** The application relates to Lomond Galleries, a shopping centre which occupies a prominent location on Main Street, Alexandria. The property is an “A” listed building which opened in 1906 as the offices of the Argyll Motor Works factory, which originally occupied a large area of land to the east of the site. Later, the complex was used as a munitions factory before finally closing in the early 1970s. The buildings lay empty and most of the factory sheds were subsequently demolished and redeveloped for housing. The listed office block along the Main Street frontage was eventually brought back into use as a shopping centre in the late 1990s. The site is bounded by residential properties to the south and east, whilst there are a medical centre and a swimming pool on the opposite sides of Main Street and Heather Avenue to the west and north respectively. The site extends to approximately 1.9 hectares and includes large car parking areas to the front and rear of the building. Vehicular access into the site is via a signalised junction onto Main Street in the south western corner of the site.
- 3.2** The long, linear building sits in the centre of the site and is primarily finished in red sandstone with a symmetrical front elevation. The building comprises a central tower feature over the main entrance in the centre of the frontage, with a two storey wing on either side. Internally, there is a centrally located marble staircase, and on each level there is a long corridor serving the individual retail units. The building also has a basement which is of sufficient size to

provide retail accommodation. To the north of the main building here is a freestanding stone façade which links front elevation of the building with an extremely dilapidated two storey house at the northern end of the site. The freestanding façade is approximately 45m in length and contains five large openings which formerly formed accesses into the old factory sheds. The house was originally used as accommodation for the head commissionaire and head gardener, but due to its condition listed building consent was granted in 2011 for its demolition.

- 3.3** The shopping centre was originally conceived as an outlet mall, but has struggled to attract custom and many of the units are currently vacant. The owners therefore propose to build a new anchor store to improve the site's viability. It is proposed to construct a 1,255m<sup>2</sup> rear extension to the northern wing of the building, along with internal alterations to convert this wing and extension into a single large unit. This would enable the creation of a large retail unit with a gross floor area of 2165.5m<sup>2</sup> (1280m<sup>2</sup> net sales area). In addition to the demolition of the derelict house, the free standing stone façade which is attached to the northern wing of the building would also be taken down and the recovered stone would be used to construct a new northern side elevation for the existing building. The reconstructed façade would be shorter than the existing façade and contain only four openings which will be glazed, and any spare stone would be used to replace broken or damaged stone. The front elevation of the main building would not be altered by the proposal, but some ground levels would be raised so that a level access is provided and to ensure that the new façade is at the same level as the front elevation of the building. Internally, the building would be reconfigured and the new extension used to create a single retail unit which would have a dedicated entrance on the northern elevation. The new entrance would be enclosed in glass and add a contemporary element to the more traditional stone façade to which it would be attached. Whilst there are proposals to reconfigure the car park layout, this would not affect the listed building and the existing boundary treatment adjacent to Main Street would be retained. An application for listed building consent for the extension and alterations (DC11/241) is subject to a separate report to this Planning Committee.
- 3.4** The car park would be reconfigured and landscaped, with an additional vehicular and pedestrian entrance being formed on the northern boundary, allowing access directly from Heather Avenue. This would also improve links to the existing overspill car park located on Heather Avenue. The existing access and exit onto Main Street would be retained. A service yard and loading bay would be formed at the rear of the building. In total, the reconfigured car park would provide 304 spaces, as well as two cycle racks.
- 3.5** The application is accompanied by a Design Statement, Transportation Assessment and a Retail Impact Assessment which address the various technical issues. The site has previously been subject to permission for an extension, which is described in Section 7 below.

## **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to conditions requiring the installation of a crossing point on Heather Avenue, and that details of the car park lining/layout be reserved in order to ensure that there is no egress onto Heather Avenue and removal of the existing signals at the Main Street entrance and reconfiguration as a priority junction.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to construction hours and noise, noise, piling, contaminated land and dust control.
- 4.3** Historic Scotland have been consulted informally on the parallel application for listed building consent (DC11/241), and had requested some alterations to the initial proposal which the applicant has since made. As a result of these amendments, Historic Scotland has indicated that they are likely to be satisfied with the proposal. However, as this is an “A” listed building a formal notification of Historic Scotland will be required before any listed building consent could be granted.

## **5. REPRESENTATIONS**

- 5.1** One letter of representation has been submitted from a retailer within Alexandria town centre, who objects to the proposal on the basis that it would be contrary to Scottish Planning Policy and would have a detrimental impact upon Alexandria Town Centre. In addition, although the proposal is for a foodstore, it is likely that it will also sell a range of non-food related items which would compete with existing retailers in Alexandria Town Centre. The representation suggests that an independent retail study should be undertaken to assess the application.

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

- Glasgow and Clyde Valley Strategic Development Plan (SDP) (2012)
- 6.1** The SDP outlines a Spatial Development Strategy including identification of a network of retail centres within the Glasgow and Clyde Valley area. Within West Dunbartonshire Dumbarton and Clydebank are identified as “strategic centres”, but Alexandria is not. Diagram 4 in the SDP sets out a sustainable location assessment and where the proposal is not in line with the Spatial Development Strategy it is required to be assessed in terms of ‘supply-side’ and ‘demand-side’. With regard to the network of centres, it asks if the proposal respects the scale of the centre; supports the network of centres; and keeps the impact on the city centre to an acceptable level. For the demand-side it asks if there is a known demand/need established in the Development Plan. In this instance, the development is below the strategic scale of development and is not considered to impact unacceptably on the network of strategic centres.

West Dunbartonshire Local Plan (2010)

- 6.2** Policy RET1 requires a sequential approach to site selection for new retail developments. The hierarchy for site selection is as follows:
- 1<sup>st</sup> preference: town centre
  - 2<sup>nd</sup> preference: edge of town centre
  - 3<sup>rd</sup> preference: other commercial centres identified in the development plan
  - 4<sup>th</sup> preference: out-of-centre locations accessible by a choice of transport modes

The application site is identified in the plan as a Commercial Centre.

- 6.3** Policy RET2A states proposals for retail development will be supported where their function complements that of other centres within the network of centres, having particular care not to undermine town centres. Assessment is required against the criteria of Policy RET2. These comprise:

- whether the proposal along with the existing retail floorspace can be supported by the relevant catchment population;
- the effect on the vitality and viability of existing centres;
- whether the proposal could be adequately served by public transport and would not in itself generate longer car journeys;
- the availability of suitable alternative sites in the existing town centre, where the development proposed is in an edge of centre location;
- the suitability and impact of the proposal on the surrounding environment;
- quality of design including landscaping, parking provision, changes to the public realm, streetscape, open space, and relationship to the local environment;
- if the proposal would have any significant infrastructural implications;
- the contribution the development would make to remedying any quantitative or qualitative deficiencies in the existing retail provision; and
- other Local Plan policies.

- 6.4** Lomond Galleries is specifically identified within Schedule RET4 as a retail development opportunity with potential for the development of 3,000m<sup>2</sup> of additional non-food retail floorspace. Policy RET4 indicates that sites listed in this schedule are the main retail development opportunities within the plan area and that retail development will be supported subject to conformity with other plan policies, in particular RET2.

- 6.5** Policy BE2 seeks to protect the appearance, setting and character of Listed Buildings and does not support developments which detract from the character of listed buildings, whilst Policy GD1 sets out general development control considerations for all new development. The proposal is assessed against all of these policies in Section 7 and it is considered that the proposal is a significant departure from the plan since it does not comply with the sequential approach to retail site selection contained in Policies RET1 and RET2A.

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

#### Scottish Planning Policy (SPP)

- 7.1** The SPP requires a town centre first approach for uses which will attract a significant number of people, including retail use. A sequential approach is to be adopted in relation to retail site selection, and the hierarchy is as set out in relation to Policy RET1 above. Where proposals out with a town centre are contrary to the development plan, alternative town centre locations are to be thoroughly assessed and the impact on existing centres should be acceptable.
- 7.2** SPP states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard must be given to the importance of preserving and enhancing the listed building, its setting and any features of special architectural or historic interest. The layout, design, material, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future and any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

#### West Dunbartonshire Local Development Plan (WDLDP)

- 7.3** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.
- 7.4** Policy SC1 indicates support for retail development where this accords with the strategy and with the network of centres set out in Table 5 or with the development opportunities in Schedule 7. Proposals which do not accord with the network of centres retail strategy will not be supported if:
- there is a suitable opportunity in a sequentially preferred location;
  - there would be an unacceptable impact on a centre which is sequentially preferred;
  - or the proposed site is not accessible by public transport.

Table 5 indicates that Lomond Galleries is a “Destination Commercial Centre” where there is a preference for visitor-type goods and attractions; the plan supports refurbishment of the building with limited retail floorspace and indicates that Lomond Galleries is the second preference for retail development in Alexandria after the town centre, in order to support the preservation of the listed building. However, proposals still require to be

assessed in terms of their impact on town centres, which are the sequentially preferred location for retail developments exceeding 1,000m<sup>2</sup>.

- 7.5** The Alexandria Town Centre Changing Place section of the LDP sets out the Council's preferred strategy for Alexandria town centre. Part of this strategy is to strengthen its retail offer through the identification of a new opportunity for an anchor food store and other new and refurbished retail floorspace and to support redevelopment along Bank Street. The strategy seeks to attract a new anchor food retailer to help the town centre attract and retain shoppers. Schedule 7 of the LDP therefore supports development of a 3,200m<sup>2</sup> food store on a site extending south from Mitchell Way. Additionally, a redevelopment opportunity is identified at Bank Street where the medical centre was previously located. The Plan supports new housing and town centres uses here such as shops, offices, cafes, public services and leisure.
- 7.6** Policy BH3 protects the special interest, character and setting of listed buildings. Enabling development that would result in the retention or restoration of a listed building, and which is appropriate in terms of design and use, and proportionate in scale, will be supported, subject to conditions or a legal agreement ensuring the restoration of the listed building.
- 7.7** Policy DS1 states that all development will be expected to contribute towards creating successful places by having regard to the six qualities of successful places. Development should be designed to be distinctive, resource-efficient, safe and pleasant, adaptable, easy to get to and welcoming. Considerations relevant for this application include that development should:
- Contribute positively to our built heritage aiding the interpretation of historic buildings, monuments and places.
  - Retain built or natural assets which make the local area distinct.
  - Reuse existing buildings and previously developed land.
  - Use building material from local or sustainable sources.
  - Creates an attractive gateway to the development or the local area.
  - Creates an attractive and active street frontage.
- 7.8** The issues raised by these policies are discussed below, but it is concluded that the proposal is contrary to Policy SC1 as it does not accord with the sequential approach to retail site selection.

#### Sequential Assessment

- 7.9** The Lomond Galleries site is identified as a commercial centre in the adopted local plan and emerging local development plan. Although the site does not immediately border the defined town centre, the LDP specifies that it is the second preference location for retail development within Alexandria. It is therefore necessary to assess whether there are any suitable alternative sites within the town centre on which the proposed development could be located. In support of the planning application, a retail assessment was submitted by the applicant who considered five potential development locations within Alexandria town centre. The locations are:
- Former Leven Cottage, Main Street

- Former Kippen Dairy, Main Street/Bank Street
- Former Medical Centre, Bank Street
- Former St Andrews Church, Main Street
- Mitchell Way Redevelopment Opportunity

With the exception of the former St Andrews Church, all of the above are identified as development opportunities in the adopted local plan. The LDP identifies Leven Cottage and Kipped Diary as housing opportunities, the Medical Centre site as suitable for mixed uses, and the Mitchell Way site as suitable for a food store.

- 7.10** The applicant dismisses the suitability of these sites on a number of grounds including size, availability and development plan land use designation. The rejection of the first four sites is accepted. However, the Mitchell Way site is large enough to accommodate a food store of the size proposed by the developer, and it is specifically allocated for a food store opportunity in the local development plan. The site has previously been marketed for a food store of between 2,787m<sup>2</sup> and 3,948m<sup>2</sup> and it is currently intended to be re-marketed as a retail development opportunity for a food store in the region of 929m<sup>2</sup> to 1,579m<sup>2</sup>. It is therefore concluded that the Mitchell Way site is available for development and is a suitable and sequentially preferable location. Therefore with regard to the sequential approach, the proposal is considered to be contrary to SPP, to policies RET1 and RET2A of the adopted local plan, and to policy SC1 of the emerging local development plan.

#### Impact on Alexandria Town Centre

- 7.11** The retail assessment that has been submitted sets out the anticipated impact on trade which the proposal would have upon Alexandria town centre, Dumbarton and other retail locations, including the potential cumulative impact which would arise if both the Lomond Galleries and Mitchell Way sites were developed as food stores. The tables below have been extracted from the retail assessment and demonstrate the findings, showing the percentage impacts on trade of different types of food store on firstly Alexandria town centre and then Dumbarton. They differentiate between the anticipated impacts arising from either a 'metro' format store (a mid-sized mainstream supermarket), or a discount retailers.

*Table 1 Alexandria Town Centre – Summary of retail impacts*

	Convenience Goods	Comparison Goods	All Retail Goods
'Metro' format supermarket at Lomond Galleries (Option 1)	-7%	-3%	-6%
Discount retailer at Lomond Galleries (Option 2)	-6%	-2%	-5%
Cumulative: Option 1 + town centre supermarket (Mitchell Way)	+119%	+14%	+93%
Cumulative: Option 2 + town centre supermarket (Mitchell Way)	+126%	+16%	+99%

*Table 2 Dumbarton Town and Commercial Centre – Summary of retail impacts*

	Convenience	Comparison	All Retail
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	Goods	Goods	Goods
'Metro' format supermarket at Lomond Galleries (Option 1)	-8%	-2%	-7%
Discount retailer at Lomond Galleries (Option 2)	-2%	-1%	-2%
Cumulative: Option 1 + town centre supermarket (Mitchell Way)	-17%	-3%	-15%
Cumulative: Option 2 + town centre supermarket (Mitchell Way)	-13%	-2%	-11%

**7.12** Table 1 suggests that the proposal would have a 5 to 6% negative impact on turnover within Alexandria town centre if the Lomond Galleries food store was implemented without a food store development at Mitchell Way. If both options (a food store at Lomond Galleries and Mitchell Way) were to be implemented, the table shows that the impact on Alexandria town centre would be positive, due to the town centre location of the Mitchell Way opportunity (i.e. the expenditure the Mitchell Way store would 'claw-back' from Dumbarton and elsewhere would give an overall boost to the trade of Alexandria town centre). This calculation is based on the town centre food store proposal being 3,200 sqm.

**7.13** Table 2 shows that there would be a negative impact of 7% on Dumbarton if the Lomond Galleries store was developed as a 'Metro' style general food store. This negative impact would be reduced to 2% if the Lomond Galleries store was developed as a discount store. If both Lomond Galleries and the Mitchell Way food stores were to be developed, the negative impact on Dumbarton would potentially be increased to 11-15%, with the largest impact being on foodstores, specifically Asda, Morrisons and M&S Simply Food, which are not within Dumbarton town centre. The applicant concludes that although significant amounts of trade will be diverted from these Dumbarton stores, this will not significantly undermine the vitality or viability of the town centre as these stores are trading at above average sales densities whilst also serving a different type of retailing than that of the town centre (traditional high street area). This is accepted, and the clawing-back of expenditure to the Vale of Leven must be viewed as a positive. In addition to the impact on Dumbarton and Alexandria town centre, both scenarios would also impact on other stores within the Alexandria catchment area, including the Co-op in Balloch. The negative impact on that store is predicted to range from 5% to 21% depending on the format of the Lomond Galleries store and whether the Mitchell Way store is also developed.

**7.14** In both instances, the retail assessment predicts that the majority of the proposed store(s) income will be derived from 'clawing-back' expenditure that is currently 'leaking' from the Alexandria catchment, primarily to Dumbarton. The study estimates that 52%, or almost £26M, of the available convenience expenditure from the Alexandria catchment 'leaks' from the area. The retail assessment argues that it is this 'leaked' expenditure that will provide the majority of expenditure in the new store. This conclusion is not unreasonable and it is evident that Alexandria does not have a strong convenience retail offer at present in comparison to Dumbarton.



- 7.15** In conclusion, the methodology used by the applicant to predict levels of impact on Alexandria town centre, Dumbarton and other retailers appears thorough. The majority of the income from the new store will be derived from expenditure which is currently leaking from the Alexandria catchment area, therefore the impact on Alexandria town centre is predicted to be below 10% if the Lomond Galleries store is developed in isolation. If the Mitchell Way store is also developed then there will be a positive impact on trade within Alexandria town centre. With regard to impact on Dumbarton stores and the Balloch Co-op, those which will be affected most are not within the town centre, and it is not considered that the loss of trade will impact unacceptably on their viability, or the vitality of the town centre.

#### Retail Capacity

- 7.16** The Council has a clear strategy for the development of a food store on the Mitchell Way site in Alexandria town centre. This is set out in the Local Development Plan and Alexandria Town Centre master plan. An anchor food store on the Mitchell Way site would improve the food retail offer of the town centre, reclaim leaked expenditure from the Alexandria catchment area and have spin-off benefits for other stores in the town centre owing to increased footfall. It would also result in the redevelopment of the Mitchell Way site. A food store on the Mitchell Way site is therefore at the heart of the Council's strategy for the town centre.
- 7.17** The applicant has provided a capacity assessment that demonstrates that both the Mitchell Way and Lomond Galleries sites could be successfully developed for foodstores. Retail capacity assessments are based on a comparison of the amount of expenditure available in an area, compared to the amount of turnover the existing and proposed retail floor space would trade, at an average level. This is based on the Local Development Plan's preference for a 3,200m<sup>2</sup> food stores on the Mitchell Way site and the developer's proposal for a 2,165m<sup>2</sup> food stores at Lomond Galleries. As this is an arithmetic or notional comparison, the applicant was also asked to provide a food store market commentary to assess whether the market in Alexandria could support two foodstores of the size proposed. By comparison to other small towns in Scotland, the applicant has concluded that stores at both locations could co-exist. The applicant has also advised that it has two operators interested in the Lomond Galleries opportunity, one a discounter and the other a mainstream supermarket considering a small store format although they have not identified the interested parties at this time.
- 7.18** During the period since the retail assessment was provided in support of the planning application, the Council's marketing of the Mitchell Way site for a 3,200m<sup>2</sup> food store has ended without any operator interest. The Council is now intending to re-market the site as suitable for a smaller food store, more in line with what is being proposed at Lomond Galleries. Whilst there may be notional capacity for new foodstores at Mitchell Way and Lomond Galleries, the Council's recent experience demonstrates that there is uncertainty as to what market demand there is for new foodstores. Also the mainstream operators are going through restructuring nationally. Therefore, it cannot be concluded that the development of a new food store at Lomond Galleries, or

even the granting of planning permission for such a store, will have no adverse impact on the potential for the Mitchell Way site to be successfully developed as a food store.

#### Principle of Development

- 7.19** Lomond Galleries has been in operation for retail purposes since it opened in the late 1990s. The original planning permission (VL.4695) was approved in 1996 and permitted the creation of approximately 5000m<sup>2</sup> of unrestricted class one retail floorspace. However, due to the layout of the building and the fact that the planning consent permitted a number of individual units within the building, there was no scope for the premises to be converted into a single retail unit or to operate as a large supermarket. Subsequently, planning permission (DC03/301) was granted in 2004 for an extension to the rear of the building which extended to 2357m<sup>2</sup> and permitted additional non-food retailing. This was renewed in 2009 (DC09/070) and continued to allow non-food retailing only. Planning permission DC09/070 has now lapsed although it had not lapsed when the current application was submitted for consideration.
- 7.20** Lomond Galleries is an important and distinctive listed building for which it would be difficult to find an alternative use. Before it became a shopping centre, it was vacant for almost 25 years and it is important to prevent it becoming vacant again and falling into disrepair, or becoming a target for vandalism. At the present time it is poorly occupied and its continued operation as a retail location in its current guise does not appear sustainable. There are no alternative proposals for the use of the building at this time and finding an alternative use could prove problematic due to the size and nature of the building. The current proposal is an imaginative and innovative scheme that could provide the building with a sustainable future. As is often the case with listed buildings, it is important that Lomond Galleries does not become unoccupied and potentially fall into disrepair at such a prominent location within Alexandria.
- 7.21** In addition, the continuing operation of Lomond Galleries would safeguard jobs and the creation of a foods store would offer an opportunity to create new local employment. Although the proposal is a departure from the retail policies contained in the adopted and proposed local plans, the potential benefits from the continuing use of the building and preserving the listed building are on balance, sufficient in this instance to justify supporting the proposal and recommending approval of this application. If Lomond Galleries continues to operate at a loss, there is a serious risk that it could close. Having weighed up the merits of this application, the potential preservation of a listed building is a significant material consideration which justifies supporting this proposal. With or without this development, Lomond Galleries faces an uncertain future which could result in its closure. However, this proposal if approved and implemented, allows the shopping centre to have a future and increase the likelihood that it will continue to operate.

#### Design and Appearance

- 7.22** The current proposal would involve the removal of part of the front elevation of the building; however it would not affect the northern wing of the building. The

proposal is an imaginative and innovative scheme to form a food store within a listed building which addresses the challenges presented by the ground levels on site and the existing stone façade of the listed building. By carefully taking down part of the façade, it will be possible to create a new gable to the building along the northern elevation which would also be the main entrance to the proposed food store. The rebuilt façade would replicate the existing façade, albeit in a different location and create a distinctive elevation to the supermarket. It is an ambitious proposal since there are few other schemes which have proposed to house a food store within a listed building and it does not follow the standard design often presented when faced with retail proposals.

- 7.23** The façade affected by the proposal does not form part of the original office building and formed the front elevation of the industrial sheds on this part of the site. Relocating the façade will allow the building to be redeveloped and enhance its setting. Had the original shed buildings still existed to the rear of the façade then it would be difficult to argue that the façade should be altered. However, at present the façade serves as little more than an aesthetic feature which requires to be propped by supports. This proposal represents an opportunity to improve the ability of the listed building to operate, improve the integration between the façade and the existing building and enhance the setting of the listed building. The most distinctive aspect of the relocated facade is the proposed glazed entrance which has been chosen to minimise the visual impact on the building and prevent the stone and other original features being completely obscured.
- 7.24** The principal of adding an extension to the building has previously been established. Therefore the main issue to consider is whether the design, location of the extension and the new façade are acceptable. The use of the original stone will significantly reduce the impact of the development on the listed building whilst the openings and stone detail will mirror the existing façade. Although the extension will bring the building closer to the residential properties to the rear, it will not be higher than the existing building and will not significantly alter the relationship with these properties in terms of overshadowing or general impact. The overall design is acceptable as it will not detract from the listed building or its setting and Historic Scotland have confirmed that they are satisfied with the proposal subject to conditions.

#### Accessibility, Traffic and Parking

- 7.25** The existing access to the site is via a signalised junction on Main Street and it is in close proximity to public transport routes. In order to make the site more accessible, a second access for both vehicular and pedestrian traffic on Heather Avenue is proposed. The only vehicular exit from the site would be via the existing junction onto Main Street. Within the site, there would be 304 parking spaces with service access provided to the rear of the building. There is an overflow car park on Heather Avenue for up to 200 vehicles which would be retained although it has seldom if ever been used. The addition of a pedestrian access to the site from Heather Avenue may make it more likely that the overflow car park is used in the future. In order to function successfully and satisfy the Council's Roads Service, a new crossing point will

be required on Heather Avenue, the internal car park layout will need to be designed to prevent any vehicles exiting onto Heather Avenue and the signalised junction on Main Street will be altered to a priority junction. The proposed parking and access arrangements are acceptable subject to compliance with the conditions contained in Section 9.

#### Landscaping

- 7.26** At present, there is no landscaping throughout the site and the building sits amid a car park. Due to the requirements to provide adequate parking and access on site, it will not be possible to have significant areas of landscaping. However, as part of this proposal, it is intended that some small landscaped areas will be introduced alongside tree planting throughout the car park. The combination of landscaping and tree planting will soften the development and once established will enhance the site. Planting will also be undertaken along the rear boundary to screen the development and reduce the visual impact of the raised parking area and extension. Although the landscaping proposals are not extensive, it will be a significant improvement on the current situation and enhance the amenity of the area. In addition, there is scope for the landscaped areas to incorporate sustainable urban drainage solutions.

### **8. CONCLUSION**

- 8.1** The proposal is a significant departure from the retail policies contained in the adopted and proposed local plans, however the potential benefits from the continuing use of the building and preserving the listed building are on balance, sufficient in this instance to justify supporting the proposal and recommending approval of this application. The proposal for a food store allows the shopping centre to have a future and increases the likelihood that it will continue to operate.

### **9. CONDITIONS**

- 1. The proposed net (sales) floor area of the retail unit shall not exceed 1280m<sup>2</sup>.**
- 2. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of a crossing point on Heather Avenue has been submitted to and approved in writing by the Planning Authority. The crossing shall thereafter be implemented as approved prior to the opening of the new food store.**
- 3. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details of the proposed car park lining and layout have been submitted to and approved in writing by the Planning Authority. The car park lining/layout must ensure that**

**there will be no vehicular exit onto Heather Avenue and shall be implemented as approved prior to the opening of the new food store.**

- 4. Prior to the opening of the food store hereby approved, the existing traffic signals at the Main Street entrance to the site shall be removed and the access reconfigured as a priority junction.**
- 5. During the period of construction no delivery or removal of material from the site shall take place out with the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.**
- 6. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.**
- 7. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the foul and surface water drainage system have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved prior to the opening of the new food store. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design.**
- 8. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved.**
- 9. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of all ground surfaces including roads and pathways have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.**
- 10. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the design and location of all walls and fences (including retaining walls) to be erected on site have been submitted to and approved in writing by the Planning**

**Authority. These shall be implemented prior to the opening of the new food store.**

- 11. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and siting of all external lighting have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.**
- 12. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and location of all external furniture, including cycle racks and trolley shelters have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.**
- 13. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as final landscaping details to include the number, siting and type of trees, shrubs and plant species have been submitted to and approved in writing by the Planning Authority. Planting shall thereafter be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after the opening of the new food store. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.**
- 14. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence 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 identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.**
- 15. The presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.**
- 16. The development shall be completed in accordance with the finished floor levels and ground levels shown on the approved**

plans unless otherwise approved in writing by the Planning Authority.

17. 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 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, service lines and pipes;
    - ground waters 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.
18. 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 risk 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 on 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.
19. 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 with 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. On 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 Planning Authority.

20. 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. 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 by the Planning Authority.
21. No development shall take place on site until such time as details of noise attenuation works have been submitted to and approved in writing by the Planning Authority. These works shall be designed so as to minimise noise nuisance affecting nearby properties. The approved noise attenuation measures shall be implemented prior to the opening of the new food store and shall thereafter be retained in accordance with the approved scheme.
22. 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. The 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 sources upon nearby residential properties and other 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.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 2 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development.  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None



**Background Papers:**

1. Application forms and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Representation(s); and
5. Consultation responses.

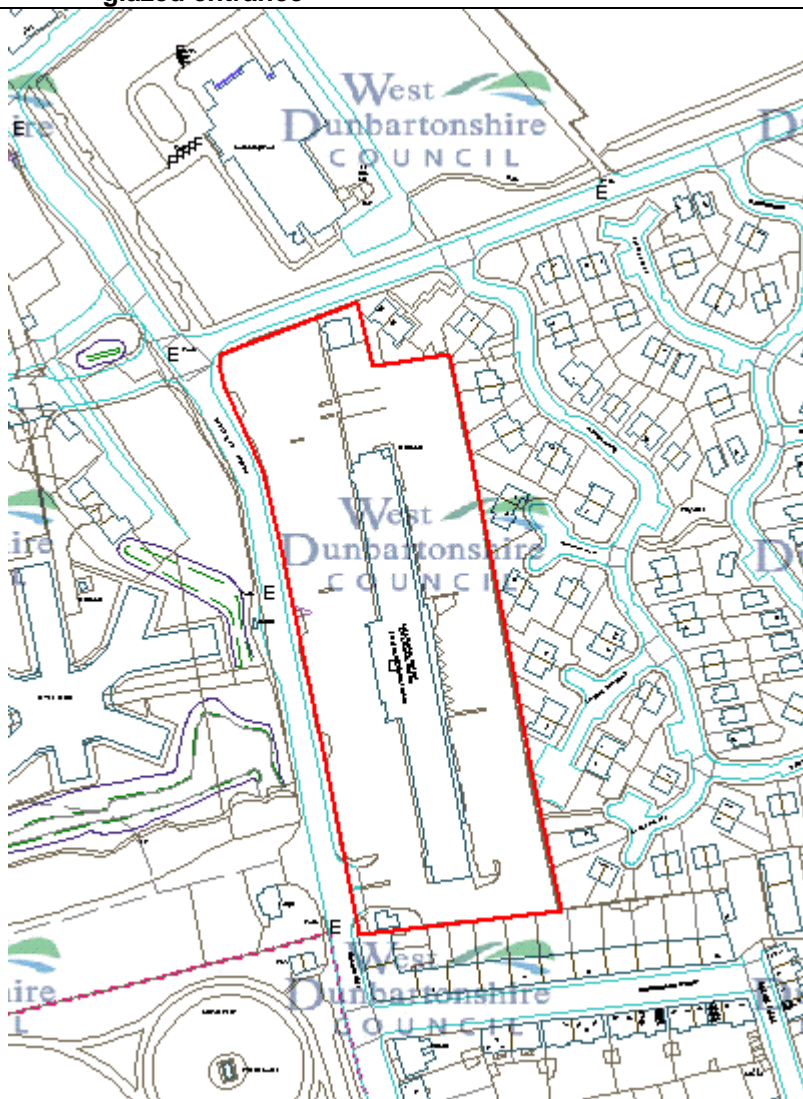
**Wards affected:**

Ward 2 (Leven)

**DC11/242**

**Extension to shopping  
centre to form foodstore,  
and associated alterations  
including taking down and  
re-construction of existing  
stone facade to form new  
elevation and erection of a  
glazed entrance**

**Loch Lomond Galleries  
Main Street  
Alexandria  
West Dunbartonshire**



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 24 June 2015

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**DC11/241:**            **Taking down and reconstruction of existing stone, free standing façade to form new elevation to extended listed building and the erection of a new glazed entrance (Listed Building Consent) at Lomond Galleries, Main Street, Alexandria by Hermiston Securities.**

#### 1.     **REASON FOR REPORT**

- 1.1**     This application raises issues of local significance and under 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** listed building consent and to delegate authority to the Planning & Building Standards Manager to issue the decision subject to (a) the conclusion of formal consultation of Historic Scotland, and (b) the conditions set out in Section 9, with any amendments thereto arising from the Historic Scotland consultation.

#### 3.     **DEVELOPMENT DETAILS**

- 3.1**     The application relates to Lomond Galleries, a shopping centre which occupies a prominent location on Main Street, Alexandria. The property is an “A” listed building which opened in 1906 as the offices of the Argyll Motor Works factory, which originally occupied a large area of land to the east of the site. Later, the complex was used as a munitions factory before finally closing in the early 1970s. The buildings lay empty and most of the factory sheds were subsequently demolished and redeveloped for housing. The listed office block along the Main Street frontage was eventually brought back into use as a shopping centre in the late 1990s. The site is bounded by residential properties to the south and east, whilst there are a medical centre and a swimming pool on the opposite sides of Main Street and Heather Avenue to the west and north respectively. The site extends to approximately 1.9 hectares and includes large car parking areas to the front and rear of the building. Vehicular access into the site is via a signalised junction onto Main Street in the south western corner of the site.
- 3.2**     The long, linear building sits in the centre of the site and is primarily finished in red sandstone with a symmetrical front elevation. The building comprises a central tower feature over the main entrance in the centre of the frontage, with

a two storey wing on either side. Internally, there is a centrally located marble staircase, and on each level there is a long corridor serving the individual retail units. The building also has a basement which is of sufficient size to provide retail accommodation. To the north of the main building here is a freestanding stone façade which links front elevation of the building with an extremely dilapidated two storey house at the northern end of the site. The freestanding façade is approximately 45m in length and contains five large openings which formerly formed accesses into the old factory sheds. The house was originally used as accommodation for the head commissionaire and head gardener, but due to its condition listed building consent was granted in 2011 for its demolition.

**3.3** The shopping centre was originally conceived as an outlet mall, but has struggled to attract custom and many of the units are currently vacant. The owners therefore propose to build a new anchor store to improve the site's viability. It is proposed to construct a 1,255m<sup>2</sup> rear extension to the northern wing of the building, along with internal alterations to convert this wing and extension into a single large unit. In addition to the demolition of the derelict house, the free standing stone façade which is attached to the northern wing of the building would also be taken down and the recovered stone would be used to construct a new northern side elevation for the existing building. The reconstructed façade would be shorter than the existing façade and contain only four openings which will be glazed, and any spare stone would be used to replace broken or damaged stone. The front elevation of the main building would not be altered by the proposal, but some ground levels would be raised so that a level access is provided and to ensure that the new façade is at the same level as the front elevation of the building. Internally, the building would be reconfigured and the new extension used to create a single retail unit which would have a dedicated entrance on the northern elevation. The new entrance would be enclosed in glass and add a contemporary element to the more traditional stone façade to which it would be attached. Whilst there are proposals to reconfigure the car park layout, this would not affect the listed building and the existing boundary treatment adjacent to Main Street would be retained. An application for full planning permission for a new food store and alterations (DC11/242) is subject to a separate report to this Planning Committee.

**3.4** Listed building consent (DC03-300) was previously granted in 2004 for a larger rear extension to the building. However, that proposal did not involve the relocation of the freestanding stone façade.

## **4. CONSULTATIONS**

**4.1** Historic Scotland has been consulted informally on the proposal, and had requested some alterations to the initial proposal which the applicant has since made. As a result of these amendments, Historic Scotland has indicated that they are likely to be satisfied with the proposal. However, as this is an "A" listed building a formal notification of Historic Scotland will be required before listed building consent can be granted.

## **5. REPRESENTATIONS**

### **5.1** None.

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

### West Dunbartonshire Local Plan (2010)

- 6.1** Policy BE2 states that the Council will aim to ensure that in relation to any works affecting a listed building or its setting, its appearance, character and setting should not be adversely affected. The proposal is assessed against the criteria of this policy in Section 7 below. It is considered that the development complies with policy BE2 of the adopted local plan, as although the demolition of the freestanding façade is unfortunate, overall the changes would be sympathetic to the character of the listed building and would contribute towards securing the long term viability of its use.

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

### West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.

- 7.2** Policy BH3 states that demolition or development that would adversely affect the special interest, character or setting of a listed building will not be permitted. Appropriate enhancement of listed buildings will be supported. Enabling development that would result in the retention or restoration of a listed building, and which is appropriate in terms of design and use, and proportionate in scale, will be supported subject to conditions or a legal agreement ensuring the restoration of the listed building. It is considered that the development complies with policy BH3.

### Impact on Listed Building

- 7.3** Lomond Galleries is an imposing building which occupies a prominent location on Main Street, close to Alexandria town centre. Formerly, the building previously lay vacant for many years, and its redevelopment as a retail outlet was a very positive step which was hoped at the time would secure the future of the building. Unfortunately the current business model has not proved viable, and unless its viability can be restored there is a danger that the building may fall back into disuse and disrepair, threatening the future of the

listed building. In order to avoid this, it is accepted that some reconfiguration of the building will be necessary if it is to compete effectively as a retail destination.

- 7.4** Although the proposal would involve the removal of part of the front elevation of the building, the area that would be removed is a freestanding stone façade which was originally the frontage of part of the factory sheds rather than being part of the main office building. Removal of this part of the façade would not affect the symmetry of the main building. Whilst this part of the façade is an original feature which is of some historical interest and which undoubtedly adds to the character of the listed building, in the absence of the original sheds it no longer serves a practical purpose and due to its position and condition it impedes the redevelopment of the site. The rear elevation of the building has a distinctive appearance due to the presence of white engineering brick which had previously formed part of the internal fabric of the former industrial sheds which were demolished some time ago. The rear elevation is less ornate when compared to the frontage of the building.
- 7.5** By carefully taking down the façade, it should be possible to reuse the stone to replicate the façade at a 90 degree angle to the existing elevation, thereby creating a new side elevation with a style and character which complements the front elevation. The most distinctive aspect of the development is the proposed glazed entrance which has been chosen to minimise the visual impact on the building and prevent the stone and other original features being completely obscured. The reuse of the original stone will significantly reduce the impact of the development on the character of the listed building, and the openings and stone detail will mirror the existing façade. It is considered that the proposals for the new side elevation would create an attractive new frontage for the extension unit, which would complement the front elevation and respect the history of the building.

## **8. CONCLUSION**

- 8.1** Whilst the proposed removal of the freestanding section of façade would alter the appearance of the listed building and result in the loss of an original feature, it is considered that this would be outweighed by the benefits of a development which would help to secure the future of the listed building by improving the viability of its use. The new extension has been designed sympathetically and would re-use down taken stonework to create a new side elevation which matches the high quality of the front elevation. Overall, the impact of the proposal upon the listed building is considered to be positive, and the proposal would therefore be in accordance with the relevant development plan policies.

## **9. CONDITIONS**

- 1.** **Prior to the commencement of development, the façade which is to be dismantled shall be recorded photographically and all stones numbered**

in order to facilitate the rebuilding of the façade, with all stones to be replaced in their correct positions (subject to the obvious changes shown on the approved plans).

2. Prior to the commencement of development on site, a Method Statement shall be submitted for the written approval of the Planning Authority and the development shall thereafter be undertaken in accordance with the approved Method Statement. The Method Statement shall contain the following:
  - Details of how the stonework will be dismantled in order to avoid causing any damage. In particular, mechanical cutting through mortar joints (or whole stones) should be resisted in order to avoid damaging the stones, particularly at the edges;
  - The façade shall be rebuilt with lime mortar/putty, which is colour matched to the stone and which has the same composition as the existing mortar/putty;
  - That all mortar joints shall be the same thickness as the existing façade;
  - A petrographic analysis of the stone shall be undertaken in order to help identify a suitable replacement stone should it be required. The preference is for any replacement stone to consist of stone that is being removed from below the window cills;
  - Details of any stone cleaning proposals shall be submitted; and
  - Details of any additional waterproofing that may be required, if it is not shown on the drawings.
3. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
4. Exact details and specifications of all windows, including their frames shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
5. Exact details and specifications which demonstrate how the glazed entrance feature will be attached to the listed building shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 5 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

1. Application forms and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan; and
4. Historic Scotland correspondence.

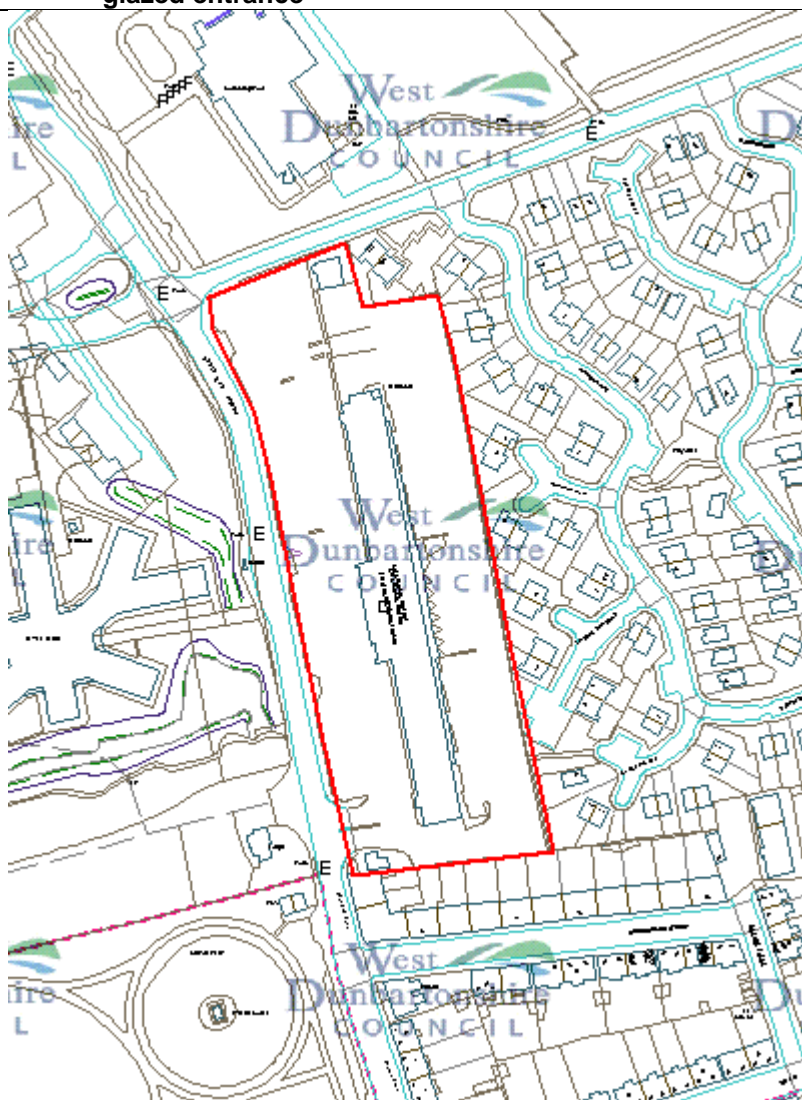
**Wards affected:** Ward 2 (Leven)



**DC11/241**

**Taking down and  
reconstruction of existing  
stone free standing facade  
to form new elevation to  
extended Listed Building  
and the erection of a new  
glazed entrance**

**Loch Lomond Galleries  
Main Street  
Alexandria  
West Dunbartonshire**



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## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 24 June 2015

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**DC15/111:**            **Use of external sports pitches by supervised groups of school aged children during school holidays (amendment of condition 30 of permission DC10/310) at Dumbarton Academy, Crosslet Road, Dumbarton, by West Dunbartonshire Council.**

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

- 1.1** This application is classified as 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** **Grant** planning permission subject to the conditions set out in Section 9.

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

- 3.1** Planning permission for the erection of the new Dumbarton Academy secondary school and associated works was granted on 7 February 2012 (DC10/310). The previous Dumbarton Academy building and Brock Bowling Club were demolished, and the new secondary school erected. The positioning of the new school building and sports pitches within the site differed from those of the original school, as the new building was built alongside the original school in order to minimise disruption to education during construction.
- 3.2** The site is broadly level and surrounded by housing, with the school building fronting onto Crosslet Road. Within the grounds of the school there are two synthetic sports pitches and a grass football pitch. The two synthetic pitches are located to the rear (north) of the site and are floodlit, whilst the grass pitch is adjacent to Crosslet Road. The synthetic pitches are enclosed by ball stop fencing varying in height from 5m up to 7.5m behind the goals. The synthetic pitches are located on ground which was previously occupied by a grass football pitch and a synthetic pitch, neither of which was floodlit.
- 3.3** When planning permission was granted for the new school, the following planning condition was attached:

*“30. The sports pitches on site shall only be available for use by Dumbarton Academy and are not to be made available for hire. The*

*pitches shall not be in use beyond 8pm Monday to Friday and 5pm on Saturdays and Sundays. The use of the pitches for hire would require the submission of a further application for planning permission.*

*Reason: In order to avoid disturbance to nearby residential properties.”*

- 3.4** The background to this condition is explained in Section 7 below. In addition to normal schoolday use, the condition allows the pitches to be used by the school and its associated sports clubs in the early evenings and at weekends, but it prohibits use by any other organisations at any time. This includes preventing use of the pitches by West Dunbartonshire Leisure Trust for children’s sports activities during holiday periods. A previous application to vary the wording of the condition to allow such use was approved by the Planning Committee on 25 June 2014 to allow use by the Leisure Trust between 9am and 3pm on Mondays to Fridays during the 2014 summer holiday period only (decision DC14/118). The Committee decided not to grant a permanent permission at that time because they wished to have more information about precisely what groups and activities the applicant sought to allow.
- 3.5** The current planning application therefore seeks to amend condition 30 on a permanent basis in order to permit the use of the school sports pitches during school holidays by supervised groups of children between 9am and 3.30pm (Monday to Friday) by the Sports Development Section of the West Dunbartonshire Leisure Trust. This would be in addition to the continued use of the pitches by Dumbarton Academy subject to the existing time restrictions for school use.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Environmental Health Service has no objection to the proposal subject to conditions limiting use other than by the school itself to 9am to 3.30pm (Monday to Friday) during school holidays.

#### **5. REPRESENTATIONS**

- 5.1** Nine letters of representation have been submitted in relation to this application. One representation supports the proposal providing that there is no access to the site from Latta Street and that access is via Crosslet Road. The other eight representations object to the proposal for the following reasons:
- the application is not precise or enforceable, making its intentions unclear;
  - the consultation process was compromised;
  - it should only be used during the school holidays by primary school aged children;

- there should be no additional use of the pitches during the school holidays as the holidays offer residents a respite from day to day disturbance from the school.

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

### West Dunbartonshire Local Plan (2010)

- 6.1** The site is identified as a Community Learning Campus. Policy R3 states that the Council will endeavor to maximise community use of sports facilities within schools out with school hours. The proposed use of the school sports pitches by school aged children during school holidays is consistent with this policy.

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

### West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.
- 7.2** The site is located within an Existing Neighbourhood, where Policy BC3 states that development will not be permitted if it would significantly harm the residential amenity, character or appearance of the area. The additional use of the sports pitches during school holidays is considered to be in accordance with this policy since it is an appropriate use for school playing fields and would not have an unacceptable detrimental impact on the residential amenity of the surrounding area.

### Scottish Planning Policy (SPP)

- 7.3** Playing fields are an important resource for sport, and should be provided in sufficient quantity, quality and accessibility to satisfy community demand. For many sports and recreation developments, locations within or close to residential areas will be the most appropriate location and advice will be taken from Sport Scotland in this regard. Sport Scotland were consulted during the processing of the original planning application for the new Dumbarton Academy and advised that they were satisfied with the dimensions and type of pitches proposed as part of the development. Whilst they were prepared to accept the pitches only being available for use by the school, their preference was to encourage as much use of the pitches as possible. Extending the use of the pitches to allow use by other supervised groups of children would therefore be consistent with the SPP and with the previous advice of Sport Scotland.

#### Reason for Existing Condition

- 7.4** At the time of the original planning application (DC10/310), the Education Service had hoped to make the floodlit synthetic pitches available for open community lets. However, despite repositioning these pitches to the optimal part of the application site, following a noise impact assessment and discussions with the Environmental Health Service, it was considered that it would not be possible to install any noise mitigation measures capable of limiting noise to a level suitable for times after 8pm (weekdays) or 5pm (weekends). Furthermore, the noise mitigation measures which were possible would have involved the use of 4m to 6m high acoustic fencing, to which a number of local residents objected on visual grounds. As a result, the application was determined on the basis that there would be no acoustic fencing provided and the pitches would be used solely by Dumbarton Academy.

#### Current Proposal

- 7.5** The purpose of Condition 30 was therefore to protect residents from the noise of regular evening use of the pitches, and use for community let purposes which might give rise to different noise characteristics. It did not seek to restrict use of the pitches for normal educational purposes or use by school aged children during day time hours, as the impact of these activities on local residents was considered to be acceptable.
- 7.6** Nevertheless, the wording of the condition does prevent some relatively innocuous activities which would normally be associated with the use of school pitches and facilities for example the Sports Development Section of West Dunbartonshire Leisure Trust, which operates children's sports activities and coaching sessions at various schools during school holiday periods. Such use is technically outwith the terms of condition 30 because the activities are not being run by the school itself, and they are open to children from other schools. The Education Department has therefore applied to vary condition 30 in order to allow use of the pitches by supervised groups of school-aged children from 9am to 3.30pm (Monday to Friday) during school holidays. This would be solely used by Sports Development Section of the Leisure Trust during school holiday periods. A previous permission allowed the use of the pitches by the Leisure Trust during the summer of 2014 and no complaints were received during this period.

#### Impact on Residential Amenity

- 7.7** Whilst the proposal would obviously increase use of the pitches during holiday periods, by limiting such use to school-aged children under supervision and restricting the hours of such use to 9am to 3.30pm, the impact on surrounding residential properties would be minimised and would not be greater than the impacts arising from use by Dumbarton Academy. Following previous discussions concerning the use of the pitches during school holidays, a site visit was undertaken by members of the Planning Committee to view the pitches when they were in use by West Dunbartonshire Leisure Trust. The most sensitive periods in terms of noise disturbance (i.e. late evenings and weekends) would remain excluded so there would be no additional disturbance at these times. It is therefore considered that the impact of the

proposed change upon the amenity of neighbouring residents would be relatively minor. Furthermore the proposal would provide benefits for the wider community by making the sports facilities more widely available to local children, for their enjoyment and to the benefit of their health, which should be encouraged.

## **8. CONCLUSION**

- 8.1** The rebuilding of Dumbarton Academy has resulted in significantly improved sports facilities being available for use by the school, but these facilities are not available for general community use. Nonetheless, it is considered that the use by supervised groups of school-aged children during the summer holidays between normal school hours would not have a significant impact on residents and would be an appropriate use of the facilities. The use of these high quality sports pitches should be encouraged in order to increase the health and well-being of children with West Dunbartonshire. Such a use of the pitches would make more effective use of the new sports facilities and can be achieved without detriment to local residents.

## **9. CONDITIONS**

Note: as this is an application under Section 42 of the Town and Country Planning (Scotland) Act 1997, it grants a new permission for the school and it is therefore necessary to re-state all of the outstanding conditions. Most of the original conditions have already been discharged or partly discharged. The only condition which is relevant to this application is condition 6, which replaces the original condition 30.

- 01. Landscaping of the site shall remain in accordance with the approved landscaping scheme agreed under planning permission DC10/310. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of similar size or species.**
- 02. The floodlights shall be maintained in accordance with details approved under planning permission DC10/310. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.**
- 03. The floodlights shall be switched off and shall not be in use after 8pm Monday to Friday and 5pm on Saturdays and Sundays.**
- 04. The actions arising from the School Travel Plan and Workplace Travel Plan approved under planning permission DC10/310 shall be maintained hereafter.**
- 05. No development including any landraising shall be carried out in the functional floodplain which forms part of the application site**

(0.5% annual probability) as shown on Figure 3 Rev B (Proposed Site Plan) prepared by Jacobs dated June 2011 as a part of planning permission DC10/310.

06. The external sports pitches on the site shall not be used or made available for hire to groups or at times outwith those specified as follows:
- a) Use by Dumbarton Academy (including sports clubs, teams and events associated therewith) between the hours of 9am to 8pm Monday to Friday and 9am to 5pm on Saturday and Sunday;
  - b) Use by supervised groups of school aged children between 9am and 3.30pm (Monday to Friday) during school holidays by the Sports Development Section of West Dunbartonshire Leisure Trust.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 27 May 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager, Housing, Environmental and Economic Development, email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

- 1. Application forms and site plan;
- 2. West Dunbartonshire Local Plan 2010;
- 3. West Dunbartonshire LDP - Proposed Plan; and
- 4. Environmental Health consultation response.

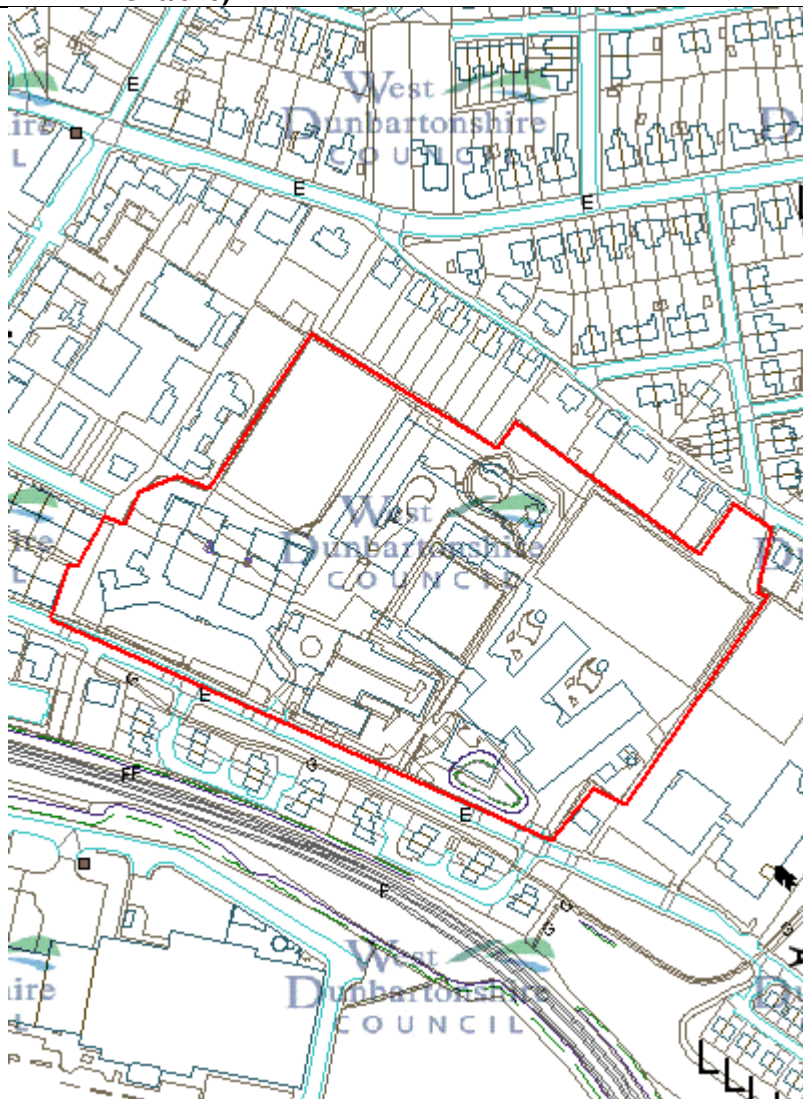
**Wards affected:** Ward 3 (Dumbarton)



**DC15/111**

**Use of external sports  
pitches by supervised  
groups of school aged  
children during school  
holidays (amendment of  
condition 30 of permission  
DC10/310)**

**Dumbarton Academy  
Crosslet Road  
Dumbarton  
G82 2AJ**



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**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2015**

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**DC15/046****Erection of One and a Half Storey Side Extension at 15A  
Glenhead Road, Clydebank by Mr Iain Wilson****1. REASON FOR REPORT**

- 1.1** This application is subject to a representation from a local Community Council. 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.

**3. DEVELOPMENT DETAILS**

- 3.1** This is a modern two storey detached house situated on the south eastern corner of Glenhead Road and Elm Road. The property faces northwards onto Glenhead Road, with an open landscaped area beyond, and its vehicular parking is within a monoblocked area in the front of the property. Glenhead Road and Elm Road are comprised mainly of four-in-a-block flats and semi-detached houses, but the application is one of two modern detached houses built on the corners of this junction by subdividing gardens.
- 3.2** The application seeks permission for the erection of a one and a half storey side extension onto the western gable of the property, facing Elm Road. The extension would contain a large garage, utility room and shower/WC on the ground floor, with the attic space used for storage and provided with rooflights. The extension would project out 5.7m from the side of the property, leaving a 1m access path along the edge of Elm Road. The extension would have a gabled roof of the same pitch as the existing house, and would be finished in materials to match the existing building.

**4. CONSULTATIONS**

- 4.1** None.

## **5. REPRESENTATIONS**

- 5.1** One representation has been received from Parkhall, North Kilbowie and Central Community Council, which objects to the proposal. The grounds for objection are summarised as follows:
- Not in keeping with character of area;
  - Overdevelopment of the site
  - Obtrusive to neighbouring properties
  - Insufficient garden ground retained to buildings on the site

These various concerns are discussed in Section 7 below.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within an Existing Residential Area, where Policy H5 seeks to protect and enhance the local character and residential amenity. Proposals for development within existing residential areas should be of a scale and character appropriate to the neighbourhood and there is a requirement to avoid overdevelopment which would have an adverse effect on local amenity, access, parking or which would be out of scale with existing buildings. Extensions to dwellings must compliment the character of the existing building particularly in terms of scale, materials, not dominate in terms of size or height and not have a significant adverse effect on neighbouring properties. Policy GD1 sets out general assessment criteria for all new development, including requirements that the development be appropriate to the local area in terms of layout and design.
- 6.2** These issues are discussed in Section 7 below, and it is concluded that the proposal would not be acceptable, and that the proposal would therefore be contrary to Policies H5 and GD1.

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

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

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The

policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.

- 7.2** The site is located within an area identified as an Existing Neighbourhood where Policy BC3 indicates that development which would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted.
- 7.3** Policy DS1 has regard to all development and expects development to contribute towards creating successful places by having regard to the six qualities of a successful place, which include distinctiveness, the definition of which includes reflecting local urban form and fitting within the streetscape. These issues are considered below, and it is considered that the proposal would be contrary to Policies BC3 and DS1.

#### Site Planning History

- 7.4** The application site originally comprised two triangular front/side gardens of the two adjacent properties. These gardens were combined to create a single rectangular plot, and outline planning permission and approval of reserved matters for the new house were granted in 2006 and 2007 respectively (decisions DC06/031 and DC06/379). A condition on the outline permission specified that the new house must not project beyond the existing building lines of either Glenhead Road or Elm Road, and the reserved matters application was required to be amended in order to comply with this.

#### Design and Appearance

- 7.5** The proposed extension is of a similar style and character to the original house, and would not give rise to any overshadowing or overlooking of any neighbouring property. Parking and rear access for bin storage would be unchanged. The only area of contention with the proposal is therefore its positioning and its appearance within the street.
- 7.6** The existing building line on Elm Road (i.e. the line formed by the front elevations of the existing buildings) is approximately 6.7m back from the edge of the footway. As the application site is on a corner any breach of the building line would be particularly prominent, and when the application property was built it was specifically positioned in such a way as to follow this building line. Any proposal for a side extension onto the application property would therefore break the building line on Elm Road and would involve building over what is effectively a front garden on this street. The application proposal is for a large extension which would extend forward of the Elm Road elevation almost as far as the pavement, leaving only a narrow 1m path between the extension and the street. This would be contrary to the prevailing pattern of development in the street, and in the

wider Parkhall area, which is characterised by the houses and flats being set back from the street behind gardens. The visual impact of the proposal would be exacerbated by the facts that it is a prominent corner plot, that the existing house is already an 'infill' development of a different style to most of the neighbouring properties, and the fact that the extension would feature a tall, plain gable adjacent to the street.

- 7.7** Due to these issues, it is considered that the proposal would have a detrimental impact upon the appearance and character of Elm Road, and that the proposal would therefore be contrary to the aforementioned policies which require development to be of a suitable design.

## **8. CONCLUSION**

- 8.1** The application relates to a modern house on a relatively prominent infill site, which was originally built to be as large a property as the plot was capable of accommodating. The proposal to add a sizeable extension onto the Elm Road frontage would not respect the established building line on that street and would be contrary to the prevailing development pattern within the surrounding area. Accordingly, it is considered that the proposal would have a detrimental impact upon the character and visual amenity of the area, and that it would therefore be contrary to policies H5 and GD1 of the adopted local plan, and policies BC3 and DS1 of the emerging local development plan.

## **9. REASONS FOR REFUSAL**

- 1.** The proposal would not respect the building line on Elm Road and would appear unduly prominent within that street, and would not reflect the prevailing pattern of development within Parkhall whereby houses are set back from the road. The proposal would therefore be detrimental to the character and visual amenity of the area and would be contrary to policies H5 of the adopted West Dunbartonshire Local Plan 2010, and policies BC3 and DS1 of the emerging West Dunbartonshire Local Development Plan.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 27 May 2014**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager, Housing, Environmental and Economic Development,  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

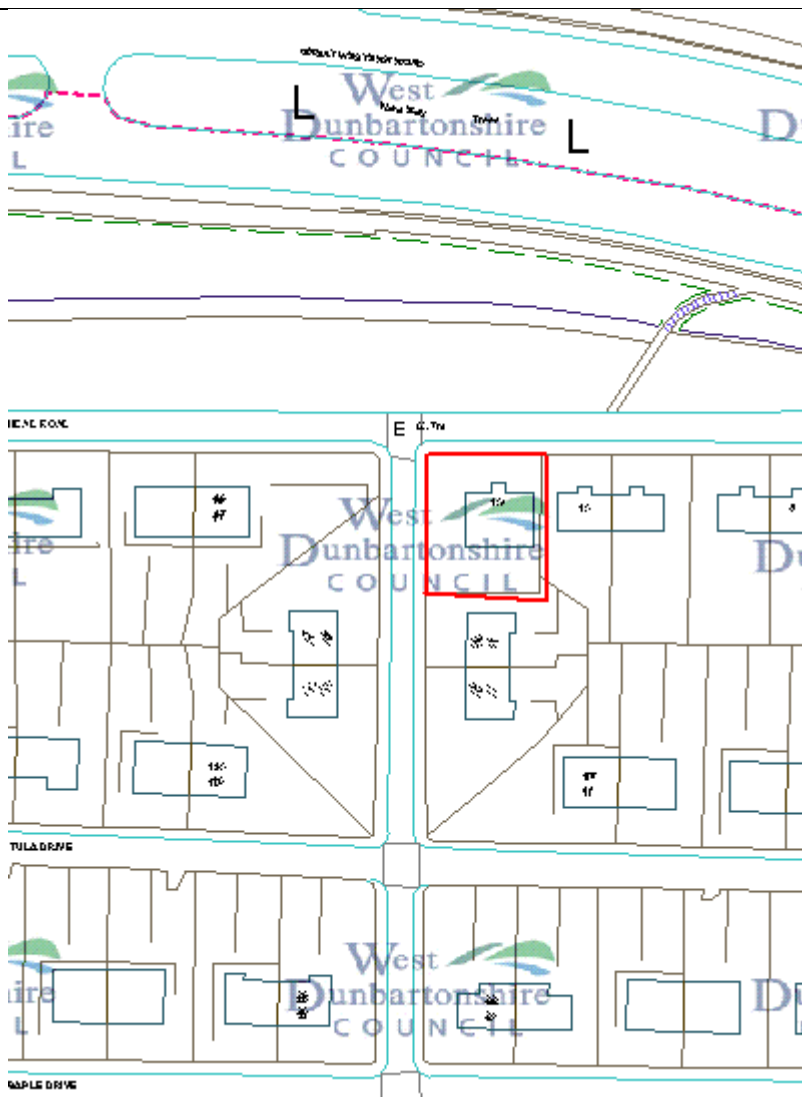
1. Application forms and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP (Proposed Plan)
4. Representation

**Wards affected:** Ward 4 (Clydebank Central)

DC15/046

Erection of 1 and 1/2 storey  
side extension

15A Glenhead Road  
Clydebank  
G81 3RX





**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2015**

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**DC15/049****Erection of an Attached Side Garage at 15B Glenhead Road, Clydebank by Mr & Mrs O'Neill****1. REASON FOR REPORT**

- 1.1** This application is subject to a representation from a local Community Council. 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 in Section 9 below.

**3. DEVELOPMENT DETAILS**

- 3.1** The application relates to a modern two storey detached house situated on the south western corner of Glenhead Road and Elm Road. The property faces northwards onto Glenhead Road, with an open landscaped area beyond. The approved plans for the house show a tandem driveway at the side adjacent to Elm Road, but the parking and landscaping have not yet been completed, and an old Luton van body is positioned in the side garden for use as a temporary store for materials used in developing the site. Glenhead Road and Elm Road are comprised mainly of four-in-a-block flats and semi-detached houses, but the application is one of two modern detached houses built on the corners of this junction by subdividing gardens.
- 3.2** The application seeks permission for the erection of an attached single garage onto the eastern side of the property, facing Elm Road. The garage would project out 3.15m from the side of the property facing Elm Road, and 1m from the front elevation facing Glenhead Road (this projection being in line with an existing projecting gable feature of the original house). The garage would have a hipped lean-to roof of the same pitch as the existing house, and would be finished in materials to match the existing building.

**4. CONSULTATIONS**

- 4.1 West Dunbartonshire Council Roads Service has no objection to the proposal.

## 5. REPRESENTATIONS

- 5.1 One representation has been received from Parkhall, North Kilbowie and Central Community Council, which objects to the proposal. The grounds for objection are summarised as follows:
- Not in keeping with character of area;
  - Overdevelopment of the site
  - Obtrusive to neighbouring properties
  - Insufficient garden ground retained to buildings on the site

These various concerns are discussed in Section 7 below. The design of the garage was subsequently amended to alter the shape of the roof and add a window on the side elevation, and neighbours and the community council were notified of these changes.

## 6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

### West Dunbartonshire Local Plan 2010

- 6.1 The site lies within an Existing Residential Area, where Policy H5 seeks to protect and enhance the local character and residential amenity. Proposals for development within existing residential areas should be of a scale and character appropriate to the neighbourhood and there is a requirement to avoid overdevelopment which would have an adverse effect on local amenity, access, parking or which would be out of scale with existing buildings. Extensions to dwellings must compliment the character of the existing building particularly in terms of scale materials, not dominate in terms of size or height and not have a significant adverse effect on neighbouring properties. Policy GD1 sets out general assessment criteria for all new development, including requirements that the development be appropriate to the local area in terms of layout and design.
- 6.2 These issues are discussed in Section 7 below, and it is concluded that the proposal would be of an acceptable design, and that the proposal would be in compliance with these policies.

## 7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

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

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.
- 7.2** The site is located within an area identified as an Existing Neighbourhood where Policy BC3 indicates that development which would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted.
- 7.3** Policy DS1 has regard to all development and expects development to contribute towards creating successful places by having regard to the six qualities of a successful place, which include distinctiveness, the definition of which includes reflecting local urban form and fitting within the streetscape. These issues are considered below, and it is considered that the proposal would comply with Policies BC3 and DS1.

#### Site Planning History

- 7.4** The application plot is a triangular area which was formerly part of the front/side garden of an adjacent property. Two separate applications for a house on this plot were refused under delegated powers due to concerns about the suitability of the plot, but the second application was subsequently granted by the Local Review Body in 2011 (decision DC11/080). The house was designed to follow the building line of Glenhead Road, albeit with a small projecting gable feature, and it was set back slightly from the building line on Elm Road due to the shape of the plot. Whilst the house has been occupied the car parking spaces have not yet been formed, which is contrary to one of the conditions of the permission, however the applicants have been developing the house themselves and the next stage of development is formation of the parking spaces (which the applicants seek to change by adding the garage that is the subject of this application).

#### Design and Appearance

- 7.5** The existing house occupies an awkwardly shaped triangular plot, with the result that the house has a small rear garden area but reasonably large front/side gardens. The proposal would result in a loss of some of the side garden, however it would not reduce the more private garden space behind the house, and overall it is not considered that the proposal would give rise to overdevelopment of the plot.

- 7.6** Due to the angle of the side/rear boundary with 49 Elm Road the side elevation of the existing house is set back from the building line on that street. The flats to the south of the site are set back approximately 6.7m from the back of the footway, whereas the house is set back approximately 8.8m. The addition of the proposed garage would reduce the set-back to approximately 5.65m, meaning that whilst the proposal would break the building line in the street, it would do so by only around 1m. Although the property is a corner plot and therefore relatively prominent, it is not considered that this relatively small extension beyond the building line would have a significant impact upon the appearance of the street.
- 7.7** The applicants originally proposed that the garage have a simple gabled roof, with a valley gutter along the side elevation of the house. Following discussions with officers this design was amended to the lean-to hipped roof which is currently proposed, and a window was added onto the Elm Road elevation. These changes were intended to improve the appearance of the garage and to better integrate it into the existing house, and it is considered that the amended proposal would be of an appropriate style and character.

#### Impact on Neighbouring Houses

- 7.8** The proposal would have no direct impacts upon neighbouring properties in terms of overlooking or overshadowing issues. Due to the shape of the gardens the proposed single storey extension would be well away from the neighbouring flats at 47/49 Elm Road, and separated from these by an existing garage/driveway for one of the flats.

#### Parking and Access

- 7.9** The original permission for the house required the provision of a driveway with two parking spaces, though these have not yet been implemented. The proposal would replace one of the spaces on the driveway with a garage, but would not alter the location of the access or the parking requirement for the property. The Roads Service has therefore indicated that the proposed parking and access arrangements remain acceptable. However, it would be appropriate to impose a condition preventing the garage from being converted into another room as this would result in the property having substandard parking facilities for its size. Rear access around the side of the building would remain possible for bin access.

## **8. CONCLUSION**

- 8.1** Due to the fact that the existing house is set back from the building line on Elm Road, the site can accommodate a small garage without this having a significant impact upon the appearance or character of the street. Whilst

the single storey garage would project forward of the building line on that street by around 1m, it would still be well set back from the road in keeping with the predominant pattern of development in the vicinity of the site. The garage is considered to be of an appropriate design and scale, using suitable matching finishing materials and is sympathetic to the existing dwellinghouse. There would be no adverse impact upon any neighbouring property, and parking and access remain acceptable. The proposal is therefore considered to be consistent with all relevant development plan policies and the material considerations of the forthcoming Local Development Plan.

## **9. Conditions**

- 1. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent order amending, revoking or re-enacting that Order, the garage hereby permitted shall be maintained as such and shall not be converted into additional habitable accommodation without a specific grant of planning permission.**

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 5 June 2015**

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<b>Person to Contact:</b>	Pamela Clifford, Planning & Building Standards Manager, Housing, Environmental and Economic Development, email: <a href="mailto:Pamela.Clifford@west-dunbarton.gov.uk">Pamela.Clifford@west-dunbarton.gov.uk</a>
<b>Appendix:</b>	None
<b>Background Papers:</b>	<ol style="list-style-type: none"><li>1. Application forms and plans</li><li>2. West Dunbartonshire Local Plan 2010</li><li>3. West Dunbartonshire LDP (Proposed Plan)</li><li>4. Roads Consultation Response</li><li>5. Representation</li></ol>
<b>Wards affected:</b>	Ward 4 (Clydebank Central)

**DC15/049**

**Erection of attached side  
garage**

**15B Glenhead Road  
Clydebank  
G81 3RX**



**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2015**

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**DC15/041: Change of use from class 1 retail to entertainment centre (retrospective) at Units 57-61, Indoor Market, Clyde Shopping Centre, 36 Sylvania Way South, Clydebank by H&H Entertainment.**

**1. REASON FOR REPORT**

- 1.1** This report relates to an application which is subject to a representation from a local community council and is contrary to the development plan, and 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 below.

**3. DEVELOPMENT DETAILS**

- 3.1** The application relates to a unit within Shopping Hall 1('Market Village'), an indoor market situated on the east side of Sylvania Way South immediately to the south of Three Queens Square. Units 57-61 are located near the centre of the indoor market, and have an area of just under 60m<sup>2</sup>, and are already operating as an amusement centre. In addition to the application units, the indoor market contains a variety of uses including various class 1 retail units, a café, a restaurant/take-away, beauty treatments etc. There is also an existing separate entertainment centre at Units 66-73.
- 3.2** Full planning permission is sought for the change of use of the retail units to become an entertainment centre. Initially the use operated from only part of its current area, and contained only amusement machines with low stakes and nominal jackpots, which was classified as an "unlicensed family entertainment centre" under Licensing legislation. However the use subsequently expanded into an adjoining vacant unit, which is used for gaming machines with higher stakes and jackpots, and is classed as a "licensed family entertainment centre" for over-18s only. This unit is staffed by a cashier who monitors who enters the licensed area, which is partitioned off from the unlicensed section behind wooden doors with frosted glass. There are a total of 15 amusement machines in the unlicensed family entertainment part of the unit and 17 gaming machines in the licensed section. The site is internal to the shopping hall and is not visible from its exterior.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Estates Service has no objection to the proposal
- 4.2** West Dunbartonshire Council Licensing Service confirms that site has the necessary premises license and permit for the licensed and unlicensed sections respectively.

#### **5. REPRESENTATIONS**

- 5.1** One representation has been received from Parkhall, North Kilbowie and Central Community Council, which objects to the proposal on the following grounds:
- There is an overprovision of betting shops, pay day loan services and amusement arcades within Clydebank town centre; and
  - Concerns about the social impacts of gambling, and in particular of high-stakes gaming machines

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

##### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within the defined Clydebank Town Centre, which Policy RET5 seeks to improve. The policy states that applications for non-retail uses will be favourably considered where these contribute to the vitality and viability of the town centre and do not conflict with other Local Plan Policies. The site is also within the Clydebank Retail Core, where Policy RET6 seeks to protect and enhance the retail and commercial function by encouraging new and improved retail floorspace. In the case of ground floor units along the core retail frontages there is a presumption against changes of use of existing retail (Class 1) uses to non-retail uses. Applications for any change of use from a shop to a non-retail use will only be permitted where it can be satisfactorily demonstrated that such a change would reinforce and revitalise the centre and would not adversely affect the character and amenity of the area.
- 6.2** The proposal involves the change of ground floor floorspace within the Retail Core from retail to non-retail use. Whilst the application unit is small does not have any frontage onto Sylvania Way South, the policy is intended to protect all ground floor retail units within the defined area. The impact of the proposal upon the vitality and viability of the town centre is considered in Section 7 below, and it is considered that the proposal is contrary to policy RET6.

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

##### West Dunbartonshire Local Development Plan (LDP), Proposed Plan



**7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.

**7.2** The site is within the defined Town Centre and the Core Retail Area. Clydebank Town Centre is also designated as a “Changing Place”, and the LDP indicates that changes of use within the retail core must be assessed against Policy SC2. This states that proposals for change of use of ground floor Class 1 uses within core retail areas will be assessed in terms of:

- a) whether the change would significantly reduce the retail offer of the retail core or part thereof;
- b) whether it would lead to a concentration of a particular use to the detriment of the town centre’s vitality and viability;
- c) the contribution of the new use towards the vibrancy of the centre by increasing footfall;
- d) the availability and suitability of other locations in the town centre for the new use to locate; and
- e) whether the unit affected by the proposal has been vacant and suitably marketed for retail use.

Policy SC3 states that proposals for non-retail uses will be supported within town centres where these comply with Policy SC2, encourage visits to the town centre and are appropriate to the town centre’s role and function.

**7.3** These issues are discussed below, and it is considered that the proposal would be contrary to Policies SC2 and SC3. It is accepted that the loss of this small area of floorspace has not had a significant impact upon the overall retail offer of the retail core. However, it is considered that the use of the units as an entertainment centre further contributes to the concentration of gambling-related uses in the South Sylvania Way area, and does not contribute towards the vibrancy of the town centre by increasing footfall.

#### Scottish Planning Policy (SPP)

**7.4** This states that planning policies for town centres should be flexible and proactive, enabling a wide range of uses which bring people into the town centre. The planning system should encourage a mix of uses to support vibrancy, vitality and viability throughout the day and into the evening. However, the SPP also recognises that there can be concerns about the number or clustering of some non-retail uses, and indicates that where a town centre strategy identifies a need for constraint of particular uses in the interests of character, amenity or well-being of communities, local development plans should include policies to prevent clustering or overprovision.

### Planning History of Shopping Hall 1

- 7.5** The shopping hall was built as part of the comprehensive redevelopment of Clydebank Town Centre in the early 1980s. The original outline planning permission for the new shops at Sylvania Way South was granted in May 1979 (decision CB79/10) and this was subject to a condition which stated that:

*“Specific permission must be sought for any use other than that of Shop within Class I of the Use Classes (Scotland) Order 1975.”*

Subsequently, the shop unit at 36 Sylvania Way South was developed as the indoor market, and whilst this did not itself require planning permission, two of the original uses within the market (the café and a hot bread shop) were non-retail and therefore required planning permission, which was granted in July 1984 (decision CB84/64).

- 7.6** Due to the above planning condition, most subsequent changes of use of individual stall units within an indoor market require planning permission. Whilst there have been some unauthorised changes of use within the indoor market over the years, the breaches of planning control involved were generally of a very minor nature, and the indoor market has evolved into a mixed-use facility which seems to operate successfully and contributes to the vitality of the southern part of the shopping centre.

### Mix of Uses in Sylvania Way South / Chalmers Street Area

- 7.7** In addition to the application premises, there are three other entertainment centres in the southern part of Clydebank town centre:
- 7 Chalmers Street (“Quicksilver”) was granted on appeal in 2002 (decision DC01/231) and is licensed as an adult gaming centre;
  - 34 Sylvania Way South (“Gold Gaming”) was granted on appeal in 2010 (decision DC10/189) and is also an adult gaming centre;
  - Units 66-73, Shopping Hall 1 (“Clyde Leisure”), which is within the same indoor market and is almost adjacent to the current application premises. This was granted retrospectively on appeal in 2011 (decision DC10/194), and trades as an unlicensed family entertainment centre with low-stakes machines only.
- 7.8** In addition to these entertainment centres, there are also a number of other gambling and high-interest lenders within the vicinity of the site, including three betting shops and two pawn-broking/payday lending businesses. There is also an unimplemented permission for Class 2 use within the former Clydebank Co-op building, which could potentially be used for similar purposes. Like the entertainment centres a number of these other uses were granted on appeal, with the Council having refused the proposed changes of use primarily due to concerns about loss of retail floorspace within the Retail Core. In all of the appeals, the Reporters allowed the changes of use on the basis that the proposed uses were appropriate for mixed town centre locations, and the re-use of previously vacant floorspace was to the benefit of the vitality and viability of the centre.

- 7.9** However, since those appeals were determined, the Scottish Government has responded to criticism about the perceived proliferation of certain types of Class 2 uses, specifically betting shops and payday lenders, and has updated Scottish Planning Policy to allow planning authorities to consider the impact of such uses on the economic wellbeing of the community. However, any decision to refuse such uses would require to be supported by a strategy, policy or other evidence regarding the negative impacts which might arise in that particular case. The Council is currently working with the Scottish Government and Glasgow City Council on a pilot project related to the Scottish Government's Town Centre Action Plan to develop a robust evidence base and planning position in the form of Supplementary Guidance to support its position on payday loan and betting shops planning applications and appeals. Although this project is still at a very early stage it is considered that the intention behind the project and future supplementary guidance is still relevant to the current application.
- 7.10** It is therefore considered that the concentration of gambling related uses in this area (4 entertainment centres and 3 betting offices) makes South Sylvania Way a less attractive area to visit and is therefore to the detriment of vitality of the town centre and therefore it would be contrary to policy SC2 of the proposed development plan.

## **8. CONCLUSION**

- 8.1** Whilst the proposal involves only a small area of floorspace and has little impact upon the retail offer within the town centre, it is considered that the introduction of another amusement centre within an area where there is already a concentration of gambling uses would be detrimental to the character and amenity of the town centre. Accordingly, the proposed change of use is considered to be contrary to Policies RET6 of the adopted local plan and SC2 and SC3 of the emerging local development plans respectively.

## **9. REASON**

1. The proposal would result in an overconcentration of gambling uses within the southern part of Clydebanks Town Centre, where such uses are detrimental to and harmful to the vitality, character and amenity of the town centre. Accordingly, the proposed change of use is contrary to Policy RET6 of the adopted West Dunbartonshire Local Plan 2010 and Policies SC2 and SC3 of the emerging West Dunbartonshire Local Development Plan.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 10 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

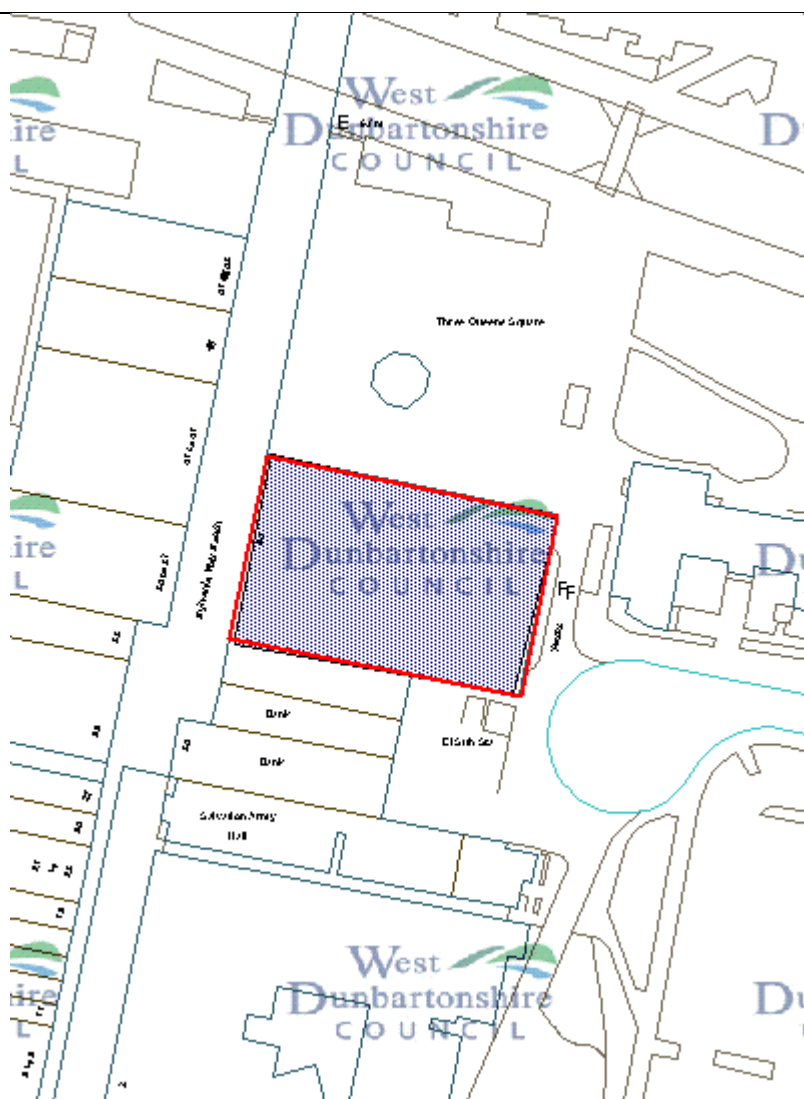
1. Application documents and plans
2. Letters of representation
3. Scottish Planning Policy
4. West Dunbartonshire Local Plan 2010
5. West Dunbartonshire LDP - Proposed Plan
6. Consultation responses

**Wards affected:** Ward 6 (Clydebank Waterfront)

**DC15/041**

**Retrospective change of  
use from Class 1 retail to  
amusement centre**

**57 - 61  
36 Sylvania Way  
Clydebank  
G81 1EU**



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**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2015**

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**DC15/053: Change of use from shop (class 1) to coffee shop (class 3) including formation of outdoor seating area at 77-79 High Street, Dumbarton by Cuppacoff SC Ltd.**

**1. REASON FOR REPORT**

- 1.1** This proposal is a departure from the Development Plan, but it is recommended for approval. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

**2. RECOMMENDATION**

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

**3. DEVELOPMENT DETAILS**

- 3.1** The application relates to a vacant unit situated on the eastern corner of High Street and Quay Street, immediately opposite the Artizan Centre. The unit measures approximately 240 square metres in area. Apart from a short-term retail tenant between June 2013 and January 2014, the unit has been vacant since June 2012 when a store selling computer games closed. The property is a single storey building and immediately adjoins a block of flatted properties at the rear and a retail unit to the side. Within the surrounding town centre there are a mix of uses including shops, banks, public houses, cafes and hot food takeaways.
- 3.2** Planning permission is sought to change the use from retail (Use Class 1) to a coffee shop with outdoor seating area (Class 3). Externally, there would be no significant changes made to the building. The existing shopfront would be retained, with the door frame, window frames and upstand being painted dark grey and graphics being applied to some of the windows for privacy. The front of the shopfront is recessed slightly at the corner beneath a canopy, and it is proposed to install some tables and chairs in this area and at the side of the building to form an outdoor seating area. New signage is also proposed, which would require a separate application for advertisement consent. It is intended that the coffee shop would be a branch of Costa Coffee.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection to the proposal subject to the proposed outdoor seating on Quay Street being deleted from the scheme.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection provided that conditions are attached to any consent granted relating to operating times, construction hours, grease traps, extraction flues, and bin storage.

#### **5. REPRESENTATIONS**

- 5.1** One representation has been received from a nearby resident, who has not indicated an objection to the principle of a coffee shop but has concerns about the possibility of bins being left outside on Quay Street, as previously another trader's bins became targets for anti-social behaviour. These concerns have been put to the applicant, who has confirmed that the site has a secure area for bin storage, and has submitted amended plans showing this area.

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

##### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within Dumbarton Town Centre, where Policy RET5 states that applications for non-retail uses will be favourably considered where they contribute to vitality and viability and do not conflict with other policies. The site is also designated as being within the Core Retail Frontage, where Policy RET6 seeks to protect and enhance retail and commercial function by encouraging new and improved retail floor space. In the case of ground floor units within the core frontage there is a presumption against changes of use of existing retail uses to non-retail uses. Applications for change of use from shops to non-retail uses will only be permitted where it can be satisfactorily demonstrated that such a change would reinforce and revitalise the centre and would not adversely affect the character and amenity of the area.
- 6.2** The proposal would result in the change of use of a retail unit within the retail core to a non-retail use, and is therefore a departure from Policy RET6 which discourages such loss of retail frontage. However, as discussed in Section 6 below, it is considered that the proposed use would contribute positively to the vitality and viability of the town centre and would not have a detrimental impact on the character and amenity of the area, and that the proposal would therefore be an acceptable departure.

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

##### West Dunbartonshire Local Development Plan



**7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is subject to a separate report before the Committee.

**7.2** The Dumbarton Town Centre and Waterfront “Changing Place” section of the LDP supports a strong retail core but recognises that other uses are also required to make a vibrant town centre. These are encouraged subject to assessment against Policy SC2. The site is included within the core retail area and policy SC2 indicates that proposals for change of use of ground floor Class 1 uses within the core retail areas will be assessed in terms of:

- a) whether the change would significantly reduce the retail offer of the core retail area or parts of it;
- b) whether the change would lead to the concentration of a particular use to the detriment of the town centre's vitality and viability;
- c) the contribution the proposed use would make to the vibrancy of the town centre by increasing footfall;
- d) the availability and suitability of other locations in the town centre for the proposed use to locate; and
- e) whether the unit affected by the proposal has been vacant and suitably marketed for retail use.

These issues are discussed below, and it is concluded that the proposal would be consistent with Policy SC2.

#### Scottish Planning Policy (SPP)

**7.3** This states that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into the town centre. A mix of uses to support vibrancy, vitality and viability throughout the day and into the evening should be encouraged. The SPP recognises that there can be concerns about the number or clustering of some non-retail uses, and indicates that where a town centre strategy identifies a need for constraint of particular uses in the interests of character, amenity or well-being of communities, local development plans should include policies to prevent clustering or overprovision.

#### Vitality and Viability

**7.4** The proposed coffee shop is a use which is appropriate for a town centre location, and which would contribute towards the vitality and viability of the High Street by attracting new footfall which is also encouraged by SPP. The intended occupier is a well-known coffee shop chain and the proposal would be a welcome investment in Dumbarton High Street.

**7.5** Like many other town centres, Dumbarton High Street has suffered a decline in the quantity and variety of shops, due both to the recession and to the loss of retail expenditure to out of centre locations. Whilst the situation seems to have been improving slightly over the last couple of years, there are still a

significant number of vacant units, particularly within the Artizan Centre opposite the application site. The application unit has been vacant for 2½ of the last 3 years, with little interest from retail operators despite the owner offering a 3 month rent-free period as an incentive. There are 19 vacant units in the core area and therefore there is an ample supply of units for new retail uses. It is therefore considered that loss of retail frontage would be outweighed by the benefits of bringing this prominently-positioned unit back into use for a purpose which would contribute towards the vitality and viability of the town centre.

Amenity & Technical Considerations etc.

- 7.6** The High Street area contains a mixture of uses including several existing food and drink uses, notably a tea-room in the Artizan Centre and a Wetherspoon's public house which are close to the application site. However, it is not considered that the proposal would result in any undue concentration of such uses. The proposed opening hours would be 7am to 8pm daily and given the property's town centre location, these opening hours would be in keeping with other uses in the surrounding area and would be unlikely to give rise to significant noise or disturbance.
- 7.7** The application includes the formation of an outdoor seating area by placing tables and chairs in the recessed area at the front of the building and at the side on Quay Street. The Council's Roads service has raised concerns about the seating on Quay Street as the pavement is narrow at this location and the formation of a seating area would block access for pedestrians wishing to walk down this side of the street. It is therefore proposed to remove the formation of seating on Quay Street and the applicant is agreeable to this. The small seating area at the front of the building under the canopy would be off the public road and is considered to be acceptable.
- 7.8** The proposal would involve only a few minor works to the exterior of the building and would have limited impact on its appearance. In relation to the provision of secure bin storage, details have been provided of a room at the back of the premises, which is accessed from Quay Street, and would be used to store bins. This arrangement is considered to be acceptable and would ensure that bins are not kept on the street where they could obstruct the footpath or detract from the amenity of the street.
- 7.9** Under current regulations a planning application is not usually required to change from Class 3 (food and drink) to Class 1 (retail) or Class 2 (financial, professional and other services). However, due to concerns about the impacts of certain Class 2 uses (i.e. betting offices, pawn brokers and pay day loan shops) upon the economic wellbeing of an area it is considered appropriate to require a specific permission for any such use should a change of use be proposed in the future. This could be addressed by a condition removing the permitted development rights to change to these particular uses.

## **8. CONCLUSION**

- 8.1** The proposal would bring this prominent vacant unit back into use for a purpose which would complement the existing uses within a mixed area of the town centre and would contribute positively towards the vitality and viability of the area. Although the proposed use would be contrary to Policy RET5 of the adopted local plan it is considered to be in accordance with Policy SC2 of the emerging local development plan. Subject to various conditions its impact upon amenity is considered to be acceptable.

## **9. CONDITIONS**

- 1.** Notwithstanding the terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997 and the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), and any subsequent orders amending, revoking or re-enacting these Orders, the premises shall not be used at any time in the future as a betting shop, a pawnbrokers or as a payday lender's unit in terms of Class 2 of the Use Classes (Scotland) Order 1997, unless a separate application for planning permission is submitted.
- 2.** Prior to the commencement of works details of the graphics/manifestations to be applied to the windows and the colour of paint to be used on the shop front shall be submitted for the further written approval of the planning authority and implemented as approved.
- 3.** Notwithstanding the details shown on approved plan number A-541-A2-01 no tables or chairs shall be placed on Quay Street forward of the elevation of the building on that street. Any chairs and tables shall be confined to the area underneath the overhanging canopy adjacent to the entrance on High Street, and these shall not be positioned upon any part of the public road and shall be removed each day following the close of the coffee shop.
- 4.** Prior to the commencement of development on site details of an adequate sized grease trap (or a suitable alternative method of preventing grease/fat from entering the public sewer) shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.
- 5.** Prior to the commencement of development on site, details of the flue system/extraction system shall be submitted to and approved by the Planning Authority. The submitted details shall include the noise output and filter system, and an assessment of the potential for the proposed equipment to cause noise nuisance affecting nearby residential properties. The approved flue/extraction system and any agreed noise attenuation measures shall be implemented prior to the use being operational and shall be maintained thereafter.

6. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
7. The coffee shop use shall not operate out with the hours of 7am to 8pm daily.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 02 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager, Housing, Environmental and Economic Development  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. consultation responses
5. representations

**Wards affected:** Ward 3 (Dumbarton)

**DC15/053**

**Change of Use from shop  
(Class 1) to Coffee Shop  
(Class 3) including  
formation of outdoor  
seating area**

**77 High Street  
Dumbarton  
G82 1LS**



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**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2014**

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**Subject: Update on Hardgate Hall and adjacent land, Glasgow Road, Hardgate, Clydebank**

**1. Purpose**

- 1.1** To inform the Committee of the condition of Hardgate Hall and the adjacent land to its side and rear, and to put forward options for addressing the present issues.

**2. Recommendations**

- 2.1** It is recommended that the **Committee note** the issues affecting the site and agree that officers seek a meeting with the site owners to discuss what is needed to make the site suitably secure and to explore the owner's intentions for the site. Thereafter the matter will be reported to the August 2015 meeting of the Planning Committee to update Members of progress, explore enforcement powers and to authorise planning enforcement action should that be expedient.

**3. Background**

- 3.1** Hardgate Hall is category "C" listed building located on the north side of Glasgow Road, Hardgate. It is a substantial two-storey stone building which was originally built as a church in 1844-45 and was later a public hall, but it has been vacant for over ten years. Planning permission and listed building consent were granted in 2005 and 2006 to convert and extend the building into 8 flats (decisions DC04/539 and DC05/209). Work never started and these permissions have since lapsed. Subsequent pre-application discussions about renovation and extension of the building took place in 2012, but did not progress to an application.
- 3.2** The land to the north and west of Hardgate Hall was formerly in separate ownership, and was once a dam for the old Hardgate Mill (which was on the site of Old Mill Garage). The site was vacant for many years and became overgrown. Although no longer a dam, the Cochno Burn flows through the middle of this land. Planning permission for the erection of a block of 25 flats on this land was granted on appeal in January 2011 (decision DC10/078). The applicant at the time was GK2 Developments Ltd., but it is understood that the site was sold to a developer, Waterman Capital (also known as

Waterman Group), who also acquired Hardgate Hall. Work commenced on building the new flats in March/April 2012.

- 3.3** Building contractors worked on the site over the summer of 2012, undertaking works which included clearing vegetation, forming a large retaining wall structure along the northern boundary of the site, forming gabion baskets along part of the burn bank, opening the south boundary wall for road access into the site at Glasgow Road, and constructing some of the foundations for the flats. However, work ceased in September 2012 due to financial difficulties. Despite assurances from the developer that these were being resolved, work has never recommenced. Portable cabins were removed from the site and it was secured with fencing around the perimeter. Since then the developers have on several occasions been required to attend to the site at the request of Building Standards officers to re-secure the fencing.
- 3.4** Following complaints about the condition of the site and reports of a fire at Hardgate Hall, officers from the Development Management and Building Standards teams visited the site in June 2015 to establish its condition.

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

##### Site Condition

- 4.1** Hardgate Hall remains structurally intact externally, although the rear part of the roof has been stripped of slates. Internally however the building is in a poor condition with floors missing, and due to the damage to the roof and some insecure windows the building is open to the elements. Whilst the windows and doors were formerly all boarded up, some of the window shutters have been removed by vandals or thieves and the building is therefore unsecure. The building was set on fire during May and the Fire Service attended, however the resultant internal damage was fortunately relatively minor.
- 4.2** The development site to the side and rear of the hall has now been inactive for over 2 years and vegetation is re-growing throughout the site. The ground is uneven, with some foundation trenches having been dug but never filled, and some of the concrete foundations which were formed are filled with stagnant water. Various pieces of construction debris such as concrete blocks, gabion baskets, reinforcement bars and a metal staircase have been left lying around the site.

##### Security and Safety

- 4.3** The site is effectively abandoned, with no manned security presence for either Hardgate Hall or the adjacent building site. The Glasgow Road frontage has a stone wall of varying height, with wooden site screen fencing behind. This screen fence has deteriorated and is now unsightly, and one of the security gates securing the entrance into Hardgate Hall's curtilage has been broken off. At the rear of the site, access from Cochno Road and from a footpath near Waukmill Lane was formerly secured by Heras fencing, but this has been



removed leaving the site unfenced. Both Hardgate Hall and the building site are therefore unsecured and readily accessible.

- 4.4** Local residents have expressed concerns over safety and security on the site, particularly given that school summer holidays are approaching. Having viewed the site, officers consider that there are three specific areas of concern:

- a) That the condition of the site and building may be a danger to persons entering the site (e.g. children). As a building site, it is subject to both building regulations and health and safety regulations and requires to be secured;
- b) That the condition of the listed building has been allowed to deteriorate, and it is at risk of further deterioration and/or malicious damage; and
- c) That the ongoing derelict condition of the site and building may continue to attract anti-social or criminal behaviour.

- 4.5** The responsibility for security and safety lies with the site owners. The owner has been made aware of the condition of the site and has been asked to secure both the land and the listed building as soon as possible. It is to be hoped that the owners will therefore address the issues themselves without undue delay. However, in the event that they do not do so it is considered essential that prompt action is taken to ensure the perimeter of the site and the building itself are made secure.

#### Danger to Persons

- 4.6** The Council has power under Section 30 of the Building (Scotland) Act 2003 for the repair, securing or demolition of a dangerous building which the local authority considers necessary. A notice under this Section would require that the owners repair and reinstate the site security fencing and secure the building to prevent unauthorised access. In the event of non-compliance, the Council would be able to take direct action to undertake the work itself, and to recover the costs of doing so from the owner. Recovery of costs in such cases is not always straightforward, particularly if the site owner has financial difficulties. Such notices can be served under delegated powers, and this will be pursued by the Building Standards Team if the owner does not deal with the issue promptly.

#### Deterioration of Listed Building

- 4.7** The Council has power under Section 49 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to take direct action to prevent the further deterioration of a listed building which is at risk through neglect or damage. In this case, appropriate works would be to secure the building from unauthorised access, and to place a temporary cover over the rear part of the roof which has been stripped of slates. The legislation provides that the Council's may recover its costs from building's owner. However, it is considered that the security of the site can in the first instance be best addressed under the aforementioned building standards powers. The potential for direct action under listed buildings legislation can be explored at the August meeting of the Planning Committee if the issue is not resolved.

#### General Condition of Site

- 4.8** If the resumption of the development is not imminent it would be desirable to improve the appearance of the site by repairing the fencing, removing graffiti from the listed building, and removing the waste building materials which have been left on the site. These could be achieved by way of an Amenity Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997. As with other enforcement powers, in the event of non-compliance with such a notice the Council could undertake the necessary work itself and seek to recover the costs from the owners. This option can also be explored in more detail at the August Planning Committee.

#### Longer-Term Solutions

- 4.9** Whilst the above powers may address the immediate security problem, the slow deterioration of the building and achieve some short term improvement in the appearance of the site, they would not provide a permanent solution. Planning Services will explore the various planning enforcement powers and this will be detailed at the August Planning Committee together with any recommendations.
- 4.10** Officers have contacted the site owners to explain the problems and to request a meeting to establish the owner's intentions for the site. The report to the August Planning Committee will inform Members of any progress, detail the enforcement powers available and to seek authorisation of appropriate enforcement action if necessary. This would also allow the potential costs to the Council of any direct action to be explored.
- 4.11** In the meantime officers have initiated a Land Registry title search and have served a Section 272 Notice on the site owner which requires the provision of full details of all parties with an interest in the site. These will provide information necessary for planning enforcement action should this become expedient.

### **5. People Implications**

- 5.1** There are no personnel issues associated with this report.

### **6. Financial Implications**

- 6.1** In the event of direct action to secure the boundaries of the site and the shuttering of the building, the Council would incur the costs of the work and would seek to recover these costs from the site owners. There is a risk that recovery of costs may require legal action and may not be straightforward.

### **7. Risk Analysis**

**7.1** If no action is taken there is a heightened risk of antisocial behaviour, further damage to the listed building and persons being injured on the site.

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

**8.1** There are no equalities issues associated with this report.

## **9. Consultation**

**9.1** No consultation is required to be carried out.

## **10. Strategic Assessment**

**10.1** No strategic issues have been identified.

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 10 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
[pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)

**Appendices:** None

**Background Papers:** None

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

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## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 24 June 2015

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**Subject:**     **Receipt of appeals against the refusal of:**  
                   a) **Planning permission and listed building consent for change of use from nursing home to hotel and events centre at Dalmoak House, Renton Road, Dumbarton (DC14/037 & DC14/038); and**  
                   b) **Planning permission for change of use from retail to public house / restaurant at 18 Britannia Way, Clydebank (DC14/251)**

#### **1. Purpose**

**1.1**     To advise the Committee of the submission of three planning appeals.

#### **2. Recommendations**

**2.1**     That the Committee **note the receipt of these appeals.**

#### **3. Background**

##### Dalmoak House

**3.1**     Applications for planning permission and listed building consent for the change of use of Dalmoak House, an “A” listed former care home, to a hotel and events centre were refused by the Planning Committee on 28 January 2015. The reasons for refusal related to the impact of the proposed use upon the amenity of neighbouring residents, the lack of a specific locational need for the development, and the impact upon an adjacent farm business.

##### 18 Britannia Way

**3.2**     A planning application for change of use of an existing retail unit to a public house/restaurant including installation of a new shop frontage, rear beer garden area and installation of mechanical plant was refused by the Planning Committee on 25 March 2015. The reasons for refusal related to the loss of an existing ground floor retail unit within the Clydebank Retail Core in circumstances where this would not contribute towards reinforcement or revitalisation of the shopping centre. It was also considered that the replacement of a retail use with a public house would detract from the character and amenity of the centre as it is near to one of the main entrances into the centre and that a public house and its associated outdoor seating areas would undermine the image of the centre as a retail destination.

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

- 4.1** Appeals against the refusal of all three applications have been lodged with Scottish Ministers. The appellants have requested the appeals be dealt with by way of site visits and written submissions. The Committee will be notified of the outcome of the appeals in due course.

**5. People Implications**

- 5.1** None.

**6. Financial Implications**

- 6.1** The appellants have not submitted any applications for the award of costs, although the time periods for doing so had not expired at the time of writing of this report.

**7. Risk Analysis**

- 7.1** No risks have been identified.

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

- 8.1** An equalities impact assessment is not required.

**9. Consultation**

- 9.1** Not required.

**10. Strategic Assessment**

- 10.1** There are no strategic issues.

**Richard Cairns**

Executive Director of Infrastructure and Regeneration

Date: 10 June 2015

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**Person to Contact:**

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Manager, Housing, Environmental and Economic  
Development  
email: [pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)

**Appendices:** None

**Background Papers:**

1. Application forms and plans;
2. Decision notices;
3. Appellant's grounds of appeal

**Wards Affected:**

Ward 3 (Dumbarton) – Dalmoak House  
Ward 6 (Clydebank Waterfront) – Britannia Way

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**WEST DUNBARTONSHIRE COUNCIL****Report by the Executive Director of Infrastructure and Regeneration****Planning Committee: 24 June 2015**

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**Subject: West Dunbartonshire Local Development Plan****1. Purpose**

- 1.1** To advise the Committee of the receipt of a Direction from the Scottish Ministers not to adopt the West Dunbartonshire Local Development Plan unless the Duntiglennan Fields site is included as a housing development opportunity.

**2. Recommendations**

- 2.1** It is recommended that the Committee agree to adopt the West Dunbartonshire Local Development Plan with the Duntiglennan Fields site included as a housing development opportunity.

**3. Background**

- 3.1** The Planning Committee on 25 March 2015 agreed to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications with the exception of those relating to the identification of Duntiglennan Fields as a housing development opportunity. In accordance with the relevant legislation, the Council thereafter advertised its intention to adopt the Plan and informed the Scottish Ministers of this intention, and provided a justification for declining the Duntiglennan modification.

**4. Main Issues**

- 4.1** The Scottish Ministers have written to the Council to direct it under section 20(5) of the Town and Country Planning (Scotland) Act 1997 to consider modifying the proposed West Dunbartonshire Local Development Plan to reflect the Examination Report's recommendations on the Duntiglennan Fields site. The reason given for the Direction is 'to address the requirements of Scottish Planning Policy and to enable the delivery of the strategic housing requirement for private sector housing in the period to 2020'. Section 20(6) of the aforementioned Act provides that the Council may not adopt the Plan unless it satisfies the Scottish Ministers that it has made the modifications necessary to conform with the Direction. The Scottish Minister's letter is attached at Appendix 1.
- 4.2** Therefore, the Plan cannot be adopted without Duntiglennan Fields identified as a housing development opportunity. If the Council does not adopt the

Plan, the Scottish Ministers have the power through the Town and Country Planning (Scotland) Act 1997 to approve the Plan themselves.

## **5. People Implications**

- 5.1** There are no personnel issues associated with this report.

## **6. Financial Implications**

- 6.1** There are no financial implications associated with the recommendation of this report.

## **7. Risk Analysis**

- 7.1** There are risks associated with the Council not adopting the local development plan. It is now over 5 years since the current local plan was adopted, meaning the Council does not have an up-to-date adopted plan. This means it is a weaker consideration in determining planning applications. The age of the Local Development Plan is a key indicator in the Council's Planning Performance Framework and the Scottish Government put significant weight on an up to date development plan. The Scottish Ministers have not yet used their powers to approve a Local Development Plan themselves, so it is unclear how long this process would take. The delay and requirement for the Scottish Ministers to use these powers would be damaging to the Council's reputation as a Planning Authority.

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

- 8.1** This report is not considered to raise any equality issues.

## **9. Consultation**

- 9.1** There has been widespread and thorough consultation throughout the process of preparing the Local Development Plan particularly at key stages such as the publication of the Main Issues Report, and the Proposed Plan. Consultation has been carried out in line with the Committee approved Participation Statement.

## **10. Strategic Assessment**

- 10.1** The Proposed Plan covers a wide range of topics and is considered to contribute to the Council's strategic priorities and in particular towards:
- Economic growth and employability.
  - Local housing and sustainable infrastructure.

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 8 June 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendices:** Appendix 1: Letter from Scottish Ministers

**Background Papers:** West Dunbartonshire Proposed Local Development Plan  
(March 2014) and Examination Report (January 2015)

**Wards Affected:** All

Alan Williamson  
Team Leader – Forward Planning  
Planning and Building Standards  
Aurora House  
Aurora Way  
Clydebank  
G81 1BF



Our ref: A11305304  
2 June 2015

Dear Mr Williamson

### **West Dunbartonshire Local Development Plan**

I refer to your letter of 7 April 2015 certifying notice of West Dunbartonshire Council's intention to adopt the West Dunbartonshire Local Development Plan. I further refer to our letter of 21 April 2015 extending the period of Scottish Ministers' consideration.

Scottish Ministers have decided that the proposed plan as notified is unsatisfactory and hereby direct under section 20(5) of the Town and Country Planning (Scotland) Act 1997, that West Dunbartonshire Council consider modifying the proposed West Dunbartonshire Local Development Plan as indicated in the Annex to this direction.

The modifications to the proposed Local Development Plan were modifications recommended by the Examination Report of 8 January 2015 and set out in Issue 17 – Duntiglenan Fields of that Report. The modifications also include the consequential changes to the private sector housing land supply table, as set out in Issue 16 – Meeting Housing Requirements – of the Report.

This Direction is given to address the requirements of Scottish Planning Policy and to enable delivery of the strategic housing requirement for private sector housing in the period to 2020.

Section 20(6) provides (subject to any further direction under section 20) that your authority may not adopt the West Dunbartonshire Local Development Plan unless you satisfy Scottish Ministers that you have made the modifications necessary to confirm with this direction, or the Scottish Ministers withdraw it.

I would be grateful if you would therefore confirm that your authority will modify the plan as directed.

Your sincerely

John McNairney  
**Chief Planner**



## Annex

### West Dunbartonshire Local Development Plan – Modification

#### Examination Reporter's Recommendation at p.162 of the Examination Report (Issue 17)

Modify the local development plan as follows:

1. In schedule 4 insert BC1(X) Duntiglennan Fields with consequent renumbering of the other site references. Include an indicative capacity of 100 and also add this to the column 2012-2020.
2. On the proposals map remove the associated area from the green belt and amend the settlement boundary to include this site as shown in the original proposed plan (CD18).
3. In Table 4 add Duntiglennan Fields, Clydebank with the following specific requirements:
  1. A comprehensive landscaping scheme and design statement should be submitted. To address landscape and visual impact on the setting of Duntocher and the Kilpatrick Hills the proposal should:
    - include structural planting to strengthen the green belt boundary;
    - retain key views and an appropriate transition to the green belt incorporating existing trees and stone walls;
    - include a green corridor along the western boundary;
    - address recreational access linking Craigielea Road to the access route to the north;
    - restrict the developable area of the middle field to the southern third;
    - avoid development in the northern most field; and
    - include an appropriate setback, layout and design along the boundaries with the established residential area and the farm steadings.
  2. In addition the proposal should include vehicular access from Farm Road with a possible secondary/emergency access and direct pedestrian access to Craigielea Road.

#### Examination Reporter's Recommendation at p.144 of the Examination Report (Issue 16) (relevant extracts with updated paragraph reference)

1. Update Table 2 taking into account the 2013 housing land audit position with the following additional updates:
  - Inclusion of an additional 100 units in the private sector supply in the period 2009-2020 to reflect the recommended inclusion of Duntiglennan Fields (recommendation Issue 17)...
  - Consequent amendment to the total supply of private sector and affordable housing to reflect these changes.
2. In paragraph 6.2.4... include a corresponding update of the figures from revised table 2.

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**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Executive Director of Infrastructure and Regeneration**

**Planning Committee: 24 June 2014**

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**Subject: Loch Lomond & the Trossachs National Park Proposed Local Development Plan**

**1. Purpose**

- 1.1** To advise the Committee of the publication of the Proposed Local Development Plan for Loch Lomond & the Trossachs National Park and to agree the Council's response.

**2. Recommendations**

- 2.1** It is recommended that Appendix 1 be submitted to the National Park Authority as West Dunbartonshire Council's response to the Plan.

**3. Background**

- 3.1** The National Park Authority is preparing a new Local Development Plan for the National Park area including that part within West Dunbartonshire, for which it acts as Planning Authority. On adoption, the new Local Development Plan would supersede the National Park Local Plan which was adopted in December 2011. The new Plan will cover the period 2016 to 2021. The Committee considered the Main issues Report for the Plan in June 2014

**4. Main Issues**

- 4.1** The Proposed Plan sets out the following vision:

Conservation – An internationally renowned landscape where the natural beauty, ecology and the cultural heritage are positively managed and enhanced for future generations.

Visitor Experience – A high quality, authentic experience for visitors, with many opportunities to appreciate and enjoy the natural and cultural heritage within an internationally renowned landscape that compares to the best on offer around the world.

Rural Development – In the National Park businesses and communities thrive and people live and work sustainably in a high quality environment.

- 4.2** The following strategy is established:

Towns and Villages – most new development is directed to towns and villages, with Balloch identified as a town and Gartocharn a village. Arrochar

and Callander is where the greatest amount of new development is to be directed over the next 20 years.

Small Rural Communities – these have been identified as locations where there is less capacity to grow. There are none of these within West Dunbartonshire. An example is Balmaha.

Countryside – the Plan supports diversification of rural businesses and encourages appropriately scaled housing and development which enhances the visitor experience.

**4.3** On specific matters and places, the plan states the following:

Housing

- 4.4** A target of 75 new homes per year is retained. This means there is a requirement for 900 new homes in the period 2015-2027. Land is identified in the Plan for 550 new homes with a further 360 new homes expected from sites not presently identified. The majority of new homes are expected to be built within towns and villages. Sites of 4 or more units are expected to make a contribution towards affordable housing provision. In Balloch the contribution is expected to be 25% and in Gartocharn 50%. Furthermore, Gartocharn is in an area where a financial contribution towards affordable housing will be sought from developments of 1-3 units.

Balloch

- 4.5** Balloch is identified as one of 8 locations for new strategic tourism development. Visitor experience opportunities are identified at Balloch Castle, East Riverside, West Riverside and Woodbank House. A site adjacent to the National Park HQ at Carrochan Road is identified for a mix of housing development and car parking, a site to the north of Craiglomond gardens is identified for a housing development of 8 units, and a site at the Old Station is identified for a mix of improvements to transport and the visitor experience.

Gartocharn

- 4.6** Housing opportunities are identified for 10 units and 6 units at Burnbrae Farm and France Farm respectively.

West Dunbartonshire Council comments

- 4.7** The recommended comments of this Council on the proposed Local Development Plan are set out in detail in Appendix 1. In summary the comments are as follows:
- Object to the mixed use designation of the Carrochan Road site for housing and car parking. This site should be solely identified for housing development. No evidence has been provided to suggest additional car parking is required at this location.
  - Request that the site of a new cemetery for Gartocharn, at Kilmaronock, be identified in the Local Development Plan.



## **5. People Implications**

**5.1** There are no personnel issues associated with this report.

## **6. Financial Implications**

**6.1** The requirement for car parking on the Carrochan Road site would have an impact of the capital receipt this Council is expecting for the site.

## **7. Risk Analysis**

**7.1** There are no known risks associated with this report.

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

**8.1** There are no equalities issues associated with this report.

## **9. Consultation**

**9.1** The views of the Council's Housing, Roads, Greenspace, Asset Management, and Economic Development services were sought for the preparation of this report. Ward 1 members were advised of the broad content of this report.

## **10. Strategic Assessment**

**10.1** The Loch Lomond & the Trossachs Local Development Plan is a wide ranging document which has an impact on all of the Council's strategic priorities within the geographic area it covers. This response has been prepared with specific regard to the Council's strategic priorities of:

- Improving economic growth and employability
- Improving local housing and environmentally sustainable infrastructure

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 8 June 2015**

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### **Person to Contact:**

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### **Appendices:**

Appendix 1 - West Dunbartonshire Council Response to  
Loch Lomond & the Trossachs National Park Proposed  
Local Development Plan

**Background Papers:** Loch Lomond & the Trossachs National Park Proposed  
Local Development Plan

**Wards Affected:** 1

West Dunbartonshire Council (WDC) welcomes the opportunity to comment on the proposed Local Development Plan for the Loch Lomond & the Trossachs National Park. The Council's comments are as follows.

Carrochan Road, Balloch

WDC objects to the designation of site MU2 for a mix of housing and car parking. WDC seeks for the site to be identified solely for housing development. The site is identified fully and solely for housing development in the adopted local plan, and the Main Issues Report for the Proposed Local Development Plan indicated that this sole designation would be carried forward. It is not clear what evidence has been provided that suggests that an additional parking requirement has to be met on this site.

The site is identified in the WDC's Property & Land Asset Disposal Strategy 2013-2018 (updated 2015) as a strategic disposal site, that could bring a significant economic impact, in this instance in terms of a capital receipt for the Council and the ongoing economic benefits that would be realised through the site being identified for housing development. The site has been identified for disposal in financial year 2015/16. It is considered that the identification of part of the site for car parking would reduce the capital receipt the Council would receive for the site and the ongoing economic benefit to be derived from would be less, owing to it being developed for less or smaller units.

*This part of the response to the National Park Authority will be expanded upon receipt of a car parking assessment being prepared for the Council.*

Kilmaronock Cemetery, Gartocharn

West Dunbartonshire Greenspace has identified a requirement for a cemetery extension in Gartocharn and a preferred site at Kilmaronock Church. It is requested that this requirement and the preferred site is referenced and identified within the Local Development Plan.