

# Agenda



## Planning Committee

**Date:** Wednesday, 14 February 2024

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**Time:** 10.00

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

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**Contact:** **Email: Nicola Moorcroft, Committee Officer**  
[nicola.moorcroft@west-dunbarton.gov.uk](mailto:nicola.moorcroft@west-dunbarton.gov.uk)  
[committee.admin@west-dunbarton.gov.uk](mailto:committee.admin@west-dunbarton.gov.uk)

Dear Member

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

The business is shown on the attached agenda.

Yours faithfully

**PETER HESSETT**

Chief Executive

Distribution:-

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

All other Councillors for information

Date of Issue: 1 February 2024

**PLANNING COMMITTEE**  
**WEDNESDAY, 14 FEBRUARY 2024**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

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

**3 OPEN FORUM**

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

**4 MINUTES OF PREVIOUS MEETINGS 5 - 23**

Submit for approval, as correct records, the following Minutes of Meetings of the Planning Committee:

- (a) Ordinary meeting – 6 December 2023; and
- (b) Special meeting – 17 January 2024.

**5 NOTE OF VISITATIONS 25**

Submit, for information, Note of Site Visitations carried out on 15 January 2024.

**6 PLANNING APPLICATIONS**

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

- (a) DC23/210/PPP:** Erection of three dwelling houses **27 - 47**  
(in principle) at Old Carman Water Works Site,  
Cardross Road, Renton, Dumbarton by Mr J McDougal.

	(b) <b>DC23/177/FUL:</b> Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.	<b>49 - 78</b>
	(c) <b>DC23/202/FUL:</b> Application under Section 42 of the Town and Country Planning (Scotland) Act 1997, as Amended, in relation to Condition 17 (approach to risk assessment and any associated required remediation strategy/plan) attached to Planning Permission, in Principle, reference DC20/088 at Land At Former Dunglass Oil Terminal Dumbarton Road, Bowling by West Dunbartonshire Council.	<b>79 - 96</b>
	(d) <b>DC23/205/FUL:</b> Application under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 7, relating to the timing of footpath delivery at Farm Road, Duntocher, Clydebank by Barratt Homes West Scotland.	<b>97 - 109</b>
	(e) <b>DC22/185/FUL:</b> Change of use of ground for the siting of three holiday lodges including a waste water treatment plant and ancillary car parking (being a revised design from that approved under Planning Permission ref: DC21/096/FUL) at Former Maryland Water Pumping Station, Garshake Road, Dumbarton by Mrs Mary Gillies.	<b>111 - 130</b>
	(f) <b>DC22/072/FUL:</b> Residential development, landscaping and associated infrastructure at Hawthornhill Road, Dumbarton by Persimmon Homes.	<b>131 - 153</b>
<b>7</b>	<b>CLYDEBANK BUSINESS PARK PLANNING GUIDANCE</b>	<b>155 - 192</b>
	Submit report by the Planning, Building Standards and Environmental Health Manager, seeking approval of the finalised version of Planning Guidance relating to Clydebank Business Park for use in making planning decisions.	
<b>8</b>	<b>DRAFT PAY DAY LENDING AND BETTING SHOP PLANNING GUIDANCE</b>	<b>193 - 287</b>
	Submit report by the Planning, Building Standards and Environmental Health Manager, seeking approval to consult on draft Planning Guidance relating to Pay Day Lending and Betting Offices.	

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## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday 6 December 2023 at 10.00 a.m.

**Present:** Councillors Karen Murray Conaghan, Ian Dickson\*, Gurpreet Singh Johal\*, June McKay, Lawrence O'Neill, Chris Pollock, and Sophie Traynor.

\* Arrived later in the meeting.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Alan Williamson, Development Planning and Place Team Leader; Nigel Ettles, Section Head – Litigation (Legal Officer) and Nicola Moorcroft, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors Daniel Lennie and Hazel Sorrell.

**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.

### OPEN FORUM

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

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 15 November 2023 were submitted and approved as a correct record.

### NOTE OF SITE VISITATIONS

A Note of Visitations carried out on 13 November 2023, a copy of which forms Appendix 1 hereto, was submitted and noted.

## **LOCAL DEVELOPMENT PLAN AND LOCAL PLACE PLAN UPDATE**

A report was submitted by the Planning, Building Standards and Environmental Health Manager, seeking approval of the 2023 Development Plan Scheme and Participation Statement in relation to a new Local Development Plan (LDP3).

After discussion and having heard the Development Planning and Place Team Leader in further explanation, the Committee approved the Development Plan Scheme and Participation Statement set out in Appendix 1 of the report and noted that once approved it would be submitted to the Scottish Ministers.

## **PLANNING PERFORMANCE FRAMEWORK 2022-23**

A report was submitted by the Planning, Building Standards and Environmental Health Manager, advising of the comments recently received from the Scottish Government regarding the Planning Performance Framework submitted by this Council for reporting year 2022-23.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager and the Development Planning and Place Team Leader in further explanation and in answer to Members' questions, the Committee noted the content of this report and the comments received from the Scottish Government.

The meeting closed at 10.22 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 13 NOVEMBER 2023

**Present:** Councillors Chris Pollock and Sophie Traynor

**Attending:** James McColl - Development Management Team Leader

**SITE VISITS**

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

**Lawmuir Farm, Glasgow Road, Hardgate, Clydebank G81 5QT**

**DC23/012/FUL:** Change of use from agricultural land to 3 dog exercise fields, erection of boundary fencing and erection of 3 shelters (Retrospective)

**Former Site of Dunclutha, Parkhall Road, Clydebank**

**DC22/216/FUL:** Erection of three dwelling houses and associated works.



## PLANNING COMMITTEE

At a Special Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday 17 January 2024 at 10.00 a.m.

**Present:** Councillors Ian Dickson, Gurpreet Singh Johal, Daniel Lennie, June McKay, Karen Murray Conaghan\*, Chris Pollock, Hazel Sorrell and Sophie Traynor.

\*Arrived later in the meeting

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; James McColl, Development Management Team Leader; Amy Melkevik, Lead Planning Officer; Gail MacFarlane, Chief Officer – Roads and Neighbourhoods; Nigel Ettles, Section Head – Litigation (Legal Officer) and Nicola Moorcroft, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillor Lawrence O'Neill.

**Councillor Gurpreet Singh Johal 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.

### OPEN FORUM

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

### PLANNING APPLICATIONS

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

**(a) DC23/113/MSC: Details relating to the first Approval of Matters Specified by Condition (AMSC) application (Phase 1 and 2 works only) for conditions 1(a), 1(d), 12, 23, 24 and 30 at Exxon, Bowling.**

Reference was made to a site visit, which had been undertaken in respect of the above application. The Development Management Team Leader was heard in further explanation, and in answer to Members' questions.

The Chair invited Mr Graham Parton (objector) to address the Committee. Mr Parton was heard in respect of the application and in answer to Members' questions.

The Chair invited Ms Susan Dick (objector) to address the Committee. Ms Dick was heard in respect of the application and in answer to Members' questions.

The Chair invited Gail MacFarlane and Patricia Rowley (applicant - on behalf of West Dunbartonshire Council) to address the Committee. Ms MacFarlane and Ms Rowley were heard in respect of the application and in answer to Members' questions.

After discussion and having heard the Development Management Team Leader in further explanation, and in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 1 hereto.

## **ADJOURNMENT**

The Chair adjourned the meeting for a short recess. The meeting reconvened at 11.07 a.m. with the Elected Members listed in the sederunt present.

**(b) DC23/149/FUL: Erection of 128 residential homes, associated roads, infrastructure and open space on existing brownfield site, (former Playdrome site) Residential Development Site, Abbotsford Road, Clydebank by Miller Homes.**

A copy of a letter (tabled) by Chief Executive Officer, Clydebank Co-operative Society, setting out objections to this planning application, was circulated for consideration to the Committee members and the applicant – Miller Homes

The Committee agreed to accept the tabled letter noted above.

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

The Chair invited Ms Marie McNair MSP (objector) to address the Committee. Ms McNair was heard in respect of the application and in answer to Members' questions.

The Chair invited Ms Fiona McInnes, on behalf of Clydebank Co-operative Society (objector), to address the Committee. Ms McInnes was heard in respect of the application and in answer to Members' questions.

The Chair invited Mr Robert McKinnon and Mr Tom Cahill (on behalf of Miller Homes Ltd.) to address the Committee. Mr McKinnon and Mr Cahill were heard in respect of the application and in answer to Members' questions.

After discussion and having heard the Planning and Building Standards and Environmental Health Manager and the Chief Officer – Roads and Neighbourhoods, in further explanation, and in answer to Members' questions, Councillor Johal Singh moved that the Committee:-

- (1) refer the application to full Council for determination, with a preliminary recommendation, based on the information considered to date, that it be approved, subject to the conditions in Section 9 of the report, as detailed within Appendix 2 hereto; and
- (2) include the following additional condition:-

That at all times, during the construction of the development, vehicular and pedestrian access shall remain available via Abbotsford Road, or any other equivalent access road, to all existing properties which were, at the time of granting planning permission, accessed via Abbotsford Road.

As an amendment, Councillor Ian Dickson, seconded by Councillor Chris Pollock, moved:-

That an additional condition be attached to any planning consent, requiring the applicant, one year after completion of the development, to undertake a traffic survey to assess the adequacy of parking on the site and to provide additional parking if the survey suggests that parking facilities are inadequate.

As a second amendment, Councillor Murray Conaghan, seconded by Councillor Sophie Traynor, moved:-

That the planning application be refused due to the concerns raised as to the loss of car parking and the adequacy of parking provided on the development site.

On a vote being taken between the first amendment (Councillor Dickson) and the second amendment (Councillor Murray Conaghan), 1 Member voted for the first amendment and 2 Members, voted for the second amendment, which was accordingly declared carried.

On a further vote being taken, between the amendment (Councillor Murray Conaghan) and the motion (Councillor Johal Singh), 3 Members voted for the amendment and 5 Members voted for the motion, which was accordingly declared carried.

The meeting closed at 12.46 p.m.

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- (a) DC23/113/MSC: Details relating to the first Approval of Matters Specified by Condition (AMSC) application (Phase 1 and 2 works only) for conditions 1(a), 1(d), 12, 23, 24 and 30 at Exxon, Bowling.**

**GRANT full planning permission subject to the following conditions:-**

1. Other than the details approved for Phase 1 and 2 in terms of this permission, no approval is given in respect of the position of all buildings, footpaths, waterfront walkway, green corridors, open space, boundary treatments and drainage infrastructure in respect of the requirements of Condition 1(a) of planning permission in principle DC20/088 and the approval of these details shall be sought via further applications for matters specified by conditions in connection with the further requirements of Condition 1(a) of planning permission in principle DC20/088.
2. That prior to the commencement of development works with the exception of those in connection with site set-up and creation of development compounds on site, a full planting schedule for all landscaping and new tree planting hereby approved in connection with the Phase 1 works together with the timescale for implementation shall be submitted to and approved in writing by the Planning Authority. The schedule will set out how tree planting is maximised in compensation for those lost. The landscaping shall then be implemented as approved unless otherwise first agreed in writing by the Planning Authority.
3. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping in connection with the phase 1 works shall be replaced within the next planting season with others of a similar size and species.
4. That prior to the commencement of development works on site, full details of maintenance and management for the landscaping approved in connection with the Phase 1 works shall be submitted to and approved in writing by the Planning Authority, unless otherwise first agreed in writing by the Planning Authority. Management and maintenance shall commence within a timescale agreed with the Planning Authority.
5. Prior to the felling of any trees within the site a scheme for the use of felled timbers for structures within the site including (but not limited to) benches, sculptures and wildlife features shall be submitted to and approved in writing. The scheme shall then be implemented as approved unless otherwise agreed in writing by the Planning Authority.

6. All recommendations within the Ecology Survey Report dated November 2023 and associated 2023 Ecology Technical Report date October 2023 shall be followed. This shall include all required mitigation during the works on site. All further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development works on site with no works including vegetation clearance within the vicinity of SPA/SSSI. Any mitigation measures arising from the further survey work shall be implemented as approved.
7. Notwithstanding condition 6 above, no tree works, removal or scrub clearance shall occur on site from March through to August (inclusive) each year unless otherwise agreed in writing with the Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to August (inclusive), a suitable bird nesting survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves should be carried out within a specified and agreed timescale.
8. Notwithstanding condition 6 above, no development works shall be undertaken on site with no works including vegetation clearance within the vicinity of the SPA/SSSI during the period September to March inclusive until a further full winter survey is undertaken in respect of wintering birds within the SPA / SSSI with the survey results and recommendations submitted to and agreed in writing by the Planning Authority in consultation with NatureScot.
9. Prior to any development works on site with no works within the vicinity of SPA/SSSI during the period September to March inclusive, the survey results and recommendations that require to be submitted in connection with condition 8 above shall be used to formulate a detailed mitigation strategy in respect of the impact of any construction works within the site on the wintering bird population of the SPA / SSSI. This mitigation strategy shall be submitted either as part of an updated Construction Environmental Management Plan (CEMP) focusing on the Phase 1 and 2 works or as a standalone document accompanying the updated CEMP and approved in writing by the Planning Authority in consultation with NatureScot. All mitigation shall then be implemented as approved unless otherwise first agreed in writing by the Planning Authority.
10. Prior to the commencement of development works on site, full details of how toolbox talks to ensure all site personnel involved in Phase 1 and 2 of the development are aware of matters relating to ecology and protected species will be delivered to ensure that all personnel are aware of what to do should evidence of species be discovered during construction shall be submitted to and approved in writing by the Planning Authority. The agreed approach shall then be implemented unless otherwise first agreed in writing by the Planning Authority.

11. That prior to the commencement of development works on site in connection with Phases 1 and 2, an updated Construction Environmental Plan (CEMP) specifically addressing the Phase 1 and 2 works shall be submitted to and agreed in writing by the Planning Authority. For the avoidance of doubt, the CEMP will consider (but not be limited to) the impact from noise, dust and air quality and construction activities for Phases 1 and 2. The CEMP for Phases 1 and 2 of the development shall thereafter be implemented on site as approved unless otherwise first agreed in writing with the Planning Authority.
12. That prior to the commencement of development works on site in connection with phases 1 and 2, an updated Construction Traffic Management Plan (CTMP), specifically addressing the Phase 1 and 2 works shall be submitted to and agreed in writing by the Planning Authority. The CTMP for Phases 1 and 2 of the development shall thereafter be implemented on site as approved unless otherwise first agreed in writing with the Planning Authority.
13. Notwithstanding condition 12 above, all vehicles transporting construction material to and from the proposed development shall be sheeted, unless otherwise first agreed in writing with the Planning Authority.
14. Notwithstanding condition 12 above and prior to the commencement of any works on site in connection with Phases 1 and 2, vehicle wheel cleaning facilities shall be installed and brought into operation on the site, unless otherwise first agreed in writing with the Planning Authority.
15. The Materials Management Strategy previously submitted and approved in connection with condition 6 of Planning permission in principle DC20/088 shall be fully followed at all times during the Phase 1 and 2 works hereby permitted unless a modification is first agreed in writing by the Planning Authority.
16. All material to be used in the top 300mm of the development platforms shall be free from deleterious materials such as metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works in respect of each of the two phases hereby permitted the developer shall submit for approval to the Planning Authority a verification report containing details of the source of the material and associated test results to demonstrate its suitability for use.
17. That unless otherwise agreed in writing by the Planning Authority, prior to service buses commencing use of the relocated eastbound bus stop on the A82 at Dumbuck, the existing bus shelter shall be relocated to the new stopping position. The final position of the shelter shall first be submitted to and agreed in writing by the Planning Authority.
18. That prior to any alterations or works commencing affecting the A814, the traffic modelling data to support the position of the westbound A814 bus stop and demonstrate that westbound traffic flow will not be impacted by a bus using the stop and vehicles waiting to turn left shall be submitted to and approved in writing by the Planning Authority.

19. That prior to the commencement of development works on site, a communications strategy designed to make road users, local residents, local business owners and the public in general aware of the proposed works, the likely impact upon the locality and updates of progress in respect of the Phase 1 and 2 works hereby permitted shall be submitted to and approved in writing by the Planning Authority. The strategy shall then be implemented as approved unless otherwise first agreed in writing by the Planning Authority.

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- (b) DC23/149/FUL: Erection of 128 residential homes, associated roads, infrastructure and open space on existing brownfield site, (former Playdrome site) Residential Development Site, Abbotsford Road, Clydebank by Miller Homes.**

**GRANT full planning permission subject to the following conditions:-**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, all facing bricks to be used shall be good quality clay bricks. Thereafter, unless otherwise first agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.
2. Further to Condition 1 above, prior to the approved brickwork associated with any house being constructed on site, a sample panel of the brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise first agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
3. Prior to the commencement of development on site, full details of the timescale/phasing for the build-out of the development shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless an alternative timescale is first agreed in writing by the Planning Authority.
4. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be proceed in accordance with the approved details.
5. Prior to commencement of development on site, a 'Play Equipment Strategy' for the site shall be submitted to and approved in writing by the Planning Authority. This shall include (but not be limited to) the following:
  - Details and specifications of forms of play equipment and structures to be provided within the site.
  - Provide full details regarding the maintenance arrangements for all play equipment and associated features within the site.
  - Provide timescales for implementation of the play equipment.

Thereafter, the approved play equipment strategy and all associated features and specifications shall be installed within the development in accordance with the strategy unless otherwise first agreed in writing by the Planning Authority and maintained in accordance with the approved details for the lifetime of the development.

6. Notwithstanding the approved plans, all recommendations within the Ecological Constraints Survey dated 23rd August 2022 shall be followed. This shall include all required further survey work identified as being required for otters. Further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site and implemented as approved.
7. Notwithstanding the approved plans and condition 6 above, and prior to the commencement of development on site, the recommendations in paragraph 4.2.12 of the Ecological Constraints Survey dated 23rd August 2022, in respect of re-establishing the ecological baseline shall be followed and the approach to this submitted to and approved in writing by the Planning Authority.
8. Notwithstanding the approved plans and condition 6 above, and prior to the commencement of development on site, a further submission which demonstrates an understanding on how the proposal enhances biodiversity beyond the current baseline including any adjustments to the approved landscaping proposals together with the implementation details on site shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.
9. Prior to commencement of development on site, a full planting schedule shall be submitted for the further written approval of the Planning Authority. Thereafter, the approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed with the Planning Authority prior to the commencement of works on site.
10. Any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
11. Prior to commencement of development on site, a site management scheme for construction traffic, shall be submitted to, and approved in writing by the Planning Authority and thereafter shall be implemented in accordance with the approved scheme. For the avoidance of doubt, construction access shall only be taken via Abbotsford Road and at no time will any vehicular access be taken to or from Argyll Road, unless otherwise agreed in writing with the Planning Authority.
12. That prior to each house hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.

13. That within 4 weeks of the last of the houses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
14. Prior to the occupation of any house, the on-street parking provision associated to that house shall be completed and be available for use by residents of the associated house. The on-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter
15. The additional parking provided on Abbotsford Road, as identified on drawing ARC/SITE001 Rev Q – Site Layout shall be constructed and made available for use prior to the removal of the existing parking area.
16. That prior to the commencement of development on site, full details of the proposed drainage regime inclusive of calculations and overland flow details shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
17. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site. The measures shall be implemented and maintained as approved.
18. The approved car charging points/units/ducting and associated infrastructure shall be installed in accordance with the approved details in a timescale agreed by the Planning Authority and maintained at all times thereafter.
19. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
20. Prior to the commencement of development on site, details of any street furniture inclusive of grit bins and telecommunications cabinets as well as lighting and bins adjacent to the canal, shall be submitted to and approved in writing by the Planning Authority and within a timescale agreed with the Planning Authority.
21. The Residential Travel Plan as approved as part of this application shall be provided on occupation of each dwelling to new residents.



22. No development (other than investigative works) shall commence on site until such time as a revised 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 and service lines and pipes
    - groundwater and surface waters
    - ecological systems
    - archaeological sites and ancient monuments
  - c) An appraisal of remedial options, including a detailed remediation strategy based on the preferred option.
23. No development (other than works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
24. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.



25. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
26. If the remediation plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale with the Planning Authority. 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.
27. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
28. Prior to commencement of development on site, an updated noise assessment shall be submitted to, and approved in writing by the Planning Authority, to determine the impact of noise on the proposed development. The noise impact assessment and any recommendations in respect of mitigation measures shall be implemented as agreed prior to the development being brought into use and where appropriate shall be retained in accordance with approved details. The noise assessment shall include an assessment of aircraft noise taking into account the structure of the roof design as a possible pathway for noise transmission.
29. Prior to occupation of any house, the applicant shall have a third party independent verifier submit a verification report which shall provide verification of the installed noise mitigation measures demonstrating that the projections as detailed within the approved noise impact assessment are reliable and meet with the relevant conditions.

30. Prior to the commencement of development on site, a noise control method statement for the construction period shall be submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
31. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise first agreed in writing by the Planning Authority:
- Mondays to Fridays: 0800 – 1800
  - Saturdays: 0800 – 1300
  - Sundays and public holidays: No Working
32. No commercial vehicle making deliveries to or collecting material from the development during construction shall enter or leave the site before 0800 or after 1800, unless otherwise first agreed in writing by the Planning Authority.
33. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
34. Prior to the commencement of development on site a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise first agreed by the Planning Authority.

35. Prior to the commencement of development on site, an air quality impact assessment shall be submitted to and approved by the Planning Authority. The report should use a method based on the principles set out in the Environmental Protection UK document Development Control: Planning for Air Quality (2010 Update), Scottish Government publication "Local Air Quality Management Technical Guidance LAQM.TG(09)", and "Delivering Cleaner Air for Scotland - Guidance from Environmental Protection Scotland and the Royal Town Planning Institute Scotland, January 2017". The recommendations of the assessment shall be implemented prior to the development commencing on site or within a timescale agreed by the Planning Authority.
36. Prior to the commencement of development on site, details (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and columns types/colours) of the lights /floodlights have been submitted to and approved in writing by the Planning Authority. The floodlights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority. The applicant should also take cognisance of the nearby commercial premises and any associated floodlights. The potential for obtrusive light affecting the properties must be assessed and appropriate mitigation measures put in place to negate any nuisance from any lights on the commercial premises.
37. Prior to the commencement of development on site, details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first house within the site and thereafter maintained for the lifetime of the development.



## PLANNING COMMITTEE

### NOTE OF VISITATIONS – 15 JANUARY 2024

**Present:** Councillors Gurpreet Singh Johal, June McKay, John Millar, Chris Pollock and Clare Steel.

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

### SITE VISITS

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

**Former Playdrome site, Abbotsford Road, Clydebank**

**DC23/149/FUL:** Erection of 128 residential homes, associated roads, infrastructure and open space on existing brownfield site, (former Playdrome site) by Miller Homes

**EXXON Site - Land at Former Dunglass Oil Terminal, Bowling and Dunglass roundabout and areas of the site at Dumbuck.**

**DC23/113/MS:** Details relating to the first Approval of Matters Specified by Condition (AMSC) application (Phase 1 and 2 works only) for conditions 1(a), 1(d), 12, 23, 24 and 30.



**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 14<sup>th</sup> February 2024**

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**DC22/210/PPP:      Erection of three dwellinghouses (in principle) at Old Carman Water Works Site, Cardross Road, Renton by Mr J McDougal**

**1.      REASON FOR REPORT**

- 1.1**    The planning application proposal is a departure from the adopted development plan. 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 in principle subject to the conditions set out in Section 9.

**3.      DEVELOPMENT DETAILS**

- 3.1**    The site comprises the former Carman waterworks site which is located on Cardross Rd near Renton. To reach the site from Renton, it is necessary to take an unclassified, mostly single track road which connects the B857 Main Street in Renton with the A814 Main Rd in Cardross. The site is approximately 0.4 mile from the junction with the B857 and is located on a hairpin turn. Due to this, the site is triangular in shape and features a noticeable change in elevation between its lower and its upper parts. To the west of the site, on the other side of the road, is a forested area adjacent to Carman Hill House and Carman Reservoir. To the east, also across the road, and to the north, there are agricultural areas typically used for grazing. The site is partially overgrown and features disused water supply infrastructure in the form of three tanks and possible further associated underground facilities. There is boundary treatment present in the form of a historic stone wall; access is from the western side of the site via an iron gate.
- 3.2**    The application seeks planning permission in principle for the erection of three dwellinghouses. The existing water supply infrastructure will be removed from the site to facilitate development. An indicative layout with three detached dwellinghouses, two of which would face west with the third facing east. Off street parking would be provided within driveway parking.

As the application is considered in principle, any design and layout details of the site and proposed houses provided in the submitted drawings are indicative and would be submitted at the detailed stage.

- 3.3** Improvements are proposed to the road surrounding the eastern and the southern perimeter of the site as part of this application. The existing hairpin corner at the southernmost tip of the site would be altered, widened and improved with asphalt finish to an adoptable standard. As a result, the sightlines of the sharp corner and the dimensions of the carriageway would be improved. The submission also indicates that the ownership of the corner of the site where the widened carriageway and road verge would be provided
- 3.4** In terms of planning history, the site was previously subject to a permission (DC02-332) for the formation of specialist market garden, including erection of two growing buildings and erection of dwellinghouse. Permission was later approved (DC10/025/FUL) for variation of condition 1 of permission DC02-332 to extend the time period for the commencement of development of market garden and dwellinghouse. Both of the applications have since lapsed and no development of the site has taken place.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Biodiversity Officer has no objection subject to conditions relating to all recommendations within the Preliminary Ecological Appraisal being followed, including the protection for nesting birds. Furthermore, conditions to address biodiversity enhancement and Black Grouse mitigation are required.
- 4.2** West Dunbartonshire Council Environmental Health have no objection subject to conditions relating to construction noise, contaminated land, importation and reuse of soils, lighting, Noise Impact Assessment, as well as noise control, hours of work, piling method statement, waste storage and dust control during construction.
- 4.3** West Dunbartonshire Council Roads have no objection to the proposal in respect of roads and parking together with flooding matters.
- 4.4** Scottish Water and West of Scotland Archaeological Service have no objection to the proposed development. .



## **5. REPRESENTATIONS**

**5.1** One objection was received from a neighbouring resident. The full details are contained within the planning file and are available for public viewing. However, the key points of objection can be summarised as follows:

- Neighbour notification was not issued to neighbouring property.
- The site is within the Green Belt.
- More than one house on site would be out of step with how other sites within the Green Belt were redeveloped.
- The site is in close proximity to a Local Nature Conservation Site and may impact upon this designation, other locally sensitive areas and local wildlife.
- The development may result in more people seeking to gain access to the area.
- Road realignment may encourage unsuitably sized vehicles to attempt to use the road, resulting in accidents.
- Road safety concerns in relation to Cardross Road, which is narrow, steep and used by notable levels of vehicle traffic, walkers and cyclists, heavy goods vehicles.
- There is a history of road accidents in winter conditions and speeding in all conditions.
- Access to the site may potentially be affected in the winter during icy/snowy conditions.
- Concern over insufficient turning space in the proposed western plots within the site, as shown in the proposed site drawing.
- Noise from traffic may disturb neighbouring properties.
- Inaccurate site boundary in the submitted drawings.
- Access and servicing and neighbouring property may be impacted upon.
- Concerns regarding sightlines for the new access to the proposed development.
- Concern regarding the height and finish of the boundary treatment for the site in relation to sightlines for vehicles exiting the site and privacy of the future inhabitants.
- No information is provided on bin storage and refuse collection.
- Concern over the impact of refuse collection method on the amenity of the site and its surroundings.
- Insufficient parking indicated in the drawings.
- Scale and design of the proposed dwellinghouses and utilisation of the footprint of the site and its topography.
- The scale and design of the new houses is inappropriate and overdevelopment would occur.
- It is incorrect to suggest flooding does not occur at this location.
- The position of neighbouring properties is not shown in the application submission.

- The construction of the development may impact upon access on Cardross Road and to neighbouring property.
- The site could be confused with another site of a similar name.
- It has been difficult to view the application online.

The concerns raised are considered in Section 7 below.

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

### National Planning Framework 4

- 6.1** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.
- 6.2** Policy 3 seeks to protect biodiversity and deliver positive effects from development. It requires that local development will include appropriate measures to conserve, restore and enhance biodiversity. It is noted that measures should be proportionate to the nature and scale of development.
- 6.3** Policy 6 aims to protect and expand forests, woodland and trees. It advises that proposals will not be supported where they result in the loss of ancient woodlands, ancient and veteran trees, or individual trees of high biodiversity value. Where woodland is removed, compensatory planting is expected to be delivered.
- 6.4** Policy 8 supports development within the green belt in a limited number of circumstances. These include:
- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
  - residential accommodation required for key workers in a primary industry in the vicinity of the site;
  - horticulture, including market gardening and directly connected retailing, as well as community growing;
  - essential infrastructure or new cemetery provision;
  - minerals operations and renewable energy developments;
  - intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

Additional requirements include justification is provided for the green belt location; the purpose of the green belt is not undermined by the development; the development is compatible with the surrounding countryside and landscape character; the development is of an appropriate scale, massing and external appearance and minimises visual impact; and there will be no long-term impacts on the environmental quality of the green belt.

- 6.5** As the site has been previously developed, Policy 9 addressing brownfield, vacant and derelict land applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.
- 6.6** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.
- 6.7** Policy 16 relates to quality homes with part a) supporting proposals for new homes on sites allocated for housing in Local Development Plans. The application site is allocated in the proposed Local Development Plan 2 as a residential development opportunity.
- 6.8** Under part (f) of Policy 19 proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 6.9** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.
- 6.10** Policy 22 - Flood risk and water management states that proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.

## West Dunbartonshire Adopted Local Plan 2010

- 6.11** The site lies within the Green Belt and Policy GB1 states that within the areas of Green Belt shown on the Proposals Map there will be a general presumption against development other than:
- agriculture and forestry, including community woodlands; or
  - the appropriate re-use of vacant buildings which would be desirable to retain; or
  - for their local significance, historic or architectural character; or
  - outdoor recreation, leisure or tourist proposals which are appropriate for the countryside, contribute to the social and economic development of the Plan area and are not contrary to other policies and proposals contained within the Local Plan; or
  - where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site; or
  - where there is a necessity for additional land for development purposes, having regard to the requirements of the approved Structure Plan.

Development will not be permitted which would have an adverse effect on the landscape character of the local area. Proposals for new buildings, extensions or the change of use of existing buildings within the Green Belt will have to pay particular regard to design, siting, landscaping, nature conservation and protection of habitats.

- 6.12** Policy H1 of the adopted Local Plan highlights that the sites identified in Schedules H1 and H2 represent the main opportunities for private sector housing development. The site is not allocated for residential development in Schedule H2. Policy UR1 further encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy RD1 which sets out a preference for residential development on brownfield sites.
- 6.13** Policy H4 sets out standards expected of all residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy H5 safeguards and where possible enhances the character and amenity of existing residential area. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.

- 6.14** Policy E1 relates to the Council's biodiversity duty with Policy E4 specifically focusing on the protection and retention of trees subject to a Tree Preservation Order (TPO). Policy E5 goes on to set out an expectation for development proposals on sites with or adjacent to, existing trees or woodlands to take account of trees at the beginning of the design process and includes a requirement for a tree survey. Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the updated position set out in Section 7 below.
- 6.15** Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. Policy DC7 supports the inclusion of on-site micro-renewable technologies.

#### Development Plan Conclusions

- 6.16** The site lies within the Green Belt and the construction of three dwellinghouses, not designed to accommodate key workers in a local primary industry such as agriculture, is not a form of development supported by Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. However, the site is an allocated residential development opportunity in proposed Local Development Plan 2 which reflects the Council's most up to date spatial strategy. Based on the proposed Local Development 2 site allocation, the proposed residential development would in turn be supported by Policy 16 and the Green Belt policies would not be applicable in the assessment of the application. In light of the residential development allocation within proposed Local Development Plan 2 which carries significant weight in the assessment and determination of planning applications, it is considered that the material considerations are such that a departure from Policy 8 of NPF4 and Policy GB1 of the adopted Local Plan can be justified in this instance. Subject to the full assessment set out in Section 7 below.

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

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

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

- 7.2** Policy H2 supports new housing development on sites in Schedules 2 and 3. This site is an allocated residential development opportunity included in Schedule 2. Policy CP1 of proposed LDP2 seeks to ensure that all development the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place. Policy H4 sets out that that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all time.
- 7.3** Policies GI2 and GI4 relate to green infrastructure. Policy GI2 requires new development to meet with the open space standards set out within the policy. Where a development has difficulty providing these standards on site, or where a relaxation of the standards can be justified, developers will require to accord with Policy GI4 and provide a contribution towards the types of projects outlined within the policy and detailed in the Green Network and Green Infrastructure Planning Guidance. GI4 sets out the requirements for Developer Contributions.
- 7.4** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport. CON3 encourages improvements to core paths and the development of new core paths and Policy CON4 sets out a need for all developments to install sufficient broadband provisions.
- 7.5** Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.
- 7.6** RE4 encourages micro-generation and heat recovery technologies within or associated with individual properties and Policy RE5 relates to low and zero carbon buildings and states that new buildings should conform to the sustainability standards.
- 7.7** Policies ENV1, ENV4, and ENV6 are all similar to the ecology and tree, water environment and flooding policies of the adopted Local Plan. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.8** It is considered that the application proposal complies with the relevant policies above as set out in the following assessment below.

Creating Places Guidance and Green Network and Green Infrastructure Guidance

- 7.9** The Creating Places Guidance – November 2022 seeks to achieve high quality development with a design-led approach based on a thorough appraisal of the site and an analysis of its context, and sets out that this is expected for all development proposals. It is considered that the development responds to the local context and accords with the approach set out in the Guidance at this Planning in Principle stage.
- 7.10** The Green Network and Green Infrastructure Guidance – November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement. The on-site provision follows the Guidance in respect of residential development proposals. The proposal accords with the approach set out in the Guidance.

Principle of Development

- 7.11** Within the adopted Local Plan, the site is situated within the Green Belt. The erection of three dwellinghouses would not be a development supported within a Green Belt location by either Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. However, proposed Local Development Plan 2, incorporating the recommended modifications of the Examination Report received on 22 April 2020, forms the Council's most up to date spatial strategy and can therefore be afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The site is identified as a residential development opportunity within proposed Local Development Plan 2 and this allocation was supported by the Reporter in the Examination Report, and not subject to any recommended modifications.
- 7.12** Notwithstanding the position of proposed Local Development Plan 2 as the Council's most up to date spatial strategy, it remains that the adopted Local Plan does not identify the site as a development opportunity but rather a site within the Green Belt. Accordingly, Policy GB1 of the adopted Local Plan and Policy 8 of NPF4 are relevant as set out in paragraphs 6.4 and 6.11 above. In assessing whether there are any material considerations which would justify a departure from the adopted development plan, it is recognised that whilst the Council took the decision not to adopt proposed Local Development Plan 2, it remains a significant material planning consideration in the assessment of planning applications. If proposed Local Development Plan 2 had been adopted, the residential development allocation would have changed its status of the site in respect of the policy assessment within NPF4. Policy 8 would not be applicable and Policy 16 would support the development of the allocated site. Furthermore, Policy 9 of NPF4 also supports the sustainable redevelopment of brownfield sites.

- 7.13** In further considering the proposal, the indicative capacity set out in proposed Local Development Plan 2 is for three houses. Based on the indicative layout submitted, it is considered that a development of three units could be suitably accommodated on site, including accommodating the topography of the site, in a way which balances the development of an allocated site with the character of the wider Green Belt.
- 7.14** The proposal would require demolition of the existing disused water supply infrastructure within the site, predominantly in the form of underground water tanks, which has been redundant for a significant period of time. The existing site does not feature any buildings but it is noted that there are detached dwellinghouses within the locality along Carman Road. As the site has not performed its infrastructural function for some time, it remains shut off with the access gate closed and parts of the site overgrown and subject to spontaneous rewilding, all contained within the area bounded by the historic wall demarcating its limits. The redevelopment of the site would remove a disused brownfield site and, subject to the final design and layout of any new development, result in a positive impact on the visual amenity of the area. As it is understood that the water supply needs have since been superseded by other infrastructure serving the area, it is not considered that the loss of the site to a housing development would raise concerns.
- 7.15** It is considered that in this instance a departure in respect of Policy 8 of NPF4 and from Policy GB1 of the adopted Local Plan can be justified and the principle of residential development accepted on site.

Indicative design, layout and visual impact within the landscape

- 7.16** No detailed information has been submitted, however an indicative layout has been proposed. The number and size of the properties proposed is considered acceptable in this context. The setback from the road level and the screening afforded by the remaining boundary wall around the perimeter of the site, also manages the visual impact and prominence of the new development in the immediate vicinity. The properties would benefit from open outlook overlooking the Vale of Leven and the surrounding Kilpatrick Hills. This section of Carman Road, while predominantly rural in character, does feature several residential properties, with some located a distance away from the road level. The proposal is considered to be consistent with the development pattern of the area and a suitable reuse of the vacant derelict site.
- 7.17** Whilst recognising that the application is considered in principle only, it must be assessed whether a suitable development could be achieved on site. In this instance, such an assessment can be guided by the indicative layout and details submitted. The indicative details suggests the proposed houses are of one-and-a-half-storey in height.



Houses of this size would be acceptable, given the semi-open nature of the site and this is the predominant height of other houses along Carman Road outwith the urban settlement. The suggested ratio of plot size to house is considered acceptable and the properties would have an acceptable amount of private garden ground at the rear providing outdoor amenity space for the occupants. The houses would be set back from Carman Road by a reasonable distance, with sizable front curtilages fronting each of the three houses. The design indicates render houses incorporate details as timber cladding and such an approach would be considered appropriate for the Green Belt location.

- 7.18** Overall, it is considered that an appropriate, attractive outward facing development could be achieved on site that does not result in overdevelopment nor any adverse impacts on the wider landscape within this Green Belt location. Whilst the lack of detail on a variety of aspects of the development is highlighted in the objection received, this application is in principle only and does not consider the final detail of the development of the site. Conditions can guide the detailed design of the houses which will be subject of a further detailed application.

#### Residential amenity

- 7.19** Potential impact on neighbouring properties has been considered in relation to privacy and overshadowing. As the current application is for planning permission in principle it is not possible to assess specific details. However, based on the suggested indicative details which indicate one-and-a-half-storey houses and taking into account their position relative to neighbouring properties and within the application plot, it is considered that the site could be developed without any unacceptable overshadowing or loss of privacy would occur. This will be fully assessed at the detailed stage. Any noise and activity generated by the new houses would be typical of that emanating from a domestic setting and it is not considered that any undue noise disturbance would occur.

- 7.20** Whilst the Council's Environmental Health Service advice on the need for a noise impact assessment is noted. This will determine suitable mitigation measures are incorporated within the development to minimise noise sources that are likely to impact upon new residents. This matter can therefore be addressed by condition.

#### Roads and parking

- 7.21** The application site is accessed via Cardross Road, which is a single track road with some steep inclines. A variety of concerns are raised in the objection in respect of roads and access matters. The Council's Roads Service has no objections to the principle of three houses on the site, subject to the applicant providing relevant dimensioned sightline splays (noting that the national speed limit applies).

The ability for the final development detail to achieve the required sightlines is indicated in the indicative layout provided. The proposed site plan indicates that there is sufficient space for off-road parking and it therefore can be concluded the final development detail can provide adequate off-street parking. Based on the indicative layout, access to the driveways would be from Cardross Road approximately where the current gate is (upper plots) and through a new road opening (lower plot).

- 7.22** There is an opportunity for improvements to the tight hairpin bend adjacent to the site as a result of the development. The indicative layout indicates how this will be achieved as part of the development and the Council's Roads Service raise no additional requirements in this respect. Full details of the delivery of this improvement can be addressed by condition.

#### Accessibility

- 7.23** The site is outwith the build settlement and thus doesn't specifically promote 20 minute neighbourhoods. However, it is a development opportunity within the proposed Local Development Plan 2 and is only of a small scale. Nonetheless, the settlement of Renton lies in reasonably close proximity with a range of local facilities including public transport links within a typically 20 minute walk from the site. Despite the out-of-settlement location, the site is reasonable accessible to local facilities.

#### Ecology, Biodiversity and Impact on Existing Vegetation.

- 7.24** There are no environmental designations covering any part of the site and also no buildings to be demolished. It does, however, lie opposite the Carman Muir Local Nature Conservation Site (LNCS) and ecology and biodiversity considerations arise as a result of this together with the re-wilding and re-naturalisation of the site and the rural location in the Green Belt. The application assessment is informed by a preliminary ecological appraisal. This identifies a variety of habitats within the site, but that these are in poor condition. No field signs of protected species were identified, Opportunities for foraging and commuting bats were highlighted, as were limited opportunities for foraging badger. Opportunities for nesting birds were also highlighted with recommendations in respect of nesting bird surveys. The opportunity for biodiversity enhancement is highlighted.
- 7.25** The Council's Biodiversity Officer raises no concerns regarding the findings or methodology used. However, highlight survey information from the Black Grouse RSPB monitoring scheme which confirms that there are records of black grouse within 1.5 km of the proposed development site. The Biodiversity Officer highlights the requirement for mitigation in this respect. Conditions can ensure that all recommendations within the Appraisal are followed including the protection for nesting birds, biodiversity enhancement and Black Grouse mitigation.

- 7.26** Whilst the site has re-naturalised with vegetation and scrub there are no significant trees on site and no concerns arise in respect of the impact upon existing vegetation.

#### Flooding Matters

- 7.27** Concerns regarding flooding are raised in the objections received. Whilst proposed Local Development Plan 2 identifies the requirement for any proposals for residential development on this site to be informed by a flood risk assessment, the site is not shown on SEPA's flood maps at being at risk of either river or surface water flooding. The Council's Roads Service has considered the proposal and advises that the site is not within an area at flood risk. They do not identify any requirement for a flood risk assessment and offer no objections on flood risk grounds. Drainage arrangements can be addressed by condition.

#### Open space provision

- 7.28** In terms of open space provision for residential developments, this is set out within Policy GI2 of proposed Local Development Plan 2 together with the Our Green Network guidance. For small developments of less than 10 houses, a developer contribution is generally considered appropriate rather than the provision of open space within the development site itself. Open space calculations together with the level of any contribution are based on the number of bedrooms provided. As this application is considered in principle, open space requirements and developer contributions will be addressed at the detailed stage of the development.

#### Other Technical Matters

- 7.29** The Council's Environmental Health Service raise no concerns and conditions are recommended to address the presence of any unexpected contamination and in respect ensuring the suitability of either re-using site won material or importing material to the site, construction hours inclusive of site deliveries together with dust control. Scottish Water offer no objection noting current capacity within the existing network. West of Scotland Archaeological Service offer no objections and, in noting the previous development of the site, do not consider any archaeological work necessary.
- 7.30** The requirement to incorporate zero carbon generating technologies and make provision for the connection of the development to available broadband networks can be addressed by condition.

#### Outstanding points of objection

- 7.31** In considering the outstanding points raised in the objection, neighbour notification is issued to any premises within 20 metres of the application site. Where there is neighbouring land with no premises, inclusive of private roads, a press advertisement is placed in accordance with the Town and Country Planning (Development Management Procedure) Regulations 2013 and this occurred in this instance. Whilst concern is raised that a neighbouring property did not receive a notification, the curtilage of this neighbouring property is around 100 metres from the application site and therefore no neighbour notification was required in terms of the regulations. The application site, inclusive of sightlines, is clearly defined in red in the submitted plans. Whilst concern is raised regarding possible confusion with a nearby premises with a similar name, the correct application site has been assessed. The submitted plans and drawings clearly indicate the position of the site within the local context and the relationship of neighbouring properties is fully understood. The online Portal has been checked and the application is available for viewing.

## **8. CONCLUSION**

- 8.1** The site lies within the Green Belt and the construction of three dwellinghouses are not designed to accommodate key workers in a local primary industry such as agriculture, is not a form of development supported by Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. Notwithstanding this, within proposed Local Development Plan 2 that reflects the Council's most up-to-date planning policy position, it is identified as a residential development opportunity. The principle of the residential development on the site is therefore supported by proposed Local Development Plan 2, and that three houses could be accommodated within an appropriate arrangement. It is considered that significant weight can be attached to the proposed Local Development 2 site allocation in the determination of this application and that the material considerations are such that a departure from Policy 8 of NPF4 and Policy GB1 of the adopted Local Plan can be justified in this instance.
- 8.2** Overall, the proposal would allow the development of an unmanaged, previously developed site subject to a suitable design and layout which responds to the site and is appropriate for the rural landscape. An additional and welcome benefit of the development would be the improvements to the tight hairpin bend on Cardross Road adjacent to the site.

## **9. CONDITIONS**

1. No development shall commence until such time as approval of the detailed design, layout and other matters associated with the development (hereinafter called "the matters specified in conditions") has been granted by the Planning Authority. Any application(s) for approval of matters

- specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
- a) the siting, design, external appearance and external materials of all buildings and other structures;
  - b) the means of access to the site;
  - c) the layout of the site, including all car and cycle parking areas;
  - d) the details of and timetable for the implementation of the hard and soft landscaping for the site;
  - e) details of the management and maintenance of the areas identified in (d) above;
  - f) full details of the design and location of all boundary walls and fences;
  - g) the provision of surface water drainage works incorporating Sustainable Drainage Systems (SuDS). For the avoidance of doubt, the submitted details shall be in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland;
  - h) the disposal of sewerage;
  - i) details of existing and proposed site levels;
  - j) details of the storage and collection of waste and recycling from the new dwellinghouses;
  - k) details of required sightlines and visibility splays;
  - l) biodiversity enhancement measures to be incorporated into the development;
  - m) full details of the incorporation of low and zero carbon infrastructure into the development;
  - n) details of the provision for electric vehicle charging
2. Notwithstanding condition 1 above, prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site inclusive of hard surfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in accordance with the approved material details and palette.
3. Notwithstanding conditions 1 and 2 above and unless otherwise first agreed in writing by the Planning Authority, the design and layout of the development shall generally follow the indicative details submitted and approved inclusive of siting of the dwellinghouses, one and a half storey design, pitched roof, light coloured render and use of timber cladding.
4. That with the first application for matters specified by condition application, full details of the design and implementation of the works to the hairpin bend in Cardross Road shall be submitted for the written approval of the Planning Authority. Works shall then proceed as approved.

5. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated 24 March 2023 shall be followed.
6. Notwithstanding condition 5 above, no removal of and vegetation shall take place during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority and nesting bird survey undertaken not more than 48 hours prior to the commencement of site clearance works, the findings of which shall be submitted to the Planning Authority.
7. Notwithstanding condition 3 above and prior to the commencement of works on site, full details of mitigation in respect of Black Grouse shall be submitted to and approved in writing by the Planning Authority and the agreed mitigation measures implemented as approved. The development shall then proceed as approved.
8. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
9. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
10. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
11. 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 and service lines and pipes

- groundwater and surface waters
  - ecological systems
  - archaeological sites and ancient monuments
- c) An appraisal of remedial options, including a detailed remediation strategy based on the preferred option.
12. No development (other than works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
13. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
14. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
15. If the remediation plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale with the Planning Authority. 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.

16. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use.
17. Prior to the commencement of development on the site, full details of any external lighting within the site shall be submitted to and approved in writing by the Planning Authority. The lighting shall thereafter be installed as approved.
18. The applicant shall undertake a noise assessment to determine the impact of noise from nearby noise sources on the proposed development using the principles set out in British Standard BS 4142:2014 – “Methods for rating and assessing industrial and commercial sound”, or a method agreed by the Planning Authority. Where the Level of Significance as described within the Scottish Government Document: “Technical Advice Note Assessment of Noise”, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from industrial/stationary noise shall be submitted to, and approved by, the Planning Authority.

The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the houses and shall be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of mitigation measures shall be prepared by a suitably qualified person.

19. 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.



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

Mondays to Fridays: 0800-1800

Saturdays: 0800-1300

Sundays and public holidays: No working

21. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS6472 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures, which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

22. During the period of construction no commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 08:00 or after 18:00.

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

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 14<sup>th</sup> February 2024**

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

James McColl, Development Management Team Leader  
[James.Mccoll@west-dunbarton.gov.uk](mailto:James.Mccoll@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:**

1. Application form, plans and supporting documents;
2. National Planning Framework 4;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan 2 Proposed Plan 2020;
5. Consultation responses;
6. Objection received;
7. Application nos: DC02-332, DC10/025/FUL.

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





**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 14<sup>th</sup> February 2024**

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**DC23/177/FUL:      Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at Land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.**

**1.      REASON FOR REPORT**

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

**2.      RECOMMENDATION**

- 2.1**    **Grant planning permission** and delegate authority to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 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.

**3.      DEVELOPMENT DETAILS**

- 3.1**    The application site is located to the east of Bonhill, Alexandria. The nearest residential areas are Beechwood and Wheatcroft Estate, Bonhill located approximately 440m to the west and Bellsmyre which is just over 1km to the south, though there is intervening woodland between the site and both residential areas. The site is to the north of the Murroch Glen (a steep wooded valley containing the Murroch Burn), on land which rises to the northeast into the Kilpatrick Hills. It forms part of an area of plantation woodland, bordered by the Murroch Glen and areas of grazing land. The application site boundary extends to 0.89 hectares, but is within a much larger area of land controlled by the applicant.

**3.2** The proposal would involve the following works:

- Installation of a single wind turbine;
- Construction of a 550m access track;
- Construction of an electrical substation and underground cabling;
- Construction infrastructure (e.g. crane hardstanding area);
- Construction of 6 vehicle parking spaces;

**3.3** The turbine would be a three-bladed, horizontal axis turbine, with a nominal rated capacity of 250kW. It would have a hub height of 30m and a maximum height to the blade tip of 43m. The turbine would be of the conventional design for such pieces of equipment, featuring a tubular tower and blades finished in a non-reflective pale grey colour consistent with the industry standard used in most UK wind turbines.

**3.4** The turbine would sit on a concrete base measuring roughly 7.5m x 7.5m, with an expected depth of 3m, although the exact design of the foundation would depend upon which specific manufacturer's turbine was used (which is not known at this stage). In addition to the foundation, an area of hardstanding would be required adjacent to the turbine as a crane platform for construction and ongoing maintenance. Adjacent to the base of the turbine would be an external substation measuring approximately 7.5m x 4m, and 2.8m in height. The colour of the substation is currently unspecified, however the supporting statement suggests it will be either green or pale grey. Due to the relatively small generator size of the proposed turbine, a local connection to the distribution network is anticipated and without the need for more extensive reinforcement or upgrade works.

**3.5** Access to the site would be by way of the existing private access track leading to Highdykes Farm, which is, itself, accessed from Broomhill Crescent. A new 550m access track would be created between the farm track and the proposed turbine. The new track would be 4.5m wide and surfaced in hardcore, with a passing place and areas to permit the turning of long vehicles. The road is likely to sit above the existing ground by approximately 300mm with banking at either side. No borrow pits are proposed as part of the development and material would be imported to construct the access track. The level of material required to be imported is not, however, specified in the application submission. The access track crosses a drainage ditch around 330 metres from the junction with the existing farm track, which a short section of pipe being installed below the hardcore.

**3.6** In terms of the planning history of the site, there have been two previous applications for the erection of a wind turbine of the same size, as well as the associated access track on this site.

The Planning Committee considered the first application (DC14/210) on 29 April 2015 and were minded to grant planning permission 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. The financial bond was never concluded and with a lack of any progress over an extended period, the application was considered withdrawn in March 2021.

- 3.7** The second application (DC22/190/FUL) was submitted in 2022. In addition to the wind turbine and associated works, an agricultural storage shed was also proposed as part of this application. All planning application proposals require to be considered as a whole and in assessing the application it was concluded that the proposed shed was not a form of development which could be supported in this Green Belt location and would result in an unjustified sporadic development within the Green Belt. The application was refused by Planning Committee on 2<sup>nd</sup> August 2023 for the following reason:

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

This refusal of planning permission was not appealed to the Scottish Government Planning and Environmental Appeals Division.

- 3.8** Works to create the access track associated with the wind turbine commenced on site prior to this application being determined. The applicant was advised that the works were being undertaken without planning permission. The applicant was requested on a number of occasions to stop works until such time that planning permission was granted. The applicant continued works on the access track and a Temporary Stop Notice was subsequently issued. Works initially continued after the Notice was issued and then halted. At the expiry of the Temporary Stop Notice works commenced again, despite it remaining that no planning permission was in place.
- 3.9** Further to the refusal of application DC22/190/FUL, an Enforcement Notice was issued requiring the removal of the partially constructed access track.

The applicant appealed this Enforcement Notice which was dismissed by the Reporter of the Planning and Environmental Appeals Division of the Scottish Government. Reports from residents within the area suggested that works were ongoing to further develop the track. However a site visit on 30<sup>th</sup> January 2024 has confirmed that the works are ongoing to remove the track in accordance with the requirements of the Enforcement Notice.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Environmental Health Service have no objections to the proposal and recommends the following conditions regarding noise in relation to the turbine, noise complaints, wind data, point of contact, hours of work, delivery vehicles during construction, construction noise, and noise attenuation.
- 4.2** West Dunbartonshire Council Roads Service have no objections in relation to flooding matters. A Traffic Management Plan was submitted and the Roads Service confirmed that the clarifications and qualifications contained within the plan made the proposal acceptable to the Roads Service.
- 4.3** West of Scotland Archaeological Service (WoSAS) have no objection subject to a condition requiring the implementation of an archaeological watching brief.
- 4.4** West Dunbartonshire Council Biodiversity Officer has no further comments to make on the current proposal. Comments from the previous application note that the Preliminary Ecological Assessment submitted offers mitigation in section 7 of the document and should be conditioned if the development is to proceed. The proposed mitigation includes following national guidelines and standards for any tree/hedgerow retention, that best working practice measures are adhered to safeguard otters and badgers, and a walkover survey prior to works commencing within bird breeding season. If any otter or badger resting place is found then an ecologist should produce an otter protection plan. Should the development proceed there should be a clear intention provided of the biodiversity enhancement works that will be included to meet the requirements of NPF4 Policy 3. It should be specifically noted what is being regarded as mitigation and enhancement so that a clear picture of the 'positive effect on biodiversity' can be determined.
- 4.5** Glasgow Airport and National Air Traffic Services have no objections to the proposal.



- 4.6** RSPB Scotland note that the previous ecological report appears to be based on site visit(s) during December 2022 (so outside the recommended dates for protected species surveys) and the conclusion that there would be no impact on birds was based on a desktop study using only freely available data rather than survey visits – and so no actual survey work had taken place. The updated application mentions NPF4 policies, but again says that based on an assessment in support of the application, it concludes there will be no material impact on biodiversity, including birds. It is unclear how this can be assessed from the data provided. There is also no mention of proposed biodiversity enhancements.
- 4.7** Stirling Council and Inverclyde Council have no objections to the proposal.
- 4.8** Loch Lomond & The Trossachs National Park Authority and Argyll and Bute Council have not provided a response at the time of writing this report.

## **5. REPRESENTATIONS**

- 5.1** Fifty eight representations from fifty seven representees have been received in connection with the proposal including from Beechwood & Wheatcroft Residents Association. All are in objection. The full details are contained within the planning file and are available for public viewing. However, the points raised can be summarised as follows:

### Roads and traffic

- The estate roads are not suitable for heavy vehicles.
- There will be a noise impact from the HGV traffic.
- Concern for children and elderly in relation to the increase in traffic.
- There was never a road in this location before.

### Location and visual impact of the development

- Concern for the visual impact on Dumbarton Rock, cluttering the backdrop to & from the Kilpatrick and Lang Craig Hills & the Pappert Well.
- No access track previously existed at this location previously.
- There are industrial estates within Dumbarton and Vale of Leven which are more suited to a development of this nature.

#### Residential amenity

- Nearby residents would be adversely affected by noise disturbance.
- There are potential health side effects from living beside a wind turbine, including from vibration, shadow flicker and ice throw.
- The area is a residential area and is too close to residents/houses.
- Scottish Government guidelines state that wind turbines should be no closer than 2km away from residential properties.

#### Environmental matters

- Air pollution may result from the development, particularly during construction.
- The development would adversely impact upon wildlife, trees, and hedgerows.

#### Procedural concerns

- The applicant has not attended the resident's association meetings to discuss their plans.
- The applicant has not met his legal obligation to the residents to provide compensation for previous work.
- There is no stated business aim and no community benefit.
- There is no stated life of the turbine and no bond for restoration on decommissioning.

#### Other matters

- What is the energy to be used for?
- The applicant intends to produce bio fuel which is not on the application.
- No connection to the grid has been indicated.
- The turbine name no longer seems to be in production.
- Property prices will be affected.
- Approval would set a precedent and open the area to further large scale turbines.
- West Dunbartonshire Council's Open Space Strategy 2011 states that planning authorities are expected to support, protect and enhance open space and opportunities for sport & recreation.

- 5.2** The matters of concern raised above are addressed in Sections 6 and 7 below.

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

#### National Planning Policy 4

- 6.1** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

- 6.2** Policy 3 states that development proposals will contribute to the enhancement of biodiversity and should integrate nature-based solutions where possible. Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Policy 4 requires that development proposals do not have an unacceptable impact on the natural environment inclusive of environmental designations and protected species. Policy 5 states that development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land and in a manner that protects soil from damage including from compaction and erosion that minimises soil sealing.
- 6.3** Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts in accordance with Policy 7.
- 6.4** Policy 8 supports development within the green belt in a limited number of circumstances. These include:
- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
  - horticulture, including market gardening and directly connected retailing, as well as community growing;
  - essential infrastructure or new cemetery provision;
  - minerals operations and renewable energy developments;
  - intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

Additional requirements include justification is provided for the green belt location; the purpose of the green belt is not undermined by the development; the development is compatible with the surrounding countryside and landscape character; the development is of an appropriate scale, massing and external appearance and minimises visual impact; and there will be no long-term impacts on the environmental quality of the green belt.

- 6.5** Policy 11 supports proposals for all forms of renewable, low-carbon and zero emissions technologies. Policy 11 also states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The policy also lists impacts which must be addressed including residential amenity, visual impact, noise and shadow flicker, impacts on road traffic and on adjacent trunk roads, including during construction; and the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans.
- 6.6** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 20 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this. Green infrastructure is defined as features or spaces within the natural and built environments that provide a range of ecosystem services. An ecosystem services is the benefits people obtain from ecosystems.
- 6.7** Policy 23 relates to health and safety and states that development proposals that are likely to raise unacceptable noise issues will not be supported. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- 6.8** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. Based on that assessment, it is concluded that the proposal is in accordance with NPF4.

West Dunbartonshire Adopted Local Plan 2010

- 6.9** The site of the proposed turbine is identified as Green Belt. Policy GB1 indicates a general presumption against development within the Green Belt, other than in certain circumstances, including where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site. Development in the Green Belt will not be permitted if it would have an adverse effect on the landscape character of the area.
- 6.10** All development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located in accordance with policy GD1.

- 6.11** Policy E5 relates to development affecting trees. There are trees on site which line the proposed access route. In accordance with policy E5 new development proposed on sites with, or adjacent to, existing trees will be assessed in accordance with best practice. Policy BE5 states that where the presence of archaeology becomes apparent once development has commenced, adequate opportunity must be afforded by the developer for an archaeological investigation.
- 6.12** The development takes access via a designated core path and as such policy R5 applies. Policy R5 states that the Council will undertake to protect Core Paths using the Council's statutory powers.
- 6.13** Policy DC6 states that renewable energy proposals will be permitted where these would not give rise to unacceptable detriment to the landscape, natural or built heritage, sport or recreation interests or local amenity. Development proposals are to be considered against the following criteria:
- visual impact and effect on landscape character, including the landscape character of the Kilpatrick Hills RSA;
  - nature conservation interests;
  - historic environment and its setting, including scheduled ancient monuments;
  - local amenity, including noise, traffic and broadcast interference;
  - any cumulative impacts.
- 6.14** Policy DC3 states that within the Glasgow Airport Safeguarding Zone, development which adversely affects the operational integrity or safety of the airport will not normally be permitted.
- 6.15** Policy GN1 seeks to promote, protect and improve the Green Network. It states that development which is detrimental to the green network will be considered contrary to the Plan, and that new development should contribute positively to the protection and improvement of the green network. The Kilpatrick Hills are recognised as an important green network resource in West Dunbartonshire owing to their landscape value, the habitats and species found there and the outdoor recreation opportunities they offer. Policy SUS1 states that all development should seek to conserve and enhance environmental resources and ensure environmental impact is minimised.
- 6.16** Policy E3A states that the Council will seek to maintain and enhance the environmental resources of the Plan area by protection of habitats, species and natural features which are vulnerable and/or specifically protected, including Local Nature Conservation Sites. It also states that proposals should not have an adverse effect on the integrity or character

of Local Nature Conservation Sites and that satisfactory arrangement for habitat creation/site enhancement elsewhere should be made to compensate where development would cause the total or partial loss of a Local Nature Conservation Site. The application is in close proximity to Murroch Burn but is located outwith the Local Nature Conservation Site.

- 6.17** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. It is concluded that the proposal is in accordance with the Local Plan.

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

- 7.1** West Dunbartonshire Local Development Plan (LDP2) Proposed Plan  
On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** The proposed turbine does not trigger Policy RE2: Spatial Framework for Wind Energy, and therefore requires to be assessed against Policy RE3, which is supportive of wind energy proposals where it can be demonstrated that there will be no unacceptable significant adverse impacts on the local area and the wider landscape and where they avoid unacceptable landscape, visual, aviation, infrastructure, cumulative and residential impacts and unacceptable impacts on the built and natural environment and do not have an adverse effect on a Natura 2000 site.
- 7.3** Policy GB1 restricts development in the green belt to a limited number of circumstances. These include development associated with agriculture, horticulture and forestry, rural economic development and infrastructure with a specific locational need.
- 7.4** Any development proposed within the Kilpatrick Hills Local Landscape Area must; protect and enhance the landscape character; protect and enhance the integrated network of habitats and important geological features; and protect and enhance the Hills as an accessible recreation resource in accordance with policy KH1.

- 7.5** Policy H4 of the LDP2 relates to residential amenity. The policy states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against the establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents.
- 7.6** Policy ENV2 relates to landscape character. Development proposals should be sited and designed to relate to the local landscape character of the area and ensure that the integrity of this landscape character is maintained and, where appropriate, enhanced. Policy ENV4 relates to forestry, trees and woodland. The loss or fragmentation of long established woodland, high conservation value or areas covered by tree preservation orders will only be supported where any significant adverse effects are clearly outweighed by significant social or economic benefits. Policy ENV8 relates to air, light and noise pollution. All new development must ensure that significant adverse noise impacts on surrounding properties and uses are avoided.
- 7.7** Policy CON3 is not supportive of development which disrupts or adversely impacts on any existing or potential core path, right of way, bridle path, or footpath, including off-path access rights, used by the general public for recreational or other purposes.
- 7.8** Policy BE1 states that unscheduled archaeological sites should be preserved in situ where possible. Where not possible, provision should be made by the developer to undertake the excavation, recording analysis, publication and archiving of the archaeological remains. Development that would adversely impact on the operations of Glasgow Airport or would be adversely affected by aircraft noise will not be permitted in accordance with Policy E7.
- 7.9** Policy CP1 requires new development to take a design led approach to creating sustainable places which puts the needs of people first and demonstrate the six qualities of successful places. Policy CP2 requires all development to demonstrate that green infrastructure has been integrated into the design approach from the outset.
- 7.10** The matters relevant to the assessment against the above policies are addressed in detail below. It is concluded that the proposal is in accordance with proposed Local Development Plan 2.

Kilpatrick Hills Local Landscape Area – Statement of Importance

- 7.11** This Statement of Importance explains the reasons why the Kilpatrick Hills have been selected for the designation. The special qualities of the Kilpatrick Hills are identified as being:

- Strong sense of remoteness, wildness and open horizons;
- Distinctive geomorphology and topographical features; and
- A unique diversity of views.

The impact of the proposed development on these special landscape qualities of the Kilpatrick Hills is assessed below, and it is concluded that the proposal would not significantly detract from the special qualities of the Local Landscape Area.

Renewable Energy Local Development Plan (Proposed Plan) Planning Guidance November 2016

- 7.12** Whilst written in the context of proposed Local Development Plan 1 together with Scottish Planning Policy (SPP), both of which no longer form a material consideration in the assessment of planning applications, much of the general advice and guidance set out remains relevant in assessing wind energy proposals.

This document provides guidance on planning for wind energy including a Spatial Framework and guidance on the factors that will be considered in assessing wind energy proposals. The spatial framework applies to “wind farms” which are defined by the Council as:

- Any development containing a turbine of 50m and above to tip height; or
- Any development of 3 or more turbines, containing a turbine of 30m above to tip height.

As this turbine is a single turbine and 43m to blade tip it falls under the threshold for assessment under the spatial framework.

- 7.13** It remains, however, that the document provides guidance on the assessment of all proposals for wind energy. This includes considering matters pertaining to landscape character, forestry and woodland, the water environment, the path network, built heritage, aviation, residential amenity in respect of noise, shadow flicker and visual intrusion, economic benefit, contribution towards renewable energy targets, effect on soils, impact on the road network and decommissioning. These matters are fully assessed in detail below where it is concluded that, in taking into account all material planning considerations, the wind turbine proposal is acceptable.
- 7.14** The guidance also highlights the expectation for all wind energy applications to provide a community benefit. In this case, the proposed turbine is indicated to have generating capacity of 250kw so any financial amount will be small.



However, the guidance does not have a minimum threshold and therefore this aspect is applicable and a financial contribution would be required if the proposal is approved.

Overall, it is considered that the proposal presents no conflict with the aims of the guidance.

#### Site Selection and Design

- 7.15** The application site was selected by the applicant as it was established to benefit from an above average windspeed. Further operational advantages include its proximity to a grid connection point and the proximity off the A82 being relatively short without requiring extensive works impacting the local road network. In terms of impacts on the surrounding area, although the nearest settlement to the site (Bonhill) is located only 440m away, the site is well screened from it by high ground and trees. The 440m distance from residential properties is noted in multiple objections as being too close due to Scottish Government Guidance. However the guidance which notes 2km as being the separation distance relates to wind farms and is also contained within Scottish Planning Policy, which has been superseded by National Planning Framework 4.
- 7.16** The wind turbine is located in the green belt and requires to be justified against Policy 8 of NPF4 and GB1 of both the adopted Plan and Proposed Plan. Essential infrastructure is acceptable within the green belt with reference to the above policies. Essential infrastructure includes all forms of renewable energy generation. Therefore the wind turbine itself together with the associated access, crane pad and sub-station would in principle be acceptable. The design and height of the turbine would follow current wind energy industry practice, and the turbine would be of the type widely used elsewhere. The location of the proposed turbine has also been selected in order to minimise its prominence. Due to the height of the turbine, some views from sensitive locations such as the Loch Lomond and the Trossachs National Park and Kilpatrick Hills are unavoidable but not significant enough to be unacceptable. It is acknowledged that an effort has been made by the applicant to minimise the impact of the development on the landscape.

#### Impact on Landscape Character

- 7.17** The proposed turbine would be located on the edge of the Kilpatrick Hills which are designated as “Rugged Moorland Hill” Landscape Character Type (LCT). The actual application site is on the boundary of the urban area and the Rugged Moorland Hill LCT of the Kilpatrick Hills. The Kilpatrick Hills have a distinctive upland character created by the combination of elevation, exposure, rugged landform, moorland vegetation and the predominant lack of modern development.

These areas share a sense of apparent naturalness and remoteness which contrasts strongly with the farmed and developed lowland areas. The general aim should be to conserve the upland character of the Rugged Moorland Hills and where possible, the visual influence of existing developments should be reduced. New developments which would introduce modern elements or which would undermine the sense of 'wildness' and remoteness should be resisted even though it is accepted that these areas already contain tall structures such as pylons and communications masts. Although this landscape can provide an essential location for this type of infrastructure, the erection of certain structures can lead to disproportionate levels of landscape impact, affecting the remote character of the moorland hills. Additional masts and other tall structures should be discouraged within the hills, with particular concerns relating to wind development. It is therefore vital that developments which could have a significant and adverse effect on the landscape character are resisted.

- 7.18** In general, there is limited capacity to accommodate wind turbines within or adjacent to the Rugged Moorland Hill LCT of the Kilpatrick Hills, particularly in areas which are identified as Green Belt and which form part of the landscape and recreational setting for the settlements which they surround. In this instance however, the sloping ground and established tree coverage would help to screen the site from surrounding areas. This tree cover would also limit the visibility of the proposed access track. The proposed turbine would be viewed from certain positions in the context of an urban area, backclothed by the hills and woodland and importantly, it would not impact upon the skyline or detract from the remoteness of the Kilpatrick Hills. On this basis, it is considered that the wind turbine would not have a significant impact on the landscape quality or the character of the Kilpatrick Hills and surrounding area. This is a similar opinion taken when 2014 previous application was assessed and approved.

#### Designated Landscapes

- 7.19** Regional Scenic Areas/Local Landscape Areas are landscapes which have been designated as of local importance by the relevant local planning authority. Such designations seek to preserve a high quality landscape and its natural character. The Regional Scenic Area/Local Landscape Area most affected by this proposal is the Kilpatrick Hills Regional Scenic Area/Local Landscape Area, which covers the area of the Kilpatrick Hills located within the West Dunbartonshire Council area. The wind turbine would be located in close proximity to the Kilpatrick Hills Regional Scenic Area but within the more recently designated Local Landscape Area. Whilst the site is readily visible from a wide area within the Regional Scenic Area/Local Landscape Area the turbine would be close to the urban edge where it would be seen against the backdrop of other man-made development.

When viewed from outwith the Regional Scenic Area/Local Landscape Area it would normally be seen against a backdrop of rising land and it would not break the skyline. Although it would introduce a large man-made structure into the environment, the turbine would not be visually dominant or would detract from the sense of remoteness and wildness provided by the Kilpatrick Hills. The overall impact upon the Regional Scenic Area/Local Landscape Area is therefore considered to be acceptable. The turbine would be 4km from the southern boundary of Loch Lomond and Trossachs National Park. Whilst it would be visible from some places within the National Park, it would be seen in the context of an urban area, backclothed by the hills and woodland and would not impact on the skyline of the Kilpatrick Hills which forms part of the setting of the National Park. This was previously confirmed as part of the response to the last planning application by the Loch Lomond and Trossachs National Park Planning Authority in their consultation response. Since then, nothing significant has changed in terms of changes to the landscape character to arrive at a different opinion. There is also no change in the proposed access track and this, together with the other infrastructure proposed raises no concerns.

#### Visual Impact

- 7.20** The information accompanying the application demonstrates that the wind turbine would not be visible from most of the closest built up area (Bonhill) because of the intervening high ground, but that it would be visible from much of Dumbarton and from areas further afield such as Port Glasgow, at distances of up to 10km. However, when viewed from distance, it would be difficult to differentiate the turbine from the overall urban context due to the proximity of the turbine to the built up area of Bonhill. Consequently, the visual impact would be less significant from greater distance. Outwith settlements, the wind turbine would be visible from much of the western shore of Loch Lomond, the River Clyde and areas within the Kilpatrick Hills. However, due to the distances involved and the size of the turbine, it will not have a significant impact on the landscape from distance and therefore will have an acceptable visual impact.
- 7.21** The applicant has provided photomontages and wireframe drawings for each of 20 previously agreed viewpoints, in accordance with the national methodology for such visual modeling exercises. These photomontages provide a representation of how the turbine might typically appear in clear weather from representative and sensitive locations, although obviously the appearance would vary according to weather conditions. The majority of the viewpoints demonstrate that the turbine would not be visible or that it would be seen at sufficient distance to have little impact on the landscape. From the viewpoints at Auchiewannie Wood and Cardross Road, the turbine would be visible to the rear/side of the settlement of Bonhill.

Further viewpoints at Auchenreoch Muir and the core path at Highdykes Farm show the turbine appearing more dominant in views looking south/south west. It is accepted that turbine development cannot take place on this site without being visible from a large area, however the size of turbine proposed is suitable for the location and will minimise any visual impacts beyond 5km and the proposal is therefore acceptable.

- 7.22** The landform behind the turbine provides a backdrop setting which would ensure that from most viewpoints, the turbine would not breach the skyline of the Kilpatrick Hills. Although the turbine is a total height of 43 m, the location, size and setting of the turbine are such that it will not have a detrimental visual impact on the Kilpatrick Hills regional scenic area or significantly alter the local landscape. It is further considered, the access track would not result in an adverse visual impact within the landscape.

#### Residential Amenity

- 7.23** The proposed turbine would be located 440m from the edge of Bonhill, but its impact would be minimal as between the proposed turbine and the settlement is an area of plantation woodland and a further area of woodland adjacent to the houses. This would provide adequate separation in terms of both amenity and visual impact, ensuring that the turbine would be adequately screened from the nearest residential properties. Whilst the wind turbine may be visible from some urban areas further from the site, such as Dumbarton and parts of Alexandria, it would be sufficiently distant to avoid being visually dominant and therefore it would have an acceptable impact. The proposed access track takes access from an existing track which serves Highdykes Farm. It is visually separated from the nearest residential neighbours by trees. As part of the operation of the turbine there are minimal traffic movements proposed. As such the proposed access road will not have an unacceptable impact to residential amenity.

#### Shadow Flicker

- 7.24** Shadow flicker is the flickering effect caused when rotating wind turbine blade periodically cast shadows through constrained openings such as the windows of neighboring properties. The distance at which shadow flicker is created is accepted to be 10 times the rotor diameter. In this case the rotor diameter is 26m and as such the distance would be 260m. The closest property to the proposed wind turbine is 65B Broomhill Crescent, notes at 447m away from the proposed turbine. The application also gives scope for a 25m buffer for micro siting. This could mean the turbine could be 422m away from 65B Broomhill Crescent, however this is still outwith the 260m distance at which shadow flicker could be created.

The Council's Environmental Health Service have raised no objection in this regard, although they nonetheless recommend a condition for any granting of permission, requiring the site operator to investigate any complaints and instigate appropriate mitigation measures in the event of shadow flicker occurring.

#### Noise & Air Quality

- 7.25** Turbines produce two distinct types of noise – the mechanical noise produced by the machine and the aerodynamic noise produced by the passage of the blades through the air. The “Assessment and Rating of Noise from Wind Farms” (Final Report, Sept 1996, DTI), (ETSU-R-97) provides a UK framework for the measurement of wind turbine noise, including indicative noise levels deemed to be appropriate. Subsequent UK government reports have concluded that there is no evidence of health affects arising from infrasound or low frequency noise generated by turbines.
- 7.26** The supporting information predicts that the operation of the wind turbine is capable of meeting ETSU-R-97 standards at the nearest properties, the closest of which is 440m from the proposed turbine location. Hours of work could be limited by condition to avoid disturbance during the construction phase to nearby residential properties. The Council's Environmental Health Service has no objection to the proposal on noise grounds subject to appropriate conditions. No issues have been raised in terms of air quality.

#### Road Traffic Impact

- 7.27** As part of the proposal, an access track is proposed which joins the existing farm track leading from Broomhill Crescent at the point before the entrance to Highdykes Farm. As noted above, the construction of this track has already commenced. The applicant has stated that this was done as the access track was existing and was being upgraded. The Traffic Management Plan submitted as part of the application states that where practicable, material for the access track and hard standings will be recycled material that is available on-site. Any additional material that is required shall be sourced from a local quarry. As part of the “proposed” access track already constructed on site, it is clear that recycled materials have not been used. Deliveries have occurred from local quarries, however, there appears to have been no co-ordination of or a structured approach to deliveries which the objections highlight has caused congestion on the residential roads with large delivery vehicles being unable to pass on both the residential roads and the farm track. If the application is approved, a robust condition regarding a delivery management strategy for materials delivered on site would be required to ensure that the further importation of material would be carefully managed and to minimise the disruption to adjacent residential properties.

The Council's Roads Service have no objections to the proposal subject to the implementation of the Traffic Management Plan. Comments raised in objections regarding continuous traffic from a wood mill/sawmill/bio fuel facility cannot be considered at this time due to the application not including such details. The wind turbine and its construction is not considered to be a large traffic generating use. Whilst concerns are raised in respect of potential to damage to road surfaces, any damage that did occur would be a matter to be addressed in conjunction with the Council's Roads Service.

- 7.28** Once operational a wind turbine would generate negligible traffic, but the size of the turbine components is such that delivery of the turbine to the site can cause disruption due to oversized loads. Deliveries would be from the south, off the A82, onto Stirling Road (A813) heading northbound and then towards the Nobleston roundabout. From there any deliveries would traverse onto residential roads to the south of the Bonhill area via Beechwood Drive, Murroch Crescent and Broomhill Crescent before moving onto the access track and onto the "proposed" access into the site. The Traffic Management Plan states that from point 6 Redburn/Beechwood Drive measures would be required in order to facilitate the deliveries of the wind turbine. For the duration of the journey a support vehicle is recommended. At point 6, the open verges would need to be used and a banksman and support vehicle. The same applies for point 7 Beechwood Drive / Murroch Crescent. Once the turbine delivery would reach point 8 Murroch Crescent/Broomhill Crescent the previous measures as well as the clearing of parked cars is recommended. At point 10, the alignment of the track is noted to be a "concern". It is indicated that the track would be required to be widened to support load-bearing surface to the western edge. This track is not, however, included within the applicant's ownership or within the red line boundary of the site. Accordingly, any works required to this track would be a civil matter between the parties involved and if the works are to an extent that planning permission is required, a separate application would require to be brought forward in this circumstance. Point 11 is from the "proposed" new access track which has been designed for the proposed use.

Impact on recreation, open space and the core path network

- 7.29** The development will not result in the loss of open space that has been laid out with the purpose of providing amenity, an area of public access or an area for countryside recreation. There is also no impact on any areas of open space specifically identified on the Proposals Maps of the adopted local plan or proposed local development plan. Consequently, it is not considered that the proposal will adversely impact on open space or countryside recreation or the sustainable access to such.

- 7.30** The existing access track to Highdykes Farm which will provide access to the application site is designated as a core path. Whilst this track will be used to access the site and for deliveries during construction, overall the impact on users of the core path will be minimal during construction and following completion it is not considered there will be any discernible impact.

Cumulative Impacts

- 7.31** The proposal would be the first significant wind turbine to be located within the West Dunbartonshire area, so there would be no localised cumulative impacts. The proposed wind turbine is well separated from other wind turbine development in neighbouring Council areas.

Natural Heritage – Designated Sites/Peat and Soils/Habitats/Protected Species/Ornithology

- 7.32** There are no site-specific statutory nature conservation designations within the site and it is not considered that the proposal would have any detrimental impact on any other designated sites. A Preliminary Ecological Assessment (PEA) was submitted in support of the application. The surveys included an extended Phase 1 habitat survey with protected species walkover survey, which considered not only habitats and species of plant present but also the potential presence of relevant European Protected Species (Bats and Otters, Badgers, Water Voles and breeding birds). It was concluded that in general, habitats and plant species were common and typical of former agricultural land that has been planted up with young deciduous woodland, with no notable species found. Habitats and plant species are therefore not considered ecological constraints for the proposed development. Bats, badgers, otters, water voles and breeding birds were also considered not to be an ecological constraint in the PEA.
- 7.33** The consultation response from the RSPB notes that the site visit for the PEA was carried out in mid-December 2022 (which is now outside the recommended dates for protected species surveys). The conclusion that there would be no impact on birds was based on a desktop study using only freely available data rather than survey visits – and so no actual survey work has taken place. The PEA states that if site preparation work is to be undertaken between March and September that the presence of breeding birds should be assessed by an ecologist prior to work commencing on site. As it is an offence to disturb any active bird nest, any granting of permission would require a condition relating to acceptable months for working or further survey work to establish that there are no breeding birds. The RSPB also note that the updated application mentions NPF4 policies and concludes there will be no material impact on biodiversity, including birds.

Whilst the RSPB state that it is unclear how this can be assessed from the data provided, they raise no specific concerns regarding potential impact on any particular bird species, migratory routes, the general commuting and foraging of birds within the locality or a concern regarding bird collisions. No information is highlighted in respect of a need for specific avoidance or mitigation in respect of birds.

- 7.34** The Council's Biodiversity Officer previously noted that no additional species protection plans or follow up surveys were identified in the PEA. The proposed mitigation includes following national guidelines and standards for any tree/hedgerow retention, that best working practice measures are adhered to safeguard otters and badgers, and a walkover survey prior to works commencing within bird breeding season. If any otter or badger-resting place is found then an ecologist will produce an otter protection plan. It can therefore be concluded that the proposal will not adversely impact upon protected species and it is appropriate that the pre-start surveys and any required protection plans identified at this stage are conditioned should the development proceed. Special Protection Area (SPA) connectivity is not mentioned as an issue in the PEA. Annex 1 of Nature Scot's "Assessing the impact of small-scale wind energy proposals on the natural heritage" guidance document considers SPA's within a 20km connectivity zone to be relevant. Therefore, both Inner Clyde SPA and Loch Lomond SPA should be considered. Greenland White - Fronted Goose is the relevant species to be considered and has a core foraging range of 5-8km. The Loch Lomond SPA is around 10km from the proposed development site and therefore falls out with requirement for further assessment. The Carbon and Peatland 2016 map shows the site area to not be within an area of peatland. Whilst acknowledging the points highlighted in the consultation response from the RSPB, having fully considered the impact upon ecology, and informed by the consultation response from the Council's Biodiversity Officer, subject to condition, the impacts of the development upon designated sites, peat and soils, habitats, protected species and ornithology are all considered acceptable.

#### Hydrological & Hydrogeological Impact

- 7.35** The Supporting Statement provided as part of the application states that the site has no watercourses within it, and it is not anticipated that the development would impact significantly upon any water course or local groundwater. During site visits, it was noted that the access road (being constructed without the benefit of planning permission) crossed a small drainage ditch and the road thus included a small section of pipe at this location. No concerns arise from this arrangement and no wider issues are considered to arise in this respect.



#### Historic Environment Impacts

- 7.36** No historic buildings or monuments are located within the site. There are a number of monuments in the vicinity of the site, although there would be no direct impact on these from construction or operation of the wind turbine. In regard to archaeology, WoSAS have no objection however the implementation of an archaeological watching brief would be required prior to the commencement of any development on site.

#### Renewable Energy Targets

- 7.37** Scotland's long-term climate change targets will require the near-complete decarbonisation of the energy system by 2050, with renewable energy meeting a significant share of the need. The Scottish energy strategy sets a 2030 target for the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied by renewable sources. This approach is supported via NPF4's just transition spatial principle that seeks to empower people to shape their places and ensure the transition to net zero is fair and inclusive.

#### Economic Impact

- 7.38** The proposed development would have minimal impact on the potential use of the wider area for grazing or forestry whilst the construction of the wind turbine would provide some short-term employment during construction. In the longer term, once completed and operational, there would be a requirement for site maintenance, although it is acknowledged this would likely be minimal. It is not considered that the proposed wind turbine would have any impact on tourism within West Dunbartonshire or neighbouring areas. It is therefore considered that whilst any development of this nature will have a positive impact, the scale of the development would result in the long-term economic benefits being negligible.

#### Community Benefit

- 7.39** The Council's Renewable Energy Planning Guidance (2016) states that in line with Scottish Government guidance, the Council expects all wind energy applicants to provide a community benefit of a minimum £5,000 per MW of installed capacity. This would be payable annually and would increase relative to the Retail Price Index. The contribution is expected from all wind energy developments. As such it is recommended that should the application be granted, a legal agreement should be put in place to address the community benefit contribution.

#### Aviation Safety

- 7.40** NATS and Glasgow Airport have no objections in terms of airport safeguarding.

### Decommissioning

- 7.41** Should permission be granted, there would be a requirement for decommissioning and site restoration. A legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site would be required. Site restoration would be triggered by either the expiry of any permission or if the project ceased to operate for a specific period of time.

### Matters raised in objections

- 7.42** A wide range of matters were raised in the objections received, many of which are already addressed as part of the main assessment set out above. Multiple objections question what the energy is to be used for and that no grid connection has been shown. A lack of grid connection, however, can be done via a separate consenting process where required.
- 7.43** The availability of the turbine type which has been applied for has been brought into question. However, the application notes that the final choice of the wind turbine will be dependent upon availability. Conditions associated to any granting of permission would ensure that the impact of any turbine would remain the same.
- 7.44** Alternative locations for the proposal have been suggested, however the applicant has stated that this is a good site for wind energy creation due to wind speeds and the application requires to be assessed on its own merits. It is contended that the applicant has indicated to residents that he intends to produce bio fuel. The application form and supporting documents do not indicate this and the Planning Authority can only assess the submitted proposal. Matters relating to traffic and the road have been assessed above.
- 7.45** Whilst there has been some removal of trees and hedgerows these are not protected and the extent of the removal undertaken is in any case limited. Matters raised in respect of the Council objective for Natural & Semi Natural Green Space and the impact on the green belt are assessed above.
- 7.46** One objector states that West Dunbartonshire Council's Open Space Strategy 2011 states that planning authorities are expected to support, protect and enhance open space and opportunities for sport and recreation. As set out in the assessment above, the development proposal will not impact upon or result in the loss of open space that has been laid out with the purpose of providing amenity, an area of public access or an area for countryside recreation.
- 7.47** Any perceived impact upon property values is not a material planning consideration. Finally, the applicant non-attendance at the local residents meeting has been brought into question. As this is not a procedural requirement for the application, it is not a material planning consideration.

## **8. CONCLUSION**

- 8.1** The proposed wind turbine complies with both the adopted and proposed local plans as well as NPF4. The sloping landscape and urban character in the vicinity of the site mitigates against the visual impact of the turbine on the Kilpatrick Hills or the Loch Lomond and the Trossachs National Park and there would be no adverse cumulative impacts. The distance from the nearest residential property and intervening tree coverage is sufficient to ensure that there would be no unacceptable impact on residential properties. A legal agreement would ensure that a suitable financial bond is put in place to cover future restoration liabilities for the site and community benefit would also require to be addressed in a similar way. Previously planning permission was granted for the erection of a wind turbine of the same size, as well as the associated access track on this site in 2015, although the decision notice was never issued and the application subsequently withdrawn.
- 8.2** Planning application DC22/190/FUL was refused due to the concern regarding the proposed agricultural shed. By removing the proposed agricultural shed, this current proposal addresses the concerns raised in 2023 refusal.
- 8.3** Overall, the proposed development would allow the erection of a wind turbine which would be appropriately sited, have no unacceptable impacts and would contribute to renewable energy targets.

## **9. CONDITIONS**

1. The planning permission for the wind turbine hereby granted shall be for a maximum period of 25 years and 6 months from the date of the permission. This period consists of a 25 year period of operation of the turbine followed by a 6 month period for removal of the turbine, ancillary equipment, associated hard standing and access track and restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below.
2. Unless otherwise agreed in writing by the Planning Authority, should the turbine cease to generate electricity for a continuous period of 6 months, the turbine, ancillary equipment, associated hard standing and access track shall be removed. Restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below, shall thereafter take place 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. No turbine, transformer building or any other above ground infrastructure shall be illuminated or display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.
5. Within one year of the date of this consent, the turbine operator shall submit an Outline Decommissioning, Restoration and Aftercare Scheme (the Outline Decommissioning Scheme) for the Turbine development, for the written approval of Planning Authority. The Outline Decommissioning Scheme shall include (but not necessarily be limited to) details of:
  - a) Works for the decommissioning and removal of the turbine (together with the foundations to a depth of at least one meter) and all above ground ancillary infrastructure and equipment;
  - b) The treatment of any ground surfaces including access tracks, hard-standing areas and any sub-surface elements including cabling to restore the site to its former condition, or other such condition as is agreed in writing by the Planning Authority;
  - c) Environmental management provisions, including waste management;
  - d) A decommissioning timetable;
  - e) Appropriate aftercare following site restoration; and
  - f) How and when the Outline Decommissioning Scheme will be reviewed during the operational life of the development.

The approved Outline Decommissioning Scheme shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.

6. No later than 12 months prior to the decommissioning of the development, or the expiration of the 25 year period of operation (whichever is earlier), a detailed Decommissioning, Restoration and Aftercare Scheme, which takes account of the latest version of the Outline Decommissioning Scheme (approved under Condition 5) and which also takes into account of the current best environmental practice, shall be submitted to and approved in writing by the Planning Authority.

The development shall be decommissioned, the site restored and aftercare thereafter in accordance with the scheme approved as part of this condition, unless otherwise agreed in writing in advance by the Planning Authority.

7. Unless otherwise agreed in writing by the Planning Authority, if the wind turbine fails to generate electricity for a continuous period of 12 months,

the turbine shall be deemed to have ceased to be required, and a scheme that takes cognizance of Condition 6, setting out how the wind turbine and associated infrastructure will be removed from the site, the ground restored and aftercare carried out, shall be submitted for the written approval of the Planning Authority no later than one month after the date of the expiry of the 6 months.

The scheme approved shall be implemented within 12 months of the date of its approval.

8. In order to ensure compliance with Condition 7, the wind turbine operator shall submit 12 monthly generation and output figures to the Planning Authority to evidence that the turbine is continuing to generate electricity and the 12 monthly reporting cycle shall commence from the date the turbine is commissioned (turned on).
9. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated December 2022 shall be followed to the satisfaction of the Planning Authority.
10. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine and all associated construction material shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented as approved. 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, frequency and number of delivery and construction vehicles inclusive of those delivering all associated construction materials, for example, hardcore and associated tonnage.
  - 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.
11. No development shall take place within the development site until the developer has secured the implementation of an archaeological watching

brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicant and agreed in writing with the Planning Authority in consultation with the West of Scotland Archaeology Service prior to the commencement of the watching brief.

The name of the archaeological organisation retained by the developer shall be given the Planning Authority in writing prior to any works on site.

12. 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 Drainage Systems within its design, and shall thereafter be implemented as approved.
13. In accordance with ETSU- R- 97 (Simplified Method) the noise from the wind turbine shall not exceed an LA90(10min) of 35dB at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 10 metres per second at 10m height as measured within the site.
14. 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 13 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.
15. 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.
16. Within 14 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 regarding noise from the wind turbine operation, 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. 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 28 days 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.

17. 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.
18. No development shall commence on site 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 13 - 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.
19. During the period of construction, all works and ancillary operations (including piling) which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Mondays to Fridays:	0800-1800
Saturday:	0800-1300
Sundays and public holidays:	No working
20. 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.
21. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. No further 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.

22. Before any further plant and machinery is used on the premises it shall be enclosed with sound insulating material in accordance with a scheme which shall first be approved in writing by the Planning Authority. The sound insulation measures shall thereafter be retained.
23. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority following a complaint alleging shadow flicker nuisance, the wind turbine operator shall at the wind turbine operator's expense:
  - a) Employ an independent consultant approved by the Planning Authority to assess the conditions likely to be causing the incidences of shadow flicker to which the complaint relates.
  - b) Within 28 days of receipt of the written request from the Planning Authority, the wind turbine operator shall submit to the Planning Authority, the independent consultant's report on shadow flicker, detailing any amendments to the operation of the wind turbine necessary to mitigate any further incidences of shadow flicker, for the written approval of the Planning Authority. The turbine shall thereafter operate in accordance with the amendments to operation as approved.
24. Notwithstanding the approved plans, and prior to any works on site, a further submission which demonstrates an understanding on how the proposal enhances biodiversity beyond the current baseline shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.



**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 14<sup>th</sup> February 2024**

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

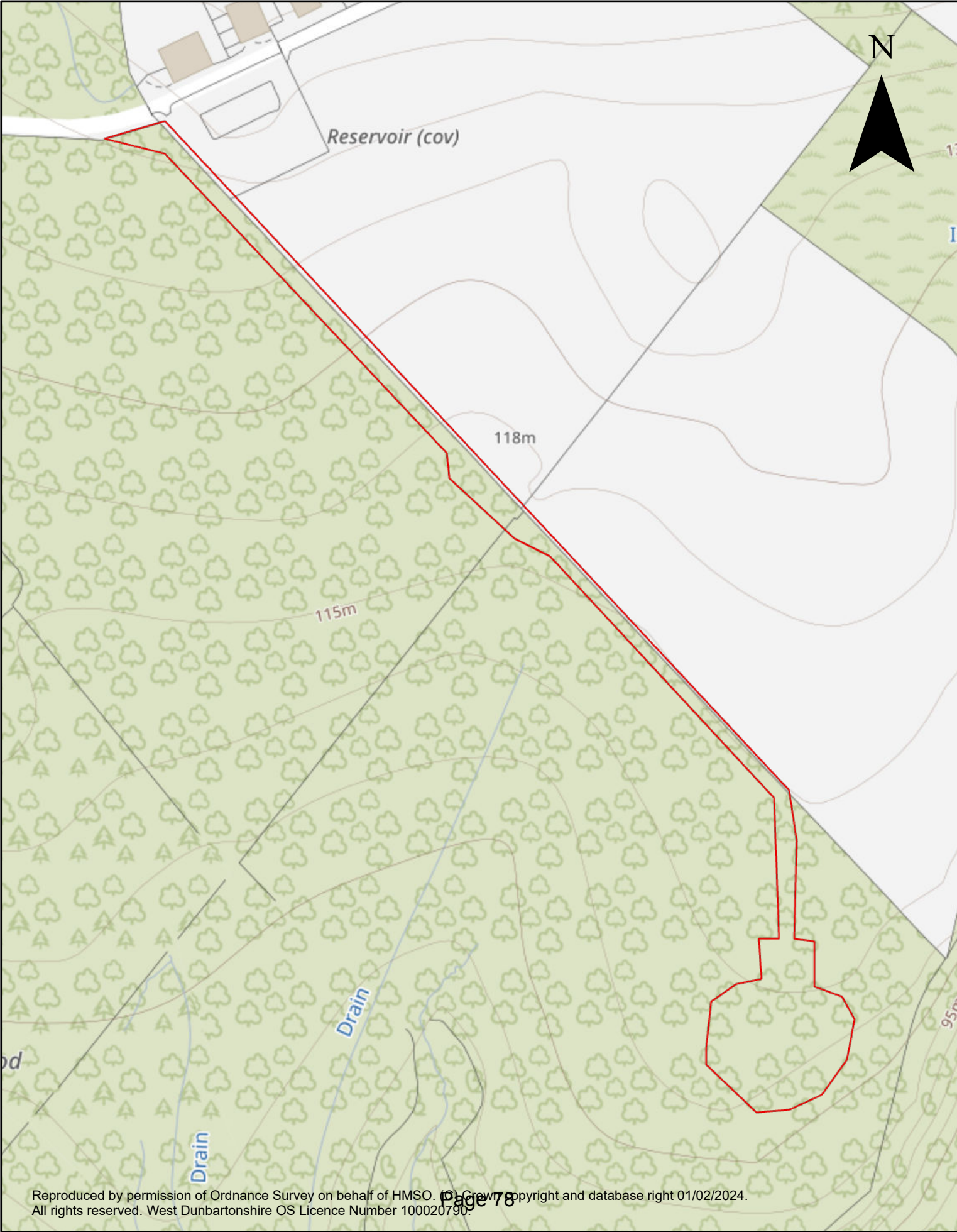
James McColl, Development Management Team Leader  
Email: [James.McColl@west-dunbarton.gov.uk](mailto:James.McColl@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. Representations
4. National Planning Framework 4
5. West Dunbartonshire Local Plan 2010
6. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
7. Kilpatrick Hills Local Landscape Area Statement of Importance
8. Renewable Energy Local Development Plan (Proposed Plan) Planning Guidance November 2016

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



## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 14<sup>th</sup> February 2024

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**DC23/202/FUL:**      **Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to Condition 17 (approach to risk assessment and any associated required remediation strategy/plan) attached to Planning Permission in Principle reference DC20/088 at land at the former Dunglass Oil Terminal, Dumbarton Road, Bowling by West Dunbartonshire Council.**

### 1.      **REASON FOR REPORT**

- 1.1**      This application seeks to vary a condition previously agreed by the Planning Committee as part of the approval of an earlier planning permission in principle (ref: DC20/088). Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

### 2.      **RECOMMENDATION**

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

### 3.      **DEVELOPMENT DETAILS**

- 3.1**      The application site extends to approximately 56 hectares and is located on the northern bank of the River Clyde. It is bounded by the River Clyde, the Glasgow to Dumbarton and Helensburgh railway line and the A82 Trunk Road. The national cycle route - NCN7 runs along the northern boundary of the site and cuts across the western part of the site. The cyclepath provides a local route to Bowling and Dumbarton as well as onto Glasgow and Balloch beyond.
- 3.2**      Two Category B listed buildings comprising Dunglass Castle and Obelisk Memorial to Henry Bell are also found within the site. The Inner Clyde Special Protection Area (SPA), Ramsar Site (Wetlands of international importance) and the Milton Burn Sites of Special Scientific Interest (SSSI) overlap and border the site to the south, along the River Clyde foreshore.
- 3.3**      The majority of the site comprises land of the former Dunglass Oil Terminal which was previously occupied by and currently remains under the ownership of Exxon Mobil and Esso Petroleum Company Limited. This was historically used as a fuel distribution terminal from the 1920s until the 1990's. While the majority of the site comprises the former oil terminal, there are other sections of land within the application site under separate ownership.

The application site also extends beyond the former oil terminal to include surrounding, existing road infrastructure. The former terminal has been vacant and unused since decommission and clearance was completed in 2001. Other land subject to the application includes fields and strips of land under private ownership and the Council is progressing the purchase of the whole application site. An extensive programme of remediation of parts of the former oil terminal site was granted planning permission in 2019 (ref: DC18/013). This comprises of works for areas known as Centerfield, Garden, Northfield and Westfield. A further planning permission was granted in December 2020 (ref: DC20/182) for an alternative revetment solution along the Centrefield frontage. The Eastfield area of the site has previously been remediated in 2014 under planning permission DC11/218. Esso and EXXON Mobil are currently undertaking the remediation works granted under the DC18/013 permission. It is currently expected that this work will be concluded by March 2024 although there is a subsequent monitoring period thereafter.

**3.4** In December 2020, planning permission in principle was approved (ref: DC20/088) for the re-development of the site comprising a mixed use development through a masterplan approach consisting of:

- Up to 44,450m<sup>2</sup> of commercial and industrial development comprising a mix of storage, distribution, industrial, business and office space;
- a new spine road with associated drainage and lighting infrastructure;
- Upgrades to the public road network;
- A new junction on the A82 at Dumbuck with closure of the existing junction;
- A remodelled junction on A82 at Dunglass;
- An enhanced routing of a section of the National Cycle Network Route 7;
- A new underbridge of the Glasgow-Dumbarton Railway at the western access to the site;
- A new railway overbridge at the eastern access to the site;
- Flood mitigation works;
- Site drainage works;
- Landscaping, green corridors and green open space;
- Environmental mitigation works;
- Establishment of platforms for development across the site.

**3.5** In January 2024, a Matters Specified in Conditions application (ref: DC23/113/MS) for conditions 1(a & d), 12, 23, 24 and 30 of the above Planning Permission in Principle Permission (ref: DC20/088) was approved by Planning Committee. This addresses the details relating to the road infrastructure, development platforms and associated works and details.

**3.6** The redevelopment of the site forms part of the Council's City Deal project. The development will provide a platform for major industrial and commercial development whilst, at the same time, providing road and infrastructure improvements to relieve pressure and provide an alternative route to the A82 through Milton. The development of the site will be progressed through 4 phases as follows:

- Phase 1 – road infrastructure work covering the eastern junction works at Dunglass, western junction works at Dumbuck, the eastern railway overbridge, western railway underbridge and the new spine road through the site.
- Phase 2 - creation of three development platforms (East, Central and West).
- Phase 3 – landscaping, utilities and energy infrastructure facilities.
- Phase 4 - on-site buildings, Dunglass Castle and Henry Bell Obelisk works.

**3.7** Condition 17 of the Planning Permission in Principle (ref: DC20/088/FUL) states that:

*“No development (other than investigative works) shall commence on site until such time as an assessment of the risks to all new receptors, such as people and buildings, that this development will introduce has been undertaken. If the risk assessment identifies any unacceptable risks, a remediation strategy/plan will be submitted to and approved in writing by the Council as Planning Authority prior to development works commencing. The report shall be prepared by a suitably qualified person”.*

**3.8** The applicant seeks to vary Condition 17 to allow Phases 1 and 2 of the development to commence without first having to submit and receive approval of an assessment of the risk to all new receptors across the whole site. The proposed variation to Condition 17 seeks to instead require the submission of a document outlining the approach to undertaking a new receptor risk assessment prior to the commencement of development on site. The risk assessment would then to be undertaken in accordance with the approved approach. The proposed variation to Condition 17 as suggested by the applicant reads as follows:

*“No development (other than investigative works) shall commence on site until an approach to undertaking a new receptor (e.g. people and buildings) risk assessment has been submitted to and approved in writing by the Planning Authority. The approach must be prepared by a suitably qualified professional(s). Any new receptors risk assessment shall then be undertaken in accordance with the approved approach unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, should any risk assessment identify unacceptable risks, a remediation strategy shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on the affected part of the site”.*

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Environmental Health's Contaminated Land Officer have no objections but request some changes to the wording of the proposed variation to Condition 17.

#### **5. REPRESENTATIONS**

- 5.1** No representations received.

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

- 6.1** As the principle of development has already been established through the earlier planning permission in principle (ref: DC20/088), the policies referenced below only relate to those works which are within the scope of works and development associated with Condition 17.

##### National Planning Policy 4 (NPF4)

- 6.2** National Planning Framework 4 (NPF4) did not form part of the adopted development plan at the time the application for Planning permission in principle was determined. Whilst the granting of planning permission in principle is not revisited in the context of NPF4, it is now part of the adopted development plan against which the current, and any future applications for the site, are required to be assessed against.
- 6.3** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises.
- 6.4** Policy 4 sets out requirements to be met when development affects Special Protection Areas/Sites of Special Scientific Interest (in this case the Inner Clyde SPA). Policy 7 addresses the historic environment and requires development proposals to fully assess the impact on historic assets or places, including listed buildings. This is relevant to Dunglass Castle and Henry Bell Obelisk which are listed buildings within the site.
- 6.5** Policy 9 aims to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings. Criterion (c) requires that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- 6.6** Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. Criterion (b) advises that development proposals will be supported where they are consistent with the six qualities of successful places, which includes 'Healthy'.

- 6.7** Policy 23 seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage and promote and facilitate development that improves health and wellbeing. Criterion (b) states that development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- 6.8** It is considered that the application proposal being assessed complies with the relevant policies of NPF4 and is assessed fully in Section 7 below.
- West Dunbartonshire Adopted Local Plan 2010
- 6.9** Policy GD 1 advises that new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Development proposals are required to assess and address environmental pollution and ensure that suitable remediation measures are undertaken on contaminated sites.
- 6.10** Policy BE2 relates to protection of Listed Buildings and seeks to ensure that there are no adverse impact on their character, appearance and setting. Policy BE4(5) specifically encourages the rejuvenation and restoration of Dunglass Castle and improvements to the setting of the castle will aid in this regard.
- 6.11** Policies E1, E2A and E2B relate to the Council's biodiversity duty and nature conservation matters.
- 6.12** It is considered that the application proposal being assessed complies with the relevant policies of the adopted Local Plan and is assessed fully in Section 7 below.

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

- West Dunbartonshire Local Development Plan (LDP2) Proposed Plan
- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration, although it does not directly affect the development proposal under consideration.
- 7.2** Policy CP1 seeks to ensure that new development takes a design led approach to creating sustainable places which put the needs of people first and demonstrates that they contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).

- 7.3** Policy ENV1 relates to nature conservation. Similar to the other plans, this policy stipulates that development with potential to have an impact upon on ecological designations like a SPA or SSSI will only be allowed if there would be no adverse impacts on the nature conservation interest, or where there are imperative reasons of overriding public interest.
- 7.4** Policies ENV5, which relates to the water environment, advises that the quality and enjoyment of the water environment will be protected and improved minimising pollution of all waterbodies and ground water resources.
- 7.5** Policy ENV9 requires developers to establish the nature of any contamination on any potential development site. Where contamination is present and risks to key receptors are identified, then remediation will be required to ensure the site can be made suitable for its future use.
- 7.6** It is considered that the application proposal being assessed complies with the relevant policies above as set out in the following assessment below.

Principle of Development and Section 42 applications

- 7.7** The principle of development on this site has already been established through the granting of planning permission in principle (ref: DC20/088) and is not being revisited as part of this application. Detailed permission (AMSC) was also recently granted for the road infrastructure, development platforms and associated works.
- 7.8** The advice from the Scottish Government (contained in Annex H of Circular 3/2022 – Development Management Procedures) is that in determining Section 42 applications, planning authorities may only consider the issue of the conditions to be attached to any resulting permission. As such, this application considers only the proposed variation to Condition 17 of the planning permission in principle in terms of the approach to risk assessment and any associated required remediation strategy/plan.

Ground Contamination/Remediation - Condition 17

- 7.9** Contaminants from the former oil storage facility are being addressed via the remediation undertaken by Esso and EXXON Mobil prior to the site being taken over by the Council. The Eastfield area of the site, which extends to approximately 5 hectares, was remediated in 2014 by permission DC11/218. In assessing the application for planning permission in principle (ref: DC20/088), both SEPA and the Council's Environmental Health Service were content that the remediation strategy would successfully mitigate the contamination on site from the oil terminal use and enable its re-development.
- 7.10** As part of the planning permission in principle (ref: DC20/088), Condition 17 was attached to ensure that an assessment of the risks to all new receptors, such as people and buildings, was carried out and a remediation strategy submitted.



- 7.11** While it is noted that no new receptors are applicable to Phases 1 and 2, the condition does not allow for these Phases to progress until an assessment of the risks to all new receptors, which only apply to Phases 3 and 4, has been undertaken. Some initial assessment works may, however, be required prior to the creation of the development platforms.
- 7.12** Further to the approval of Matters Specified in Conditions (ref: DC23/113/MS), which relates to Phases 1 and 2 of the development, the applicant is keen to commence development works on site. This application aims to enable works to progress by varying Condition 17 so that the submission and approval of an assessment of the risks to all new receptors is not required prior to the commencement of development on site. The proposed variation, set out below, requires the submission of a document outlining the approach to undertaking a new receptor risk assessment prior to the commencement of development. This approach will be expected to address the requirements for any initial assessment works prior to the commencement of the development platforms together with the risk assessment is to be undertaken in relation to Phases 3 and 4 where new receptors will occur. The risk assessment is then to be undertaken in accordance with the approved approach. The Council's Contaminated Land Officer has no concerns regarding the amendment to the condition to allow the alternative approach as the same requirements and commitments in terms of assessing risks and identifying any remediation requirements will still apply and ensure any requirements are fully addressed. The revised approach allows for greater flexibility in allowing the site to progress in a way which satisfies all parties. The Council's Contaminated Land Officer, however, sets out an alternative wording for an amended condition that they consider is required to ensure that the matter is satisfactorily addressed. It is considered that this wording, whilst very similar to the applicant's suggested approach, ensures the condition is enforceable whilst allowing flexibility for all parties. This wording of the proposed variation to Condition 17 is:

*"Unless otherwise agreed in writing by the Planning Authority, no development shall commence on site until the approach to undertaking an assessment of the risks to all new receptors, such as people and buildings, that this development will introduce has been submitted to and agreed in writing by the Planning Authority. The assessment of the risks to all new receptors shall then be undertaken in accordance with the approved approach unless otherwise agreed in writing by the Planning Authority. If the risk assessment identifies any unacceptable risks on any part of the site then a remediation strategy will be submitted to and approved in writing by the Council as Planning Authority prior to development works commencing on that part of the site. The report shall be prepared by a suitably qualified person".*

- 7.13** The proposed variation to Condition 17 raises no concerns with respect to human health, climate change, the natural environment or listed buildings within the site. While the variation would allow Phases 1 and 2 to progress without a site wide assessment of the risks to all new receptors, this would have a neutral effect in practice as no new receptors are identified for these phases.

The variation, by requiring that the approach to undertaking a new receptor (e.g. people and buildings) risk assessment be submitted to and approved in writing by the Planning Authority prior to the commencement of works, would still ensure that an assessment of the risk to all new receptors at Phases 3 and 4 is undertaken. Furthermore, the variation would ensure that should any risk assessment identify unacceptable risks, a remediation strategy shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on the affected part of the site.

- 7.14** In light of the above, it is considered that the proposed variation to Condition 17, subject to some minor wording changes beyond the applicant's suggestion, is acceptable as it would enable Phases 1 and 2 of the development to progress while ensuring that an assessment of risks to all new receptors is undertaken and appropriate remediation carried out, where required. The applicant is aware of the wording changes suggested by Environmental Health and raises no concerns.

## **8. CONCLUSION**

- 8.1** The acceptability of the re-development of the site is already established, with the granting of planning permission in principle (ref: DC20/088). This Section 42 application considers the proposed variation to Condition 17 of the planning permission in principle. The proposed variation, subject to some minor wording changes, is acceptable as it would enable Phases 1 and 2 of the development to progress while ensuring that an assessment of risks to all new receptors is undertaken and remediation carried out, where required. The Council's Land Contamination Officer has raised no concerns to this approach.
- 8.2** As the effect of granting planning permission for a Section 42 application is such that a new and separate standalone permission exists for the development, all other conditions associated with the planning permission in principle (DC20/088) are re-imposed to this permission, including Condition 17, as varied.

## **9. CONDITIONS**

- 1.** Prior to the commencement of works associated with any part of the development (apart from remediation works), an application(s) for approval of detailed design matters shall be submitted for the written approval of the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, all applications for the approval of matters specified in conditions shall be accompanied by:
  - a)** Development platforms and site layout plans showing the position of all buildings, roads, access arrangements, parking areas, footpaths, waterfront walkway, green corridors, open space, boundary treatments and drainage infrastructure.
  - b)** Block and layout plans showing existing, proposed and finished floor levels and elevations of each building, showing dimensions, and palettes of external materials.

- c) Applications that include proposals for buildings, will provide details of cycle parking, shelter and storage provision, electric car charging points, shower, changing and drying facilities and any other facilities and measures which promote and support active and sustainable travel.
  - d) Landscape and streetscape plans showing the locations and species of all proposed trees, shrubs, hedges, palettes of hard landscaping materials and street furniture. Where applicable, all trees and planting shall be sited at least 10 metres in distance from the railway boundary located within the application site. Where it is agreed for trees, shrubs are to be planted adjacent to the railway boundary located within the application site, these shall be positioned at a minimum distance from the boundary which is greater than their predicted mature height.
2. Any applications(s) for approval of matters specified in conditions for any phase or part of the development submitted under Condition 1 shall also accord with the elements of approved 'design and construction' and 'operational phase' management plans and strategies associated with Conditions 3, 4, 6, 7, 8, 10, 11, 13, 14, 15, 16 that are relevant to the development being proposed.
  3. Prior to the submission of the first application for the approval of matters specified in conditions, a Phasing Plan including details for the subsequent delivery for each phase of the development alongside timescales for implementation of the various phases shall be submitted to and approved in writing by the Planning Authority. The Phasing Plan shall contain a strategy for the submission of a series of future detailed applications as under Condition 1 above including the delivery and implementation of the approved zones (including the waterfront walkway, green spaces and green network corridors). The approved Phasing Plan including any measures therewithin shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates of the approved phasing plan shall be subject to the written approval of the Planning Authority and implemented thereafter as approved.
  4. Prior to the submission of any application for matters specified in Condition 1 (parts B, C or D), a design strategy to establish the principles for the design and locations of street furniture, railings, bollards, signage, bins, substations, generators and cycle parking shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, each application for approval of matters specified in conditions submitted shall adhere to the principles and requirements approved through the design strategy.
  5. Unless otherwise agreed in writing by the Planning Authority, prior to the submission of any application for matters specified in Condition 1 (A, B, C or D), a Preliminary Options Appraisal Report including a condition survey and scheme of repairs for the conservation, repair and reuse of Dunglass Castle (including the house, garden, walls) and the Henry Bell Obelisk in both in the short term and long term shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of any buildings to be located within Zones A

and B as identified on Parameters Plan (Drawing No. 30953/4504/002 Rev F), details of the final chosen option for Dunglass Castle (including the house, garden and castle walls) and the Henry Bell Obelisk shall be submitted to and agreed in writing Planning Authority. These details shall include a programme of works including timescales for obtaining relevant permissions alongside timelines for the delivery and completion of the works for the Dunglass Castle (including the house, garden, walls) and the Henry Bell Obelisk. Thereafter this shall be implemented as approved in accordance with the approved final strategy.

6. Prior to the submission of the first application for the approval of matters specified in conditions, a Soil Management Plan and Earthworks and Materials Movement Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), these submissions shall include:
  - Details of the assessment criteria and sampling frequency that would adequately demonstrate suitability for use.
  - A Waste Management and Recycling Strategy to address on-site waste and materials.

The approved plans and strategies shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. These shall remain in place for the duration of the construction phase of the full re-development of the site. Any modifications or updates required shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

7. Prior to the submission of the first application for the approval of matters specified in conditions, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the CTMP shall include details of measures for minimising the disruption of the construction works on existing local bus services along the A82 and A814. As part of such details it shall also demonstrate continuity of access along the A82 and A814 at all times, to allow for the continued operation of local bus services, except where otherwise agreed by the Planning Authority. The approved CTMP including any measures therewithin shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the duration of the construction phase of the full re-development of the site. Any modifications or updates required for the approved CTMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
8. Prior to the submission of the first application for the approval of matters specified in conditions, a Flood Risk Management Plan, a Construction Flood Response Plan and a Construction Drainage Plan shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved

'Environmental Statement Volume 1 Main Text (Dated: September 2019), the Construction Drainage Plan shall include confirmation that all foul drainage installed within the application site shall discharge into the public sewer network at all times. The approved plans including any measures therewithin shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for these approved plans shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

9. Prior to the occupation of any part of the site, all measures agreed in accordance with Condition 8 above which are associated with addressing flood risk shall be implemented. This shall also include those measures set out in Section 5.3.5 of the approved 'Environmental Statement Non-technical Summary (September 2019)' and Chapter 7 and figure 7.2 'Conceptual Flood Mitigation Strategy' of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019)'. Once implemented, all of these measures shall be maintained thereafter unless otherwise agreed in writing by the Planning Authority.
10. Prior to the submission of the first application for the approval of matters specified in conditions, a Lighting Strategy and an Otter Mitigation Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the Lighting Strategy shall provide specific confirmation that night lighting will be avoided during the months of September to March inclusive where such lighting would illuminate areas of inter-tidal habitat of the Inner Clyde Special Protection Area (SPA) to levels in excess of 1 Lux (i.e. the maximum natural night-time background light level). The approved strategies, including any measures therewithin shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for these approved strategies shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
11. Prior to the submission of the first application for the approval of matters specified in conditions, a Landscape Framework and Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the Landscape Framework and Strategy shall be prepared in accordance with the approved 'Landscape Framework Objectives' document (Dated October 2020) and shall update the approved masterplan and parameters plan for the site. The approved Landscape Framework and Strategy including any measures therewithin shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for this approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

12. Unless otherwise agreed in writing by the Planning Authority, as part of any applications for approval of matters specified in conditions, and with regard to the requirements of condition 1 above, a supporting report which evidences how the relevant development proposals complies with and delivers the requirements and aims of the 'Landscape Framework and Strategy' approved under Condition 11 above.
13. Prior to the submission of the first application for the approval of matters specified in conditions, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the CEMP shall also include a timetable and programme for all noise and vibration generating works associated with the construction of the development including the use of plant and machinery and vehicle movements. The timetable shall set out how the construction works will be programmed to minimise noise and vibration generation during the months of September to March inclusive and associated disturbance on wintering redshank and other qualifying features of the Inner Clyde Special Protection Area. Any noise generating works and/or operations agreed in consultation with the Planning Authority as being unavoidable during the period specified shall be accompanied by a schedule of mitigation detailing the measures that will be put in place to mitigate those impacts that will be caused by noise generating works and operations. The approved CEMP including any measures there within shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for the approved CEMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
14. Prior to the submission of the first application for the approval of matters specified in conditions, a Written Scheme of Archaeological Investigation and Programme of Archaeological Works shall be submitted to and approved in writing by the Planning Authority. Notwithstanding the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), this investigation shall be subject to a full Risk Assessment considering all areas of the site not previously covered by permission DC18/013 for the Remediation Strategy for the site. If required by the Risk Assessment, the scope for the Written Scheme of Archaeological Investigation shall be extended beyond the boundary of Zone F of the site and may include other areas. The approved written investigation and programme of works including any measures there within shall be implemented on site and shall remain in place for the duration of the construction phase of the areas subject to the investigation, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for the approved written investigation and programme of works shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
15. Prior to the submission of the first application for the approval of matters specified in conditions, an Energy Strategy shall be submitted to and approved in writing

by the Planning Authority. Further to the approach and overarching aims set out in the approved 'Energy Masterplan' (Dated, May 2020) document, the Energy Strategy shall include details for the delivery and implementation of on-site low carbon and renewable energy solutions, building specific technologies and features alongside any other measures aimed at increasing energy efficiency on the site. The approved strategy including any measures there within shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

16. Prior to the occupation of any part of the site, a Travel Plan including measures to minimise the impact of traffic and to promote sustainable and active travel choices for staff and visitors shall be submitted to and approved in writing by the Planning Authority. The Travel Plan shall include the details and requirements as set out in Section 7 of the approved 'Transport Assessment (Dated April 2019). The approved Travel Plan including any measures there within shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved Travel Plan shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
17. Unless otherwise agreed in writing by the Planning Authority, no development shall commence on site until the approach to undertaking an assessment of the risks to all new receptors, such as people and buildings, that this development will introduce has been submitted to and agreed in writing by the Planning Authority. The assessment of the risks to all new receptors shall then be undertaken in accordance with the approved approach unless otherwise agreed in writing by the Planning Authority. If the risk assessment identifies any unacceptable risks on any part of the site then a remediation strategy will be submitted to and approved in writing by the Council as Planning Authority prior to development works commencing on that part of the site. The report shall be prepared by a suitably qualified person.
18. Unless otherwise agreed in writing by the Planning Authority, prior to the submission of any approval of matters specified in conditions applications (AMSC), a full Site Investigation and Risk Assessment for areas of the AMSC site not previously covered by the Remediation Strategy to be undertaken in accordance with permission DC18/013 shall require to be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
19. In the event that contamination, which has not previously been identified and assessed, becomes evident at any time during the development of the site, it shall be reported in writing to the Planning Authority within 1 week. If such contamination can be dealt with without departing from the principles and outcome of an already approved remediation strategy then works can continue on the affected part of the site. If the contamination would result in a departure

from the principles and outcome of the approved remediation strategy and if requested by the Planning Authority, works shall cease and/or an investigation and risk assessment shall be undertaken and an amended remediation strategy shall be submitted to the Planning Authority for approval. The amended remediation strategy, once approved in writing by the Planning Authority, shall be implemented as approved prior to the recommencement of works in the affected area.

20. Prior to the occupation of any part of the site and unless otherwise agreed in writing by the Planning Authority, the proposed upgrade of Dunglass Roundabout Junction of the A82 (T) with the A814 to traffic signal control shall be constructed in accordance with approved plan 'Eastern Access' (Drawing No. 30953-STN-00-XX-DR-D-0021 Rev P01).
21. Prior to the occupation of any part of the site and unless otherwise agreed in writing by the Planning Authority, the proposed upgrade of the Dumbuck signalised junction of the A82 (T) with the A814 shall be constructed in accordance with approved plan 'Western Access' (Drawing No. 30953-STN-00-XX-DR-D-0020 Rev P01).
22. Development proposals affecting the route of NCN7, shall include arrangements for the temporary diversion of the NCN7. Such details shall be accompanied by measures which seek to mitigate the impact of the diversion such as the provision for wayfinding signage and the use of distinctive materials alongside other measures of route design required to ensure that the diverted route remains clear, attractive and intuitive to users. Thereafter the approved temporary diversion and associated mitigation measures shall be undertaken in a timescale agreed in writing by the Planning Authority. The mitigation measures shall be maintained on site for as long as the temporary diversion of the NCN7 remain in place.
23. Development proposals that propose to alter the route of NCN7 shall include details for the final arrangement of post-development reconfiguration of NCN7 at the western end of the site. These details shall include the final route and positioning of NCN7. Thereafter, the approved details shall be implemented as approved in a timescale agreed in writing by the Planning Authority.
24. Any development proposals that will permanently affect the route and function of existing bus stops shall be accompanied by a report assessing and reviewing the impact of the proposed road layout upon existing bus stop locations (including those stops situated along the A82 and A814). If required, the report shall include details for any new bus stops required or details for relocation of existing bus routes. The approved report, including any identified findings and measures shall be implemented in a timescale agreed in writing by the Planning Authority.
25. Prior to the commencement of any development on site, a trespass proof fence of minimum 1.8 metres in height shall be installed along the boundary of the railway line within the application site. Prior to its installation, details of the proposed trespass fencing including its location and design shall be submitted to, and approved in writing by the Planning Authority. The approved trespass



fence shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, the approved trespass fence shall remain in place for the duration of when construction works are taking place on the part of the site impacting the railway.

26. No development shall take place, between the months of September to March inclusive, until an independent Ecological Clerk of Works (ECoW) or on-site Ecologist (with ornithological experience) has been appointed by the developer/applicant to oversee, monitor and ensure the effectiveness of all ecological mitigation measures to protect the integrity of the Inner Clyde Special Protection Area and other ecological designations. The Planning Authority shall be notified in writing once this person has been appointed. Thereafter, the ECoW shall remain in place for the duration of the construction works associated with that part of the development, unless otherwise agreed with the Planning Authority.
27. Further to Condition 26, prior to appointing the ECoW, a 'scope of works' and 'terms of reference' for that person shall be submitted to and approved in writing by, the Planning Authority. This specifically shall detail the role and remit of the ECoW and the circumstances and timescales during the construction phase whereby they will require to be present within the application site. As a minimum, this shall detail that the ECoW shall:
  - Be kept adequately informed of and ensure compliance with the construction timetable and programming (including any variations to such details) to be agreed under the terms of approved CEMP alongside all other ecological mitigation measures and proposals which are to be in place for the lifetime of the construction work associated with the redevelopment of the site.
  - Have the capacity and authority to halt/postpone any construction works taking place during the sensitive over-wintering months (i.e. from September to March inclusive) and until such time as they believe the operations concerned will not result in any redshank, cormorants, goldeneye, oystercatchers, red-breasted merganser (or any other notified bird species) being displaced from feeding or roosting within the identified Inner Clyde Special Protection Area or within the designated Site of Special Scientific Interest (SSSI).
28. No development shall commence, between the months of September to March inclusive until a screening and protective barrier has been installed along the boundary between the Inner Clyde Special Protection Area (SPA) and the area proposed for development works within the application site (southern boundary of the water/foreshore edge boundary of the works area). Prior to its erection, details of the proposed screening barrier including its location, extent, design and level of obscurity shall be submitted to, and approved in writing by the Planning Authority. The approved screening barrier shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, the approved screening

barrier shall remain in place for when construction works are taking place within the part of the site impacting the SPA.

29. Further to Condition 28 above, in the event that any such screening barrier is to be replaced by more permanent screen planting, details of such proposals shall be submitted to and approved in writing by the Planning Authority prior to the removal of the screening barrier (between the months of September to March inclusive). Such proposals shall include details for planting along the edge of the development site area (referred to as the 'Green Corridor' on the approved Masterplan and Parameters Plan) combined with tree/scrub retention and appropriate reinforcement planting along the route of the new/upgraded road and along the edge of the existing railway line. The approved screen planting details shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority.
30. As part of any applications for approval of matters specified in conditions, and with regard to the requirements of condition 1 above, up-to-date protected species surveys insofar as required in relation to the area of proposed development and associated ecological features shall accompany development proposals within the site. These surveys shall be carried out by a suitable qualified ecologist at the appropriate time of year and will be provided to update the baseline information provided through the Environmental Statement and ecological surveys provided as part of this application. Furthermore, should the results of such surveys show them to be necessary, any such applications shall also be accompanied by the relevant species protection plans to identify any license requirements.
31. Prior to the commencement on any development on site, details of measures to protect retained trees and areas of woodland on the site during construction shall be submitted to and approved in writing by the Planning Authority. The details shall include specific details for the establishment of buffer zones for the protection of trees and area of woodland along and within the site boundary. Thereafter, unless otherwise agreed in writing by the Planning Authority, the approved measures shall be implemented and shall remain in place for the duration when construction works are taking place on site.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 14<sup>th</sup> February 2024**

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

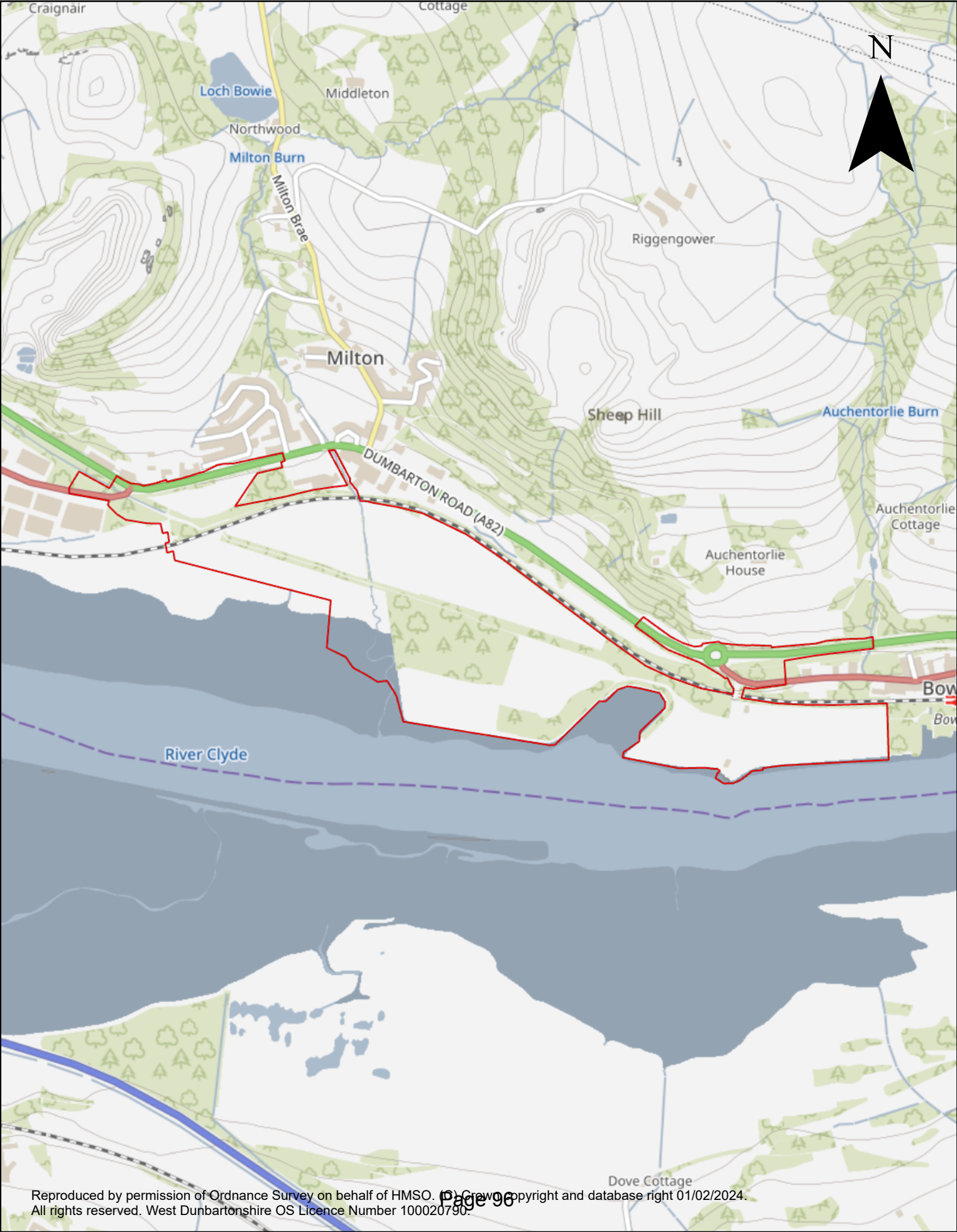
James McColl, Development Management Team Leader  
[james.mccoll@west-dunbarton.gov.uk](mailto:james.mccoll@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. National Planning Framework 4
4. West Dunbartonshire Local Plan 2010
5. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
6. Planning applications DC11/218, DC18/013, DC20/182, DC23/113/MS
7. Planning permission in principle DC20/088
8. Application for matters specified by condition DC23/113/MS

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



## WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 14<sup>th</sup> February 2024

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**DC23/205/FUL:**      **Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 7 of permission DC19/203 relating to the timing of footpath delivery for residential development site at Farm Road, Duntocher, Clydebank by Barratt Homes West Scotland.**

#### 1.      **REASON FOR REPORT**

- 1.1**      This application seeks to vary a condition attached to a planning permission in principle granted on appeal for an application proposal previously considered by the Planning Committee. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

#### 2.      **RECOMMENDATION**

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

#### 3.      **DEVELOPMENT DETAILS**

- 3.1**      The application relates to approximately 8.8 hectares of agricultural land on the northern edge of Duntocher. The site comprises two fields roughly similar in size, which are connected to each other by a narrow corridor. The north-eastern field lies on the west side of Farm Road, bounded by the back gardens of houses on Mirren Drive to the south and by the houses in the former Duntiglennan Farm buildings to the north. At its south-western corner is a connection into the south-western field, which is bordered by back gardens in Mirren Drive and Craigielea Road to the east and south. Both fields border farmland to the north and west. There are significant level changes across both parts of the site, with the land generally rising to the north. The land was previously used for agricultural grazing but is currently unused, and consists mainly of overgrown grassland. The south western field contains mature trees around its perimeter, and these are covered by a Tree Preservation Order.

- 3.2** Planning Permission in Principle application (ref:DC19/203) for the erection of 99 dwellinghouses, formation of access, landscaping, open space, SuDS and associated infrastructure was granted on appeal in September 2020, subject to seven conditions (ref: PPA 160-2030).
- 3.3** In March 2022, Matters Specified in Conditions application (DC22/049/MS) was submitted for conditions 1, 3, 5 and 7 of the planning permission in principle. Conditions 1, 3 and 5 related to the layout, siting and design of the proposed houses, access arrangements, car parking, levels, landscaping, garden space and provisions for waste, habitat survey, flooding and drainage. Condition 7 related to the provision of bus stops on Craigielea Road and associated footpath link. This application was refused by the Planning Committee in November 2022, but granted on appeal (PPA-160-2039) in January 2023.
- 3.4** The current application relates to Condition 7 of the planning permission in principle, which states that:
- “Unless otherwise agreed in writing by the Planning Authority, none of the houses within the development shall be occupied until bus stops and shelters have been provided on Craigielea Road, in locations to be agreed with the Council, as Roads Authority, and Strathclyde Partnership for Transport together with a footpath linking these stops with the development”.*
- 3.5** The current application seeks to vary the terms of Condition 7 under Section 42 of the Town and Country Planning (Scotland) Act 1997, as amended. The proposed variation would delay delivery of the footpath linking the bus stops to the housing development until occupation of the 64th house. The applicant has justified the variation on the basis that delivery of the footpath prior to the occupation of the 64<sup>th</sup> house would result in health and safety risks to users of the path. The variation sought only relates to the delivery of the footpath. No variation is sought to amend the requirement to provide the new bus stops on Craigielea Road prior to the occupation of the first house.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service offer no objections to the proposed variation of the condition.

#### **5. REPRESENTATIONS**

- 5.1** Thirteen objections have been received in connection with the proposed development. The full details are contained within the planning file and are available for public viewing. However, the points raised can be summarised as follows:

Residential Amenity

- Adverse noise effects.
- Adverse impacts on privacy.
- Development will result in air pollution from additional car travel from its greenbelt location.

Access and Parking

- Will result in additional traffic congestion and endanger the safety of pedestrians, mainly children.
- Could potentially restrict emergency vehicle access to Farm Road and adjacent streets.
- Insufficient road and pedestrian access has been provided.
- Will cause parking on pavements.
- Concern that additional bus stops will change the bus route along Craigielea Road with knock on adverse effects on traffic congestion.

Landscape and Visual Impact

- Will change the character and appearance of the local landscape.

Flood Risk and Drainage

- Flood risk.
- No information provided on how the existing drainage on the hill will be affected and any effects mitigated.

Other Issues

- Adverse effects on water pressure to existing properties.
- Adverse effects on food production from loss of agricultural land.
- Adverse impact on wildlife and eco structure.
- Condition 7 should be implemented as originally written.
- Concern that the applicant does not own all the land required for the footpath link.
- 'Off Site Bus Stops Plan' does not show existing paths.
- Bus stop on north side of Craigielea Road not required.

**6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

- 6.1** As the principle of development has already been established through the earlier planning permission in principle (ref: PPA 160-2030), the policies referenced below only relate to those works within the scope of works and development associated with Condition 7.

#### National Planning Framework 4

- 6.2** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.
- 6.3** Policy 13 supports proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs.
- 6.4** Policy 14 requires that proposals be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. In addition, proposals are supported where they are consistent with the six qualities of successful places, including 'Connected', which promotes well connected networks that make moving around easy and reduce car dependency.
- 6.5** Policy 15 relates to local living and 20 minute neighbourhoods. Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including access to sustainable modes of transport and high quality walking, wheeling and cycling networks.
- 6.6** It is considered that the application proposal being assessed complies with the relevant policies of NPF4 and is assessed fully in Section 7 below.

#### West Dunbartonshire Local Plan 2010

- 6.7** Policy SUS1 advises that the Council will pursue a sustainable approach to development and transportation issues by seeking to maintain and enhance the quality of the environment within the Plan area and integrating transportation and land-use planning matters.
- 6.8** Policy H5 safeguards and where possible seeks to enhance the character and amenity of existing residential area. Development within existing residential areas will be considered against the following criteria; the requirement to avoid over development which would have an adverse effect on local amenity, access and parking



- 6.9** Policy GD1 seeks to ensure that all new development is of a high quality of design, respects the character and amenity of the area and that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access.
- 6.10** Policy T1 states that the Council supports measures to provide sustainable transport modes including footpaths, cycle routes and improved access to public transport. The Council will give favourable consideration to proposals which increase access to public transport services and path networks, particularly in respect of employment areas, provided there are no adverse impacts on the amenity of the surrounding area.
- 6.11** Policy T4 states that developers should ensure that sites are well integrated into walking, cycling and public transport routes, and should give priority to the positioning of footpaths, cycleways and bus stops at the main entrances to developments or within residential areas. Significant new development will be expected to be sited so as to be accessible to public transport networks and developer contributions will be required where such development is shown to impact on the public transport infrastructure, including railways, in Transport Assessments.
- 6.12** It is considered that the application proposal being assessed complies with the relevant policies of the adopted Local Plan and is assessed fully in Section 7 below.

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

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

- 7.2** Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). Criterion (b) states that all new development is required to ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- 7.3** Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource. Criterion (b) states that applicants should demonstrate how the design and layout of development prioritises active travel modes (linking work places, schools, community facilities and public transport hubs) and recreation routes, as well as maintains and enhances the quality and connectivity of the active travel network.
- 7.4** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport. All new development will require to prioritise active travel, by incorporating new, and providing links to, existing footpaths, cycle routes and public transport routes.
- 7.5** It is considered that the application proposal being assessed complies with the relevant policies above as set out in the following assessment below.

Principle of Development and Section 42 applications

- 7.6** The principle of development on this site has already been established through the granting of planning permission in principle (ref: PPA 160-2030) and is not being revisited as part of this application. The advice from the Scottish Government (contained in Annex H of Circular 3/2022 – Development Management Procedures) is that in determining Section 42 applications, planning authorities may only consider the issue of the conditions to be attached to any resulting permission. As such, this application considers only the proposed variation to Condition 7 of the planning permission in principle in terms of the delivery timescale for the footpath link.

Public Transport Footpath Link – Condition 7

- 7.7** Condition 7, which seeks to facilitate the use of public transport by residents of the development, was attached to the planning permission in principle as detailed in paragraph 3.4 above. The locations of the bus stops and shelters have been agreed with the Council and were approved as part of the Matter Specified in Conditions permission.

The applicant has justified the footpath link being provided prior to the occupation of 64<sup>th</sup> house on the basis of health and safety considerations during construction.

- 7.8** Phase 1 of the development is located in the northern part of the site and it is accepted that the provision of a path linking the Phase 1 properties to the bus stops on Craigielea Road would bring pedestrians into closer contact with construction vehicles, plant and machinery which require to use an adjacent route to access the southern part of the development, which would still be under construction. It is noted that linking new houses within Phase 1 to the bus stops would require approximately 600m of unlit footpath to be formed through an active construction site, which could potentially pose health and safety risks for users of the path. The concerns raised by the applicant are accepted. In further assessing the proposed variation to the condition, a key consideration is the extent to which delaying delivery of the footpath would restrict pedestrian access from the Phase 1 properties to the agreed bus stops. As there is an existing asphalt, street lit and overlooked footpath available through the existing street network, via the main site access at Farm Road southwards along Craigielea Road and westwards to the agreed bus stops, it is considered that delaying delivery of the footpath would not significantly restrict pedestrian access for residents from Phase 1. The Council's Roads Service offers no objections to the proposed variation of the condition in terms of delaying the provision of the footpath link.
- 7.9** With respect to when it would be appropriate to deliver the footpath, the variation seeks to delay delivery until occupation of the 64<sup>th</sup> house, which is the first house in Phase 2. While the southern part of the site would still be under construction at this point, it is considered appropriate that the footpath should be delivered at the start of Phase 2 as this part of the site is significantly further from Farm Road than the Phase 1 part of the development. In light of the above, it is considered that the proposed variation is acceptable, as it would reduce health and safety risks to pedestrians while still ensuring that the footpath is delivered in time to promote pedestrian access between the development, particularly Phase 2, and the agreed bus stops. A condition is proposed that the development is completed through a continuous programme of construction and this will ensure that it remains that the delivery of the footpath link forms part of any development of the site.
- 7.10** The delivery of the footpath linking the development with public transport nodes contributes to the promotion of sustainable transport and the creation of a successful place. As such, it is supported by NPF4, the adopted Local Plan and proposed LDP2 policies set out in sections 6 and 7 of this report.

While the proposal seeks to vary the timescale for delivery of the footpath, it does not seek to completely remove the requirement, thereby meeting the terms of the above policies in terms of accessibility, permeability and promoting sustainable travel.

#### Access and Parking

- 7.11** It is noted that the objections raised a number of concerns related to access and parking. There is concern that the proposal would not provide sufficient road and pedestrian access and would adversely affect existing access by increasing traffic congestion, which could potentially endanger pedestrian safety and restrict emergency vehicle access to Farm Road. In addition, concerns are raised that the bus stop on the north side of Craigielea Road is not required and that the additional bus stops proposed will change the bus route along Craigielea Road. As the current application seeks only to vary the timescale for delivery of the footpath link, matters relating to parking, road access, additional bus stops and the level of pedestrian access are not material to the assessment of the application. These matters were fully addressed as part of the Planning Permission in Principle and the Matters Specified in Conditions permissions.

#### Other Matters Raised in Representations

- 7.12** A range of other issues have been raised in the objections received, which have not already been assessed above. It is noted that the applicant does not own all the land required to deliver the footpath link. While the council is aware that the applicant does not control all the relevant land and acknowledges that this could potentially affect delivery, it is understood that discussions are ongoing between the applicant and the land owner. Should no agreement be reached then the applicant may require to revisit the matter and any additional amendments to the requirements to provide the footpath link will require a further application to be submitted for consideration. The outstanding ownership issues does not impact on the determination of this application.
- 7.13** The other issues raised include adverse impacts on residential amenity (i.e. noise disturbance, privacy and air pollution), landscape character, wildlife and eco structure, food production, flood risk, drainage and water pressure to existing properties. These matters are not considered material to the assessment of this application, which relates solely to the delivery timescale of the footpath link. It is also considered that such matters were fully addressed as part of the Planning Permission in Principle and the Matters Specified in Conditions approvals

## **8. CONCLUSION**

- 8.1** The acceptability of the principle of residential development on the site is already established, with the granting of planning permission in principle at appeal. The proposed variation is acceptable as it would reduce health and safety risks to residents pedestrians while still ensuring that the footpath is delivered to promote pedestrian access between two phases of the development. .
- 8.2** As the effect of granting planning permission for a Section 42 application is that a new and separate standalone permission exists for the development, those conditions which were attached to the Planning Permission in Principle are re-imposed to this permission, including Condition 7, as varied by this permission if approved together with an additional condition regarding the continuous implementation of both phases of the development.

## **9. CONDITIONS**

1. No development shall commence on site until such time as approval of the detailed design and layout of the residential development (hereinafter called "the matters specified in conditions") has been granted by the planning authority. Any application for approval of matters specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
  - a) the overall site layout;
  - b) the orientation, size, height, design and external appearance of the proposed houses;
  - c) the means of drainage and sewage (including perimeter drainage) which shall incorporate the principles of Sustainable Drainage Systems (SuDS);
  - d) details of the full access arrangements (including a swept path analysis to demonstrate the suitability of the road layout within the site for refuse vehicles) ;
  - e) provisions for car parking;
  - f) boundary walls/fences to be erected and/or retained;
  - g) existing and proposed site levels and floor levels;
  - h) hard and soft landscaping for the site;
  - i) the provision of private open space within each house plot to West Dunbartonshire Council's Residential Design Guidance Standards; and
  - j) provisions for the storage and collection of waste arising from the development.

2. Prior to the commencement of development on site, details of the measures to be taken to protect the existing trees on the site, as identified in the Tree Survey and Arboricultural Report, dated September 2019, shall be submitted to and approved in writing by the planning authority. The approved measures shall thereafter be fully implemented during the course of all construction works on the site. None of these trees shall be felled, lopped or topped except as otherwise approved by the authority.
3. Further to Section 4.2 of the approved Extended Phase 1 Habitat Survey (dated 15 August 2019) the further badger, otter, water vole and bat surveys and assessments shall be carried out and submitted for approval by the planning authority as part of the detailed application(s) for the matters specified in conditions. If no works have commenced on site by 1 August 2021, a new habitat survey shall be undertaken and submitted as part of the detailed application(s). This shall either confirm that the findings and recommendations of the original survey remain valid or alternatively outline further recommendations as required based on current circumstances.
4. 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 to and approved in writing 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 Archaeological Service.
5. Further to Appendix 4: 'Flood Risk Assessment' of the approved Engineering Assessment and Drainage Report (dated September 2019), any modification or alterations to the indicative masterplan layout of the proposed residential development (as shown on approved plan 'Masterplan' (Drawing No. 5914(2) S005 Rev E) shall be subject to a further Flood Risk Assessment. This shall be submitted as part of the application(s) for the approval of matters specified in conditions.
6. No development shall commence on site until a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include the following information:
  - a) a site management plan including details of the management/storage of soil and construction materials, of the storage of all waste materials, and for the parking of all vehicles associated with the construction operations;

- b) a construction method statement, detailing the hours of construction operations and deliveries, measures to prevent the transmission of noise to adjoining residents, and measures to control the spread of dust from the site;
  - c) details of wheel-washing arrangements;
  - d) a construction traffic management plan; and
  - e) details of construction stage sustainable drainage measures, including provision for
  - f) the prevention of pollution of groundwater or surface watercourses.
7. Unless otherwise agreed in writing by the Planning Authority, none of the houses within the development shall be occupied until bus stops and shelters have been provided on Craigielea Road, in locations to be agreed with the Council, as Roads Authority, and Strathclyde Partnership for Transport. Furthermore a footpath linking these stops with the development shall be provided prior to the occupation of the 64th dwellinghouse in the development site.
8. That the development shall be implemented in a continuous programme of construction commencing with the northern field as Phase 1 and concluding with the southwestern field as Phase 2.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 14<sup>th</sup> February 2024**

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

James McColl, Development Management Team  
Leader  
[James.Mccoll@west-dunbarton.gov.uk](mailto:James.Mccoll@west-dunbarton.gov.uk)

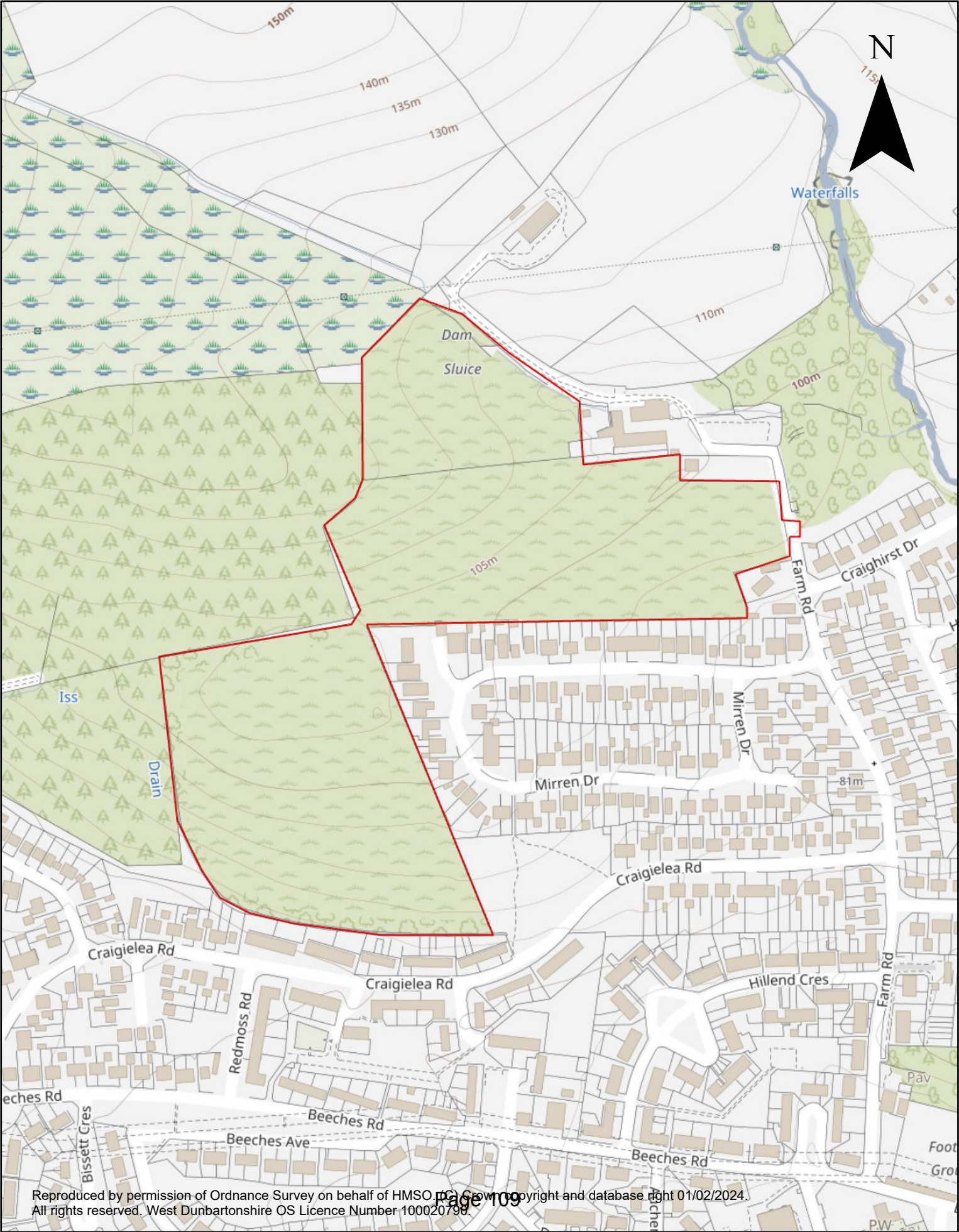
**Appendix:** Location Plan

**Background Papers:**

1. Application forms and plans
2. Consultation responses
3. National Planning Framework 4
4. West Dunbartonshire Local Plan 2010
5. Proposed West Dunbartonshire Local  
Development Plan 2 2020, as amended
7. Representations  
Planning Appeal Decisions PPA-160-2030 and
8. PPA-160-2039

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







## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 14<sup>th</sup> February 2024

**DC22/185/FUL:**      **Change of ground for the siting of three holiday lodges, associated waste water treatment plant and ancillary car parking at Former Maryland Water Pumping Station, Garshake Road, Dumbarton by Mrs Mary Gillies**

### 1. Purpose

- 1.1** To provide the Committee with additional information following continuation of the above planning application and to seek the Committee's decision on the application.

### 2. Recommendations

- 2.1** **Grant planning permission** subject to the revised conditions set out in Appendix 2 of the report.

### 3. Background

- 3.1** The above planning application was presented to Planning Committee on 13<sup>th</sup> April 2023. Appendix 1 contains a copy of the report previously considered by Planning Committee. It was determined by Committee to continue the application to allow officers to seek further detailed information on drainage and parking, which were proposed to be secured through condition, prior to the application being determined. The Planning Committee also requested that the applicant address concerns raised about the visual impact and safety of the stepped access to the lodges and the lack of disabled access.

- 3.2** The applicant subsequently submitted an updated layout with the following changes:

- The stepped access from the car park to the central courtyard and lodges at upper level has been removed and the resulting opening in the 1.1m high wall closed off with timber cladding consistent with the rest of the wall.
- A new, more gradually sloping stepped access is proposed adjacent to the western elevation of Unit 1.
- Addition of a second 1.2m wide hard surfaced footpath which takes a wider sweep around the western side of Unit 1, with a lesser gradient (1 in 12) enabling wheelchair access.

- Two car parking bays at the western end of the parking area have been re-positioned to enhance the overall area for turning/reversing.
- One car park space has been designated for disabled drivers.

**3.3** In addition to the proposed changes, further information on drainage has been provided, which advises that waste water will be discharged via a soakaway to an on-site Sewage Treatment Plant, with surface water drainage collected and discharged via soakaways. A Phase 1 Desk Top Study on the historical usage, geology and potential contamination has also been submitted.

**3.4** In addition to the further details requested by Planning Committee, the applicant has also indicated that they are agreeable to the attachment of an additional Planning Condition restricting occupancy of the lodges to a maximum of 4 people per unit.

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

**4.1** There are no material changes to either the development plan position or the circumstances of the site since Committee previously considered the application.

##### Parking

**4.2** With respect to the requirement for a turning area that facilitates cars to enter and exit in a forward gear, which was highlighted in the original consultation response from the Roads Service, two car parking bays at the western end of the parking area have been re-positioned to enhance the overall area for turning/reversing. Disabled parking provision has also now been added. An updated consultation response from the Roads Service advises that the revised parking layout raises no concerns. It is therefore considered that the revised parking layout is acceptable.

##### Water Supply and Drainage Arrangements

**4.3** With regard to foul and surface drainage, the applicant has submitted further information which advises that waste water will be discharged via a soakaway to an on-site Sewage Treatment Plant, with surface water drainage collected and discharged via soakaways. It is noted that the drainage arrangements will meet current standards and SEPA Guidelines. In support of the proposed drainage arrangements, a Phase 1 Desktop Study on the historical usage, geology and potential contamination has been submitted. This study identified no potential contaminative uses of the site and concluded that the proposed holiday lodges would have a very low impact on the site and that there is a very low risk to current and future users. The drainage proposals have been considered by the Roads Service, who raised no objection in their consultation response. In light of this, it can be concluded that the proposed drainage arrangements are acceptable.

#### Design and Appearance of the development

- 4.4** In response to concerns about the safety and visual impact of the stepped access from the centre of the car park to the courtyard and lodges at the upper level, this access has been relocated to be adjacent to the western elevation of Unit 1. The gradient of the access has also been significantly reduced. It is considered that locating the stepped access to the side of the existing structure and Unit 1 will significantly reduce the visual impact, with the more gradual gradient also reducing safety concerns. As such, the new stepped access is acceptable.
- 4.5** Further to concerns about the lack of disabled access to the lodges, the revised layout includes a second 1.2m wide hard surfaced footpath which takes a wider sweep around the western side of Unit 1, with a lesser gradient (1 in 12). It is considered that this path will enable wheelchair access and is therefore acceptable.

#### Other matters

- 4.6** Whilst not an issue that the Committee sought additional or revised details in respect of, the applicant has provided updated details on the occupancy of the holiday lodges. The applicant has indicated that they are agreeable to the attachment of a planning condition restricting occupancy of the lodges to a maximum of 4 people per unit. It is considered that this will additionally allow further control over the occupation and use of the site, further reducing any potential impacts.

#### Conclusion

- 4.7** It is considered that the revised layout and details has addressed the requirements for further information on drainage and parking, which were identified in the April 2023 Committee Report (see Appendix 1). Additional changes to the stepped access and the provision of wheelchair access are also welcome and acceptable. Overall, the amendments to the detail and design beyond that previously granted planning permission in 2021, will have no significant or adverse effects on the physical appearance of the overall development or significant impacts on the surrounding landscape and visual amenity. The proposed changes are considered acceptable. It remains the case that the revised proposal accords with NPF4, the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan 2. The recommendation in 2.1 of this report is to grant the application subject to the revised conditions detailed in Appendix 2.

### **5. People Implications**

- 5.1** None.

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

- 6.1** There are no financial or procurement implications in terms of this report.

## **7. Risk Analysis**

**7.1** No risks have been identified.

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

**8.1** Not required.

## **9. Environmental Sustainability**

**9.1** Matters relating to environmental sustainability have been fully considered via the planning application assessment.

## **10. Consultation**

**10.1** Consultation was undertaken as part of planning processes associated with the planning application. The proposed amendments and additional details provided do not result in any significant change to the proposal that requires the application publicity to be re-issued.

**10.2** An updated consultation response was received from the Council's Roads Service who raise no objections on parking the drainage matters.

## **11. Strategic Assessment**

**11.1** There are no strategic issues.

**Pamela Clifford**

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

**Date: 14<sup>th</sup> February 2024**

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

James McColl, Development Management Team Leader  
[james.mccoll@west-dunbarton.gov.uk](mailto:james.mccoll@west-dunbarton.gov.uk)

**Appendix1:** DC22/185/FUL Committee Report (19/4/2023)

**Appendix2:** Updated conditions

**Appendix3:** Location Plan

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

## ITEM 6e - APPENDIX 1

### WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 19<sup>th</sup> April 2023

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**DC22/185/FUL: Change of ground for the siting of three holiday lodges, associated waste water treatment plant and ancillary car parking at Former Maryland Water Pumping Station, Garshake Road, Dumbarton by Mrs Mary Gillies**

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

- 1.1** The application has been subject of a number of objections, including one from the Silverton and Overtoun 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 set out in Section 9.

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

- 3.1** The application relates to a former Scottish Water site located adjacent to a private road approximately 380m northwest of the fork at the top of Garshake Road Dumbarton. The site is 0.2ha in size and split across two distinct levels, with the upper level created by a former water storage tank, which measures approximately 20.4m x 15m. In addition to the storage tank, the site also includes a lower section which provides level access to the private road. The site is bounded by the private road to the east, mature woodland to the west and north, and a narrower strip of trees to the south.
- 3.2** In 2021, planning permission was granted for a change of use of the site for the siting of three holiday lodges, including a waste water treatment area and ancillary car parking (DC21/096/FUL). It was subsequently brought to the Council's attention that the applicant had undertaken works on site which did not follow the planning permission granted. Following discussions with the applicant, an application was submitted in respect of the changes undertaken on site which did not accord with the planning permission granted.
- 3.3** The main amendments to the proposal are as follows:

- The dimensions of all proposed units has been altered, with each unit having a footprint of 55sqm, being 11m L x 5m W, 2.5m to eaves height and 3.2m to the highest point of the roof.
- In relation to the units previously approved, the proposed footprint of Units 1 and 3 have been reduced by a total of approximately 32.8sqm (16.4sm each), with the highest point of the proposed roof reduced by 0.2m. The proposed footprint of Unit 2 has increased by 7.7sqm, with the highest point of the proposed roof reduced by 0.7m. Overall, the total footprint proposed represents a decrease of 25.1sqm.
- Number and placement of windows and doors has been altered, with each unit having three double windows on the front elevation, a set of double doors on the gable elevation and one double window on the rear elevation. Previously, Units 1 and 3 had two double windows and a front door on the front elevation, two double windows on Gable 1, two windows on Gable 2 and a double window and set of French doors on the rear elevation. Unit 2 differed in having three windows on Gable 1, one window on Gable 2, with the rear elevation having one window at upper level.
- Unit 2 re-ordinated through 90 degrees.
- Units 1 and 3 moved forward by approximately 3 metres.
- Profile of external staircase between the upper and lower sections, which previously comprised a half-landing before turning and continuing upwards, has been straightened as one.
- Demolition of single storey former valve house, which was previously retained
- Opening of the front elevation of former water tank to allow installation of new double doors measuring 2.1 W x 2.3 H.
- Alterations to the parking layout and associated works, with two car parking spaces to the west of the external staircase removed and two new spaces created to the east of the staircase.
- Timber cladding added to the front elevation of the former water tank, including new door opening.
- Addition of a new 1.6m high timber screen fencing along the gable ends of unit 2, a 1.6m high wall to the north of the gable end of unit 1 and a 1.1m high wall along the front edge of the former water tank

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have no objections on roads and parking grounds subject to the applicant addressing the requirement for turning space within the site. No objection on flooding grounds.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objection, subject to two conditions relating to re-use of site material and unexpected contamination being attached.
- 4.3** Scottish Water have no objection to the proposed alterations.

#### **5. REPRESENTATIONS**

- 5.1** Nine objections from local residents (some of whom have forwarded multiple submissions), the Woodland Trust, and the Silverton and Overtoun Community



Council were received. The detail of each representation is available in the electronic planning file for the application and available for public viewing. The material concerns raised in the objections can be summarised as follows:

#### Layout and Design

- Concern that U-shaped layout lends itself to group bookings.
- Lodges have changed significantly in size, design and positioning.
- Design of lodges is cramped to achieve maximum occupancy.
- New 1 metre wall on top of former water tank is obtrusive and dominant.
- External staircase now has a straight profile, with concrete finish not in keeping with rest of the development and surrounding rural area.
- Removal of original valve house has altered front façade.
- Lodges 1 and 3 previously had an outlook to the River Clyde, which has been removed.
- No landscape plan provided.
- Entrance gates not in keeping with surrounding landscape.
- No disabled access.
- Proposal constitutes overdevelopment.

#### Landscape and Visual Impact

- Adverse effects on local character and visual amenity.
- Trees removed outwith site, but close to boundary.

#### Residential Amenity

- Proposal would result in anti-social behaviour.
- Disturbance to residential amenity, including sheltered housing on Baxter View.
- Believe a hot tub will be built on the terrace area.

#### Access and Parking

- Adverse impacts on road safety due to increased traffic generated.
- Lack of adequate parking provision.
- Lack of turning head space within parking area.
- Location of two new car parking spaces will create congestion at entrance and result in cars reversing onto farm track.
- Straightened external staircase will make turning more difficult in the site.
- Adverse safety impacts on use of Core Path no.56.

#### Drainage

- No details provided on surface water or foul drainage.
- Concern that a soakaway cannot be supported on the site.
- No servitude rights to access mains water or discharge wastewater to adjacent land.

#### Procedure

- Private access should be included in the application site boundary.
- Application DC21/096/FUL not properly assessed.
- Planning conditions attached to DC21/096/FUL disregarded.

- Planning permission for DC21/096/FUL should be invalidated.
- No Building Warrant for the development.
- Site description is inaccurate.
- General lack of detail in application.

#### Other Issues

- Contrary to Green Belt Policy.
- Applicant does not own or have full permission to use the private road to access the application site.
- Development will result in adverse impacts on the ancient woodland within Barr Wood.
- Site not suitable for development due to its location between two high voltage pylons.
- Unauthorised works undertaken.
- Opening of the former water tank is a change of use.
- Concern about future use of former water tank and its structural integrity
- Engineer's Report on former water tank not submitted.
- No net environmental gain identified.
- No carbon reduction plan or inclusion of any renewable energy technology.

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

### National Planning Framework 4 (NPF4)

- 6.1** National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13th of February 2023 and now forms part of the Development Plan.
- 6.2** Policy 1 relates to tackling the climate and nature crises. When considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation. Policy 3 seeks to protect biodiversity, reverse biodiversity loss, and deliver positive effects from development and strengthen nature networks. Criterion (c) states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Overall, the proposal re-uses an existing structure as part of the development and as such the embodied energy of the structure remains. It is considered that the nature and small scale changes proposed to the design and layout would have a neutral effect in respect of Policies 1, 2 and 3.
- 6.3** Policy 8 seeks to promote and facilitate compact urban growth and only supports development in the Green Belt in certain circumstances. Proposals are also required to meet additional criteria, including the need for development to be compatible with the surrounding established countryside and landscape character; be designed to an appropriate scale, massing and external appearance; use materials that minimise visual impact on the green belt as far as possible; and have no significant long-term impacts on the environmental quality of the Green Belt.
- 6.4** Following the grant of planning permission for DC21/096/FUL, the principle of development in a Green Belt location is established. Following an assessment of

the proposed layout, design, impacts on landscape character and visual amenity, set out in section 7 below, it is considered that the proposal, specifically the proposed changes to DC21/096/FUL, complies with the Policy 8.

- 6.5** Policy 14 aims to promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the place principle. The policy supports proposals which are consistent with the six qualities of successful places; healthy, pleasant, connected, distinctive, sustainable and adaptable. It is considered that the small scale nature of the proposed changes to the layout and design do not raise any concerns with regard to six qualities of successful places.
- 6.6** Flood risk and water management is covered in Policy 22. The proposal is not at risk of flooding or considered to add to flood risk. The policy goes on to require proposals to manage all rain and surface water through sustainable drainage systems (SuDS). A SuDS / soakaway arrangement is proposed and final details can be addressed by condition.
- 6.7** Development proposals that are likely to raise unacceptable noise issues will not be supported, in accordance with Policy 23. The site is located some 300 metres from the nearest adjacent properties and in any case, the amendments being considered would not result in any noise concerns beyond the consented position.
- 6.8** Tourism proposals are addressed by Policy 30, which sets out a range of criteria to be taken into account. In this case, the acceptability of the use of the site is already established by the extant planning permission and the amendments under consideration raise no issues that require assessment in respect of this policy.
- 6.9** Overall, it is considered that the proposal is supported by and presents no conflict with the policies set out within NPF4 and is assessed fully in Section 7 below.

#### West Dunbartonshire Adopted Local Plan 2010

- 6.10** Policy GB1 aims to restrict the types of green belt development which could be accommodated within the urban area by defining the uses and types of development that are acceptable in the green belt. It notes that development which would have an adverse effect on the landscape character of the local area is not supported. The principle of development is established by the previous permission. It is considered that the proposal would not have any significant adverse effects on landscape character, with further assessment set out in section 7 below.
- 6.11** Policy GD1 of the Local Plan seeks to ensure that all new development enhances the Plan area and environmental quality in general through an emphasis on high quality design. Proposals are required to meet a number of criteria, including the need to be appropriate to the local area in terms of land use and layout and design; be energy efficient and meet the roads, parking and access requirements of the Council.
- 6.12** The proposed changes to the layout and design are assessed in section 7 below, which concludes that they are appropriate and do not raise any concerns with respect to the six qualities of successful places. Further to the assessment of

parking below, it is considered that the proposal meets the Council's parking standards.

- 6.13** Policy F2 requires proposals to satisfy the principles of Sustainable Drainage Systems (SuDS) and identify maintenance arrangements, where appropriate. The policy also requires Drainage Impact Assessments (DIA) to be submitted for any proposals which requires waste or surface water to be drained. The principle of private waste water treatment on the site was established through DC21/096/FUL and, subject to the final details being agreed, there is no conflict with this policy.
- 6.14** Policy LE8 supports applications for tourist industry development, subject to there being no adverse environmental, landscape, infrastructure and transport implications; a clear locational need and significant economic benefit. As noted above, the acceptability of the use of the site is already established by the extant planning permission and the amendments under consideration raise no issues that require assessment in respect of this policy.
- 6.15** The proposal complies with the policies of the adopted Local Plan and is assessed fully in Section 7 below.

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

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

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** Policy GB1 seeks to direct new development towards the urban area in order to support regeneration and maintain the attractiveness and character of the Green Belt, whilst also supporting economic development and diversification in the green belt, under certain circumstances. This support is subject to a number of additional requirements being met, including the need for proposals to be fully compatible with surrounding established countryside character, and avoid unacceptable impacts on the environmental quality and landscape character of the Green Belt. In addition to the principle of development having already been established, it is considered that the small scale and type of changes proposed to the layout and design would be compatible with the surrounding landscape character and would avoid any significant adverse effects on the landscape and surrounding environmental quality.
- 7.3** Policy CP1 requires new development to take a design-led approach to creating sustainable places, which put the needs of people first and demonstrate the six qualities of successful places. Further to the assessment of changes proposed to the layout and design, set out in Section 7 below, it is considered that the proposal complies with the policy.

- 7.4** Policy CP2 seeks to promote the role of green infrastructure in creating high quality places. The policy requires proposals to integrate Sustainable Drainage Systems (SuDS) features in line with the current Sewers for Scotland Guidance (i.e. v 4.0), with applicants required to demonstrate how the design and layout of SuDS reflects and responds to the site circumstance and local landscape character.
- 7.5** Policy E6 supports tourist facilities where there would be no adverse effect on the integrity of a Natura 2000 site and they avoid adverse impacts on the green network and built heritage. With the acceptability of the use of the site already established by the extant planning permission and the amendments under consideration raising no issues, further assessment in respect of this policy is not required.
- 7.6** It is considered that the proposal being assessed presents no conflict with the relevant policies of the proposed LDP2.

Principle of Development

- 7.7** The principle of development for the proposed use of the site and erection of three holiday lodges is already established through the grant of planning permission for DC21/096/FUL, which remains extant for the development of the site. The principle of the development does not therefore require to be further assessed as part of this application as this has been agreed by the previous permission.

Design and Appearance of the development

- 7.8** The proposed site is located in a rural area adjacent to a private road approximately 380m northwest of the fork at the top of Garshake Road in Dumbarton. The site is well screened by mature woodland to the west and north, and a narrower strip of trees to the south. As such, the site is only visible when in close proximity to it. The revised design of each lodge does not raise any concerns with regard to their external appearance, outlook or impacts on the wider site. Indeed, each lodge having the same design and dimension delivers a higher level of uniformity and coherence than that previously approved. It is also noted that revised design will result in the lodges having a smaller overall footprint than that originally approved. With regard to layout, it is considered that the re-orientation of Unit 2 by 90 degrees would have a positive effect by creating a more enclosed and defined space that contributes to a greater sense of place within the wider site. Moving Units 1 and 3 forward by approximately 3 metres to be adjacent to the front edge of the former water tank is considered to have a neutral effect. The provision of appropriate landscaping can be addressed through condition. Overall, the design, appearance and visual arrangement of the lodges situated on the former water storage tank is considered acceptable and also improves the overall arrangement on site beyond the consented position.
- 7.9** The amended design to the stairway within the site giving access between the lower and upper sections results in a straight stairway rather than the previous half-landing before turning and continuing upwards arrangement. Whilst this marginally increases the visual impact of the staircase when viewed from outwith the site, the arrangement is considered acceptable as the overall site is well screened and not visually prominent. However, notwithstanding the straightened profile of the external staircase being acceptable, the concrete finish proposed

raises concerns visually and is not considered to be compatible with the more natural timber material finishes across the wider site. In light of this, and following discussions with the applicant, it was agreed that either side of the staircase would be clad in timber to match that of the wider site. The removal of the valve house to allow for a better car parking arrangement does not have any adverse visual impact and in any case, a non-residential building could be demolished without requiring planning permission.

- 7.10** Turning to the amended walling and fencing arrangement within the site, the introduction of 1.6m high timber screen fencing along the gable ends of unit 2, a 1.6m high wall to the north of the gable end of Unit 1 and a 1.1m high wall along the front edge of the former water tank is considered to be proportionate in scale to the wider development, with the timber fencing in keeping with the timber finishes of the lodges. To soften the effect of the proposed walls, a condition requiring a timber clad finish is recommended. The amendment to the entrance gate does not raise any concerns and is acceptable. The opening formed within the front wall of the former water storage tank, which will be fitted with steel double doors with a timber clad finish, is considered compatible with the other parts of the development. The use of gabion baskets along the northern boundary of the parking spaces south of Unit 1, and the timber fencing proposed at the entrance would not have a significant adverse effect on the overall appearance of the wider site. Overall, it is considered that the proposed development is appropriate in terms of the layout and design and that these matters are satisfactorily addressed.

#### Impacts on Landscape Character and Visual Amenity

- 7.11** The siting of three holiday lodges would not have any significant effects on local landscape character or visual amenity due to the site being well screened by landscaping and not visually prominent. Therefore the nature and small scale changes proposed would have limited visual effect beyond the site. In light of this, it is considered that the proposed changes will not have any significant impacts on the character and visual amenity of the surrounding area.

#### Flood Risk and Drainage Arrangements

- 7.12** There is no objection to the proposal from the Council's Roads Service in their capacity as local flooding authority on flood risk grounds. The principle of a private waste water drainage system on the site was established through DC21/096/FUL and the final detail can be addressed by condition together with the final drainage arrangements. The proposal is therefore acceptable and Scottish Water have not raised any concerns.

#### Roads, access and parking

- 7.13** The location of the site and access from the private road was accepted in the originally granted planning permission. Whilst finished with a loose surface and being single track, the traffic associated with three small holiday lodges will be minimal and does not raise concern. The use of a private road to access this type of development is a common situation. It remains the case that the Council's Roads Service raises no objections to the access arrangements.
- 7.14** While the proposal does not alter the number of parking spaces with the site, it does seek to change the parking layout from that previously permitted, specifically the removal of two car parking spaces to the west of the external staircase and the

creation of two new spaces to the east of the staircase. The Roads Service have indicated that a turning space within the parking area should be provided. There is sufficient space within the site to provide a suitable turning arrangement and the final detail of this can be addressed by condition. Subject to the agreement of these final details, the proposed parking arrangement is acceptable.

- 7.15** While it is acknowledged that the private access road is a core path, no changes are proposed to the core path. The core path is currently not exclusively used by walkers nor is it a grass track in which it is proposed to be surfaced in a way that will completely change its character and use. It is an existing loose surfaced private road designed for use by vehicles. As noted above, the traffic associated with three small holiday lodges will be minimal and the proposed development does not adversely impact upon users of the core path. In fact people using the holiday lodges are likely to use the core path to gain access to the Kilpatrick Hills and the wider area. The Council's Access Officer also offered no objections to the original planning application. In any case, this application assesses the design changes beyond the original proposal and the proposed changes have no impact upon the core path.

#### Residential Amenity

- 7.16** Whilst concerns are raised in respect of possible noise disturbance from the use of the site, particularly given the lack of management on site or adjacent to the site, the site is not located near any neighbouring residential properties. It is some 300 metres from the nearest houses in Bellsmyre, 360 metres from Baxter View and 400 metres from Maryland Farm. The amended proposal being considered does not increase the number of lodges nor the potential duration of occupation. The changes being assessed therefore have no impact on residential amenity. Notwithstanding this, the requirement to submit a management plan for the operation of the site is addressed by condition.

#### Other Matters raised in representations

- 7.17** A wide range of other issues have been raised in the objections received which have not already been assessed above. Concern is raised regarding the processing and assessment of the original planning application previously granted for the site (ref: DC21/096/FUL). It is accepted that the report of handling references a site adjacent to the fork at the top of Garshake Road and not the correct application site. However, following a review of the planning decision, it is clear that the submitted application and all associated documentation related to the correct site. The consultation process was also undertaken on the correct site and submitted application proposal. In respect of the planning policy situation, both sites are located within the Green Belt and the policy position is consistent across both sites. The development complied with all relevant policies, nothing arose in the consultation responses which suggested the proposal was unacceptable and there are no material considerations which suggested that the application should not have been granted. Whilst the situation is unfortunate, any concerns require to be considered separately to this application submission and the Council has responded to the submitted complaints via the Council's complaints process.
- 7.18** The retrospective nature of the application is highlighted. Whilst these concerns are shared, this can have no bearing on the assessment of the submitted application. An application being retrospective is not grounds for a decision of

refusal. Further concerns were raised about the failure to comply with the conditions attached to planning permission DC21/096/FUL. Whilst this was raised with the applicant, the submission of this application allows a review of all condition requirements and addresses any breaches of planning conditions. It is noted that those conditions previously attached to the permission for DC21/096/FUL, which remain relevant and appropriate to this proposal, will be attached to a permission, if granted. Issues relating to the requirement for, or absence of, a Building Warrant are not a material planning matter and are addressed through the Building (Scotland) Act and not the Planning Acts.

- 7.19** Concerns relating to the right of access and use of the private road are civil matters that can have no bearing on the assessment of a planning application. Damage to neighbouring land including any tree removal on neighbouring land are also civil matters. The design amendments being considered will not impact on adjacent land or woodland. The right to connect to any water supply is not a matter to be determined via the planning process.
- 7.20** In further considering procedural matters, concern is raised that the application should not have been validated due to the omission of the private road from the application site. The means of access to an application site requires to be clear. In this case the means of access is via the existing, long established road adjacent to the site. It does not follow that because this road is private and unadopted that it requires to be included within the application site. A road outwith the development site itself would only be included if a proposal requires works to be undertaken to the road. This is not the case here. Concern that the application lacks detail is also highlighted. It is considered that the level of detail required to enable a full assessment is provided in the application submission. Noting concern regarding the lack of a business plan and carbon reduction plan, sufficient supporting documentation was considered to have been submitted with the original application for a proposal of this nature within a Green Belt location, and it is not appropriate to revisit this conclusion as part of this application assessment. The concern regarding the site description on the submitted application form is noted. The application site does not have a postal address and in such cases, it is commonplace to find a range of site descriptions used in identifying a site. It is a requirement of any planning application to submit a location plan with the application site clearly outlined in red to ensure an application site is clearly identified. This has been submitted as required and is available on the electronic planning application file. There is no doubt on the site to which this application relates.
- 7.21** In relation to concerns about the opening of the former water tank, specifically its structural integrity and use, while a Site Investigation Report submitted with DC21/096/FUL recommended that the condition of the water tank and supporting columns be assessed by a structural engineer, the structural integrity of buildings is a matter for the building warrant process and not a material planning consideration. In relation to use, the opening of the former tank is not itself a change of use. The applicant has also confirmed there are no proposals to use the void of the former tank. It is noted that a planning application would be required if it is proposed to change the use of the former tank in the future.



**7.22** With regard to concern raised about a lack of biodiversity gain, no such requirements were considered necessary in originally granting planning permission. This application is considering the design amendments which do not, on their own, justify biodiversity enhancements.

**7.23** The proximity of the above ground high voltage electricity transmission lines has no bearing on the acceptability of the proposal and while concern is raised about the possible installation and use of a hot tub, this does not form part of the proposal.

## **8. CONCLUSION**

**8.1** It is considered that the amendments to the detail and design, beyond that previously granted planning permission, will have no significant or adverse effects on the physical appearance of the overall development or significant impacts on the surrounding landscape and visual amenity. The proposed changes are considered acceptable. The revised proposal accords with reference to NPF4, the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan 2. Whilst the submitted objections are acknowledged, there are no material planning considerations that suggest that planning permission should not be granted subject to the conditions below.

## **9. CONDITIONS**

1. No individual shall reside in the tourist accommodation for more than 28 consecutive days. In addition, no individuals shall reside in the tourist accommodation for more than 60 days in the calendar year. To this effect, a permanent log book shall be kept of all visitors who stay at the tourist accommodation for the lifetime of the development. This shall note the names and addresses of all visitors. The log book shall be made available for the inspection of the Council as Planning Authority, if requested.
2. Prior to the commencement of development, full details of the parking arrangement will be provided to the Planning Authority for written approval. Thereafter, the approved parking arrangement shall be formed and available prior to the lodges hereby approved being first brought into use. The spaces and access arrangements shall thereafter be kept available for the lifetime of the development.
3. Prior to the commencement of development, full details of the surface and foul drainage shall be provided to the Planning Authority for written approval. Thereafter, the approved arrangements shall be implemented prior to the lodges hereby approved being brought into use. The drainage arrangements shall thereafter be maintained for the lifetime of the development. For the avoidance of doubt, the arrangement will incorporate sustainable drainage arrangements (SuDS).
4. Prior to the lodges hereby approved being first brought into use, the lodges operator shall submit a Management Plan to the Planning Authority for their written approval. The Management Plan shall include details of day to day site management and maintenance and how potential noise and guest behaviour

issues are to be dealt with, should they arise. Thereafter, the site will operate in accordance with the approved Management Plan for the lifetime of the development unless otherwise agreed by the Planning Authority.

5. Prior to the commencement of works, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Planning Authority. Where appropriate, these details shall include proposed finished and existing grounds levels and contours, hard surfacing materials and lighting. Thereafter, the approved details shall be fully implemented in accordance with the approved details prior to the lodges being brought into use, unless otherwise agreed by the Planning Authority. Any trees, shrubs, or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years if planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
6. The 1.6m high wall to the north of the gable end of unit 1 and the 1.1m high wall along the front edge of the former water tank shall be finished in timber cladding to match that across the wider site.
7. Prior to the commencement of development on site, the finishing materials to be used shall be submitted to the Planning Authority for written approval. Thereafter, the approved materials shall be implemented as approved.
8. If there is a requirement to either re-use site one material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013 material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac and odours.

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

9. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works. The approved details shall be implemented as approved.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 19<sup>th</sup> April 2023**

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

**Appendix:** Location Plan

**Background Papers:**

1. Application form and plans
2. National Planning Framework 4
3. West Dunbartonshire Local Plan 2010
4. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
5. Planning decision DC21/096/FUL
6. Consultation responses
7. Representations

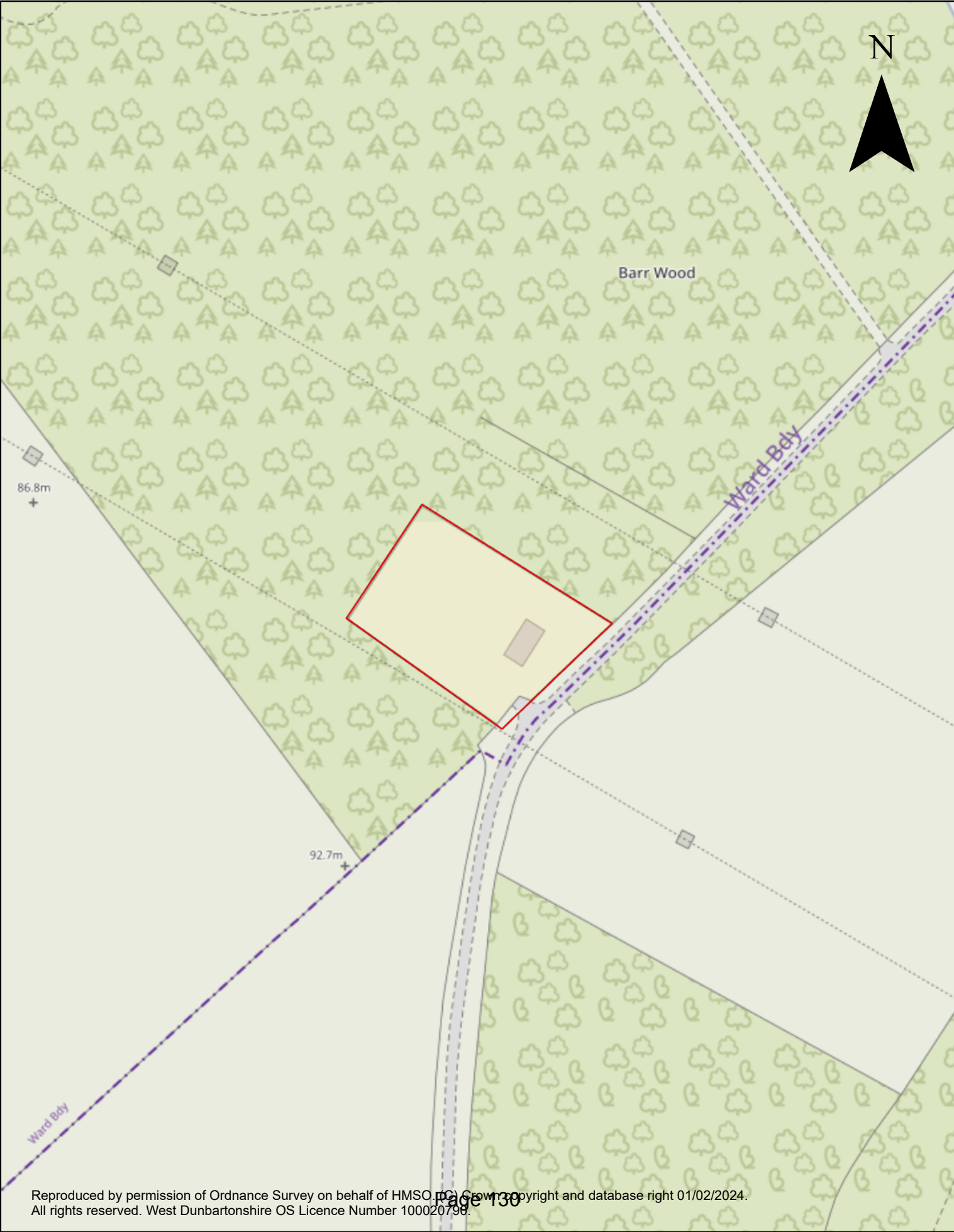
**Wards affected:** Ward 3 - Dumbarton

## ITEM 6e - APPENDIX 2

### CONDITIONS

1. No individuals shall reside in the tourist accommodation for more than 28 consecutive days or for more than 60 days in the calendar year. To this effect, a permanent log book shall be kept of all visitors who stay at the tourist accommodation for the lifetime of the development. This shall note the names and addresses of all visitors. The log book shall be made available for the inspection of the Council as Planning Authority, if requested.
2. The occupation of each of the three lodges forming the tourist accommodation hereby permitted shall not exceed four people at any one time, with a maximum occupancy of the site as a whole not exceeding 12 people at any one time
3. The approved parking arrangement shall be formed and available prior to the lodges hereby approved being first brought into use. The spaces and access arrangements shall thereafter be kept available for the lifetime of the development.
4. The approved arrangements shall be implemented prior to the lodges hereby approved being brought into use. The drainage arrangements shall thereafter be maintained for the lifetime of the development. For the avoidance of doubt, the arrangement will incorporate sustainable drainage arrangements (SuDS).
5. Prior to the lodges hereby approved being first brought into use, the lodges operator shall submit a Management Plan to the Planning Authority for their written approval. The Management Plan shall include details of day to day site management and maintenance and how potential noise and guest behaviour issues are to be dealt with, should they arise. Thereafter, the site will operate in accordance with the approved Management Plan for the lifetime of the development unless otherwise agreed by the Planning Authority.
6. Prior to the commencement of works, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Planning Authority. Where appropriate, these details shall include proposed finished and existing grounds levels and contours, hard surfacing materials and lighting. Thereafter, the approved details shall be fully implemented in accordance with the approved details prior to the lodges being brought into use, unless otherwise agreed by the Planning Authority. Any trees, shrubs, or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

7. The 1.6m high wall to the north of the gable end of unit 1 and the 1.1m high wall along the front edge of the former water tank shall be finished in timber cladding to match that across the wider site.
8. Prior to the commencement of development on site, the finishing materials to be used shall be submitted to the Planning Authority for written approval. Thereafter, the approved materials shall be implemented as approved.
9. If there is a requirement to either re-use site one material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013 material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac and odours.
10. On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use.
11. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works. The approved details shall be implemented as approved.



## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 14<sup>th</sup> February 2024

**Subject:** DC22/072/FUL: Residential development, landscaping and associated infrastructure at the former Our Lady and St Patrick's High School site, Hawthornhill Road, Dumbarton by Persimmon Homes

### 1. Purpose

- 1.1 To provide the Committee with an update on the above planning application and to seek the Committee's updated decision on the application.

### 2. Recommendations

- 2.1 That the Committee indicate that it remains **Minded to Grant** planning permission and delegate authority to the Planning, Building Standards and Environmental Health Manager to issue the decision conditions set out in Section 9 of Appendix 1 of the report and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision/ green infrastructure improvements in the local area.

### 3. Background

- 3.1 The above planning application was presented to Planning Committee on 12<sup>th</sup> October 2022. Appendix 1 contains a copy of the report previously presented to Planning Committee. It was agreed to grant planning permission subject to the conditions set out in Section 9 of Appendix 1 of the report and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision/ green infrastructure improvements in the local area.
- 3.2 The applicant is now seeking to conclude the legal agreement in respect of securing the financial payment towards open space provision/green infrastructure improvements in the local area. However, since the Committee previously considered the application, a material change in circumstances has occurred with the adoption of National Planning Framework on 13<sup>th</sup> February 2023 by the Scottish Government, with this document now forming part of the adopted Development Plan. On 15<sup>th</sup> March 2023, the Planning Committee also took a decision that the Council would not adopt Local Development Plan 2.

Additionally since the Committee previously consider the application, the Committee approved the adoption of the Creating Places Guidance and Green Network and Green Infrastructure Guidance in November 2022 and these documents have become material considerations.

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

- 4.1** As the legal agreement in respect of securing the financial payment towards open space provision/ green infrastructure improvements in the local area has not yet been concluded and a decision on the application issued to the applicant, the proposal requires to be further assessed in the context of any new material planning considerations.

##### National Planning Policy 4

- 4.2** Since the Committee previously considered the application, National Planning Framework 4 (NPF4) has been adopted by the Scottish Ministers and now forms part of the Development Plan. It now forms a key material consideration in the assessment of all planning applications.
- 4.3** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change. Policy 3 requires development proposals to contribute to the enhancement of biodiversity. The policy goes on to set out the requirement for proposals for national and major development to demonstrate that it will conserve, restore and enhance biodiversity.
- 4.4** As the site has been previously developed, Policy 9 addressing brownfield, vacant and derelict land applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.
- 4.5** Policy 13 supports proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs. This includes proposals for electric vehicle charging infrastructure.
- 4.6** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.



- 4.7** Policy 16 relates to quality homes. Development proposals for new homes on land allocated for housing in LDPs will be supported. Part (c) supports proposals for new homes that improve affordability and choice. This includes a range of size of homes.
- 4.8** Under part (f) of Policy 19 proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 4.9** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.
- 4.10** Policy 21 relates to play, recreation and sport and requires development proposals that are likely to be occupied or used by children and young people to be incorporate well designed, good quality provision for play at an appropriate scale. New streets should be inclusive and enable children and young people to play in the neighbourhood. New play provision will as far incorporate a range of requirements including being accessible.
- 4.11** Policy 22 - Flood risk and water management states that proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.
- 4.12** It can be concluded that the application proposal is supported by NPF4. The site is identified as a residential development opportunity within proposed Local Development Plan 2 and the proposal can therefore be considered to be supported by Policy 16 of NPF4. The sustainable re-use of brownfield land is supported through Policy 9 of NPF4. In respect of 20 minute neighbourhoods, the proposal is within the existing urban area, is near to a variety of local facilities and the wider connectivity of the site to public transport was assessed in the original Committee Report. Matters including those relating to design and layout, placemaking, biodiversity and flooding are also fully assessed in the original Committee Report attached as Appendix 1 and meet the requirements of NPF4.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 4.13** On 15<sup>th</sup> March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22<sup>nd</sup> April 2020, which were accepted by the Planning Committee of 19<sup>th</sup> August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18<sup>th</sup> December 2020, is also a material consideration.
- 4.14** The proposal was fully assessed against the policies of the proposed Local Development Plan 2 in the original Committee Report as the Council's most up to date spatial strategy. There has been no material changes in the development.

Creating Places Guidance and Green Network and Green Infrastructure Guidance

- 4.15** The Creating Places Guidance and Green Network and Green Infrastructure Guidance have also been adopted by the Council since the application was previously considered by the Committee. These documents replace the Residential Development Design Guidance and Our Green Network Planning Guidance in place at the time the application was originally assessed.
- 4.16** The Creating Places Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context, and sets out what is expected for all development proposals. The proposal was originally informed by pre-application discussions as encouraged by the Guidance. This resulted in a development proposal that achieves a high quality design that responds to the local context as set out in the assessment within the original Committee report. Overall, the proposal accords with the updated approach set out in the Guidance.
- 4.17** The Green Network and Green Infrastructure Supplementary Guidance – November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement. As set out in the original Committee report, this development requires 4,830 square metres of open space. The proposed on-site provision sees a total area of open space and landscaping of 3,918 square metres provided. It remains that the Guidance allows for a relaxation in the open space standards where deemed appropriate and in this circumstance developers will be required to provide a contribution towards open space and green network provision and enhancement. This follows the position set out in the original Committee report and the required contribution remains as per that set out in the original report. The open space also integrates with the wider green network adjacent inclusive of pathway connections. The proposal accords with the updated approach set out in the Guidance.

## Conclusion

- 4.18** The proposed redevelopment of this former school site for 66 houses of 2 and 3 bedroom accommodation continues to be welcomed and is supported by NPF4 which has been adopted since the original consideration of the planning application by Committee in October 2022. The proposal is also supported by the Creating Places Guidance and Green Network and Green Infrastructure Guidance. The site is within an existing residential area and, subject to the appropriate use of conditions, the proposed development is acceptable. The layout and design of the development has been developed to ensure that it integrates with the existing residential form. A high quality development will be created which enhances the local residential area as well as improvements to the footpath and greenspace networks. The development will provide high quality housing with good connections to the surrounding area and wider green network.
- 4.19** This new housing development will transform the immediate surroundings and contribute to the longer term redevelopment/regeneration of the area and providing quality housing. It will result in a high quality residential development and it remains that there are no material considerations which suggest that planning permission should not be granted.

## **5. People Implications**

- 5.1** None.

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

- 6.1** There are no financial or procurement implications in terms of this report.

## **7. Risk Analysis**

- 7.1** No risks have been identified.

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

- 8.1** Not required.

## **9. Environmental Sustainability**

- 9.1** Matters relating to environmental sustainability have been fully considered via the planning application assessment.

## **10. Consultation**

- 10.1** Consultation was undertaken as part of planning processes associated with the planning application. No further consultation was required.

## **11. Strategic Assessment**

- 11.1** There are no strategic issues.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 14<sup>th</sup> February 2024**

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**Persons to Contact:** Pamela Clifford, Planning, Building Standards and  
Environmental Health Manager  
[Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

James McColl, Development Management Team  
Leader  
[james.mccoll@west-dunbarton.gov.uk](mailto:james.mccoll@west-dunbarton.gov.uk)

**Appendix 1:** Planning Committee Report: Ref: DC22/072/FUL –  
12<sup>th</sup> October 2023

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

## WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 12<sup>th</sup> October 2022

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**DC22/072/FUL:        Residential development, landscaping and associated infrastructure at the former Our Lady and St Patrick's High School site, Hawthornhill Road, Dumbarton by Persimmon Homes**

#### 1.        REASON FOR REPORT

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

#### 2.        RECOMMENDATION

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

#### 3.        DEVELOPMENT DETAILS

- 3.1        The site is located within the Castlehill area of Dumbarton and extends to 2.28 hectares. The site's northern boundary is Hawthornhill Road, while the southern boundary is along the A814 Cardross Road and adjoins the rear curtilages of nos 67 to 77 Cardross Road. The eastern boundary is partly adjacent to existing houses in Sunderland Avenue and partly adjoins the boundary of Cunninghame Graham Memorial Park, which comprises of Arthur's Seat (directly adjacent to the application site) and Castle Hill. The westernmost part of the site runs along the boundary of a sports pitch which used to form a part of the former high school complex but has been retained. A recent planning permission (ref DC21/243/FUL) granted consent for the development of a pavilion to serve the aforementioned sports pitch with an access linking through the new development.

The site has been cleared following the demolition of the school complex circa October 2018. Areas of hardsurface which formed part of the car park together with a vacant former janitor's house fronting Cardross Road remain within the site. The application site also includes a section of Cardross Road which is associated with the new access arrangements to the site.

- 3.2** There is a gentle gradient across the site with a drop of approximately 5 metres from north to the south, with the lowest point of the site being in the centre. The site is bounded by a variety of fences. A variety of grassed areas interspersed by occasional tree planting which remain from the former use. An existing electrical sub-station is located next to the south-eastern corner of the site albeit out with the application site. Public transport links in the form of bus stops are available in Hawthornhill Road and Cardross Road with the site being a 10-minute walk from Dalreoch train station and about a 20-minute walk away from Dumbarton Town Centre. West of the adjacent sports pitch lies Dumbarton Joint Hospital.
- 3.3** Planning permission is sought for the construction of 68 no. houses and associated works. 15 of the houses will be two bedroom and 53 will have three bedrooms. The development comprises of a range of dwelling sizes as detailed below:
- 15 no. x 2-bedroom mid-terrace houses
  - 8 no. x 3-bedroom end-terrace houses
  - 18 no. x 3-bedroom semi-detached houses
  - 27 no. x 3-bedroom detached houses
- 3.4** The redevelopment of the site will consist of the demolition of the last remaining structure that formed a part of the old school complex, namely the vacant janitor's house in Cardross Road at the southern boundary of the application site. Its removal will enable the formation of the new vehicular access to the site. The current vehicular access from Hawthornhill Road will not be retained as part of the development although pedestrian connections are proposed to Hawthornhill Road. The formation of access in Cardross Road will also require the relocation of the existing signalised pedestrian crossing approximately 200m east to a accommodate a new right-turn lane to serve the development.
- 3.5** The development will comprise thirteen different house types all of which will be two storey. External materials will comprise concrete roof tiles, a combination of facing brick and render together with uPVC windows. Each property will feature in curtilage driveway parking constructed in blockwork and a private front and rear garden area. Rear gardens will be defined by 1800mm high timber slatted fencing with a feature wall and fence combination to prominent corner plots. Side boundaries will be delineated by a 450mm high timber rail. In terms of the road layout within the development, this will take the form of a large square-shaped two-way loop accessed from Cardross Road with additional pedestrian connections to Hawthornhill Road, Sunderland Avenue and the adjacent park. Parking will be provided with a combination of in curtilage driveways and parking courts. A SuDS pond would be located in the eastern part of the site directly adjacent to the Cunninghame Graham Memorial Park.
- 3.6** A landscape strategy is proposed and the landscaping will ensure an attractive setting for the development that creates a 'safe and pleasant space' and aims to be visually appealing. At the same time, the proposed landscaping will enhance the square that will be created with Sunderland Ave where the use of variegated sycamore along the western edge of the site to match those already within that street will create an off-set avenue of trees. The fence boundary with Cunninghame Graham Memorial Park will be removed. This will be done to allow for the site to connect with the established park and connect with its surroundings

naturally. This would be particularly accentuated by the location of the SuDS pond, located at the low point of the site adjacent to the park.

- 3.7 In support of the proposal the applicant has submitted a range of supporting documentation and information including a Supporting Planning Statement, Design and Access Statement, Pre-application Consultation Report, Open Space Allocation, Obtrusive Light Compliance Report with Luminaire Schedule, Transport Assessment, Flood Risk Assessment, Tree Report, Ecology Report, and Noise Report.

#### 4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service and Environmental Health Service have no objection to the proposals. A variety of points are highlighted and these are considered within the assessment below.
- 4.2 West Dunbartonshire Council Biodiversity Officer highlights a range of points including where value could be added to the landscaping.
- 4.3 Scottish Water have not provided a response.
- 4.4 SP Energy Networks have no objection to the development, but advise of the presence of HV/LV underground cables in the vicinity of the site and reserve the right to protect and/or deviate this infrastructure at the applicant's cost.
- 4.5 West of Scotland Archaeological Service have no objection.
- 4.6 Strathclyde Partnership for Transport (SPT) have not provided any response at the time of writing the report.

#### 5. REPRESENTATIONS

- 5.1 Four objections from three parties were received in connection with the application. The detail of each submitted representation is available in the electronic planning file for the application and available for public viewing. The concerns raised can, however, be summarised as follows:
- Location of new access to the site in Cardross Road will lead to increase in traffic congestion on this road, with the suggestion of vehicular access being relocated to Hawthornhill Road.
  - Impact of the new vehicular access and resulting traffic in the context of the nearby proposed development of the Notre Dame Convent site.
  - Concern over the possible removal of the existing signalised pedestrian crossing in Cardross Road and impact on pedestrian safety, including children accessing local schools.
  - Impact on traffic and pedestrian safety.
  - The new site access is too close to neighbouring property.
  - There is insufficient room on the carriageway for the new right turn lane
  - The development resulting in the removal of trees.
  - Concerns regarding loss of privacy.

- Neighbouring gardens may become waterlogged.
  - Footpaths connecting the site with the adjacent park should not be allowed.
- 5.2** Two further representations have been received in support of the proposal although these also highlight concerns including access and traffic together with overlooking.
- 5.3** The concerns raised will be considered in Section 7 below.

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

### Clydeplan Strategic Development Plan 2017

- 6.1** The 2017 Clydeplan Strategic Development Plan (Clydeplan) sets out a strategic vision to be implemented through a spatial development strategy and sets targets for the provision of new housing within the component parts of the Plan area. This provides that most development is to be focused on existing settlements, with much of the intervening land being designated as Green Belt. Clydeplan is clear in supporting housing growth that creates high quality places which delivers not only the right type of homes but in the right locations. Clydeplan Policy 8 on Housing Land Requirement is the most relevant policy in the context of this proposal. It requires local authorities to make provisions in Local Development Plans for all tenures and allocate sites which are effective or likely to be effective within the plan periods to meet the housing land requirements for each housing sub-market area. Policies 1 and 16 covering Placemaking and Managing Flood Risk and Drainage are also of relevance.
- 6.2** The proposed development presents no conflict with Clydeplan and accordingly is subject to an assessment against the Local Development Plan.

### West Dunbartonshire Adopted Local Plan 2010

- 6.3** Policy PS1 seeks to protect established public utility, social and community facilities as identified on the Proposals Map. The high school that previously occupied the site was identified on the Proposals Map under this policy. Prior to closure the policy seeks that it is demonstrated that the facility is no longer required. Any redevelopment will require to have regard to the surrounding area together with other Local Plan policies. The school was replaced with a new facility at Bellsmyre and the buildings have since been demolished. Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.4** Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Our Green Network” Planning Guidance (2015) in Section 7 below.
- 6.5** Policy T1 and T4 requires sites to be integrated with sustainable travel. Policy E5 requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is



not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure.

- 6.6** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

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

### National Policy

- 7.1** Scottish Planning Policy (SPP) introduces a presumption in favour of sustainable development and indicates that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place but not allow a development at any cost. Design and Placemaking are key principles with SPP setting out that planning requires to create better places through a design-led approach. Designing Streets seeks to promote a clear hierarchy of streets with the creation of a sense of place. The proposed development is considered consistent with national policy.

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

- 7.2** The modified Plan and associated documents was approved by the Council on 19 August 2020. The Council has advised the Scottish Ministers of its intention to adopt the Plan. On 18 December 2020, the Scottish Ministers issued a Direction in relation to the housing land chapter of the Plan. None of the policies considered in the determination of this application are affected by that Direction. Therefore, Local Development Plan 2 is the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications.
- 7.3** Policy H1 identifies that the Council will maintain a five-year effective supply of housing land and Policy H2 supports the development of sites within Schedules 2 and 3 for new housing development where they accord with other relevant policies of the Plan and associated supplementary guidance. This site is identified in Schedule 2 a residential development opportunity for private housing (site ref H2(23)) with an indicative capacity of 100 units. However, the wider allocation includes the site of the adjacent sports pitch, a facility which is now being retained by the Council. Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.4** Policy GI2, BE1, ENV1, ENV4, ENV5 and ENV6 are similar to the green network, built heritage, tree, water environment and flooding policies of the adopted Local Plan, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.

- 7.5** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use. Policy RE5 sets out the requirements in respect of low and zero carbon buildings. It is considered that the application proposal being assessed comply with the relevant policies above as set out in the following assessment.

Principle of Development

- 7.6** The site is a brownfield site within a well-established residential area and is identified in the proposed LDP2 as a residential development opportunity for private housing. The principle of the development of the site for new housing is considered to be fully compatible with the surrounding locality and accordingly it rests to consider whether there are any material planning considerations which suggest that planning permission should not be granted for this residential development on an identified residential development opportunity in proposed LDP2.

Site Layout, Design and Appearance

- 7.7** New residential layouts require to be well designed, take cognisance of the setting into which they are introduced and provide a high quality environment of well-designed buildings in a setting of gardens and open space whilst recognising the impact on existing neighbouring properties. The surrounding locality is based on a low density approach with a variety of detached, semi-detached and terraced houses together with flatted houses situated within individual curtilages in a setting which includes open space. Flatted blocks also feature within the locality and form part of the wider low density arrangement. The proposed development follows the overall theme and pattern of development in the locality and it is considered that the density of development is compatible with the character and amenity of the wider adjacent residential area.
- 7.8** The development is designed to be outward looking providing a strong frontage to both Cardross Road and Hawthornhill Road together with the small square to the front of the adjacent flats. The new dwellings within the central part of the site ensure a strong street frontage is also provided within the central part of the development. Considering design and the proposed materials, the proposed houses are all two storeys with a variety of different house types which will assist in creating visual interest within the development. This visual interest is enhanced by the use of a range of roof shapes. Furthermore, the house designs feature active gables at key locations and at spaces overlooking green spaces. The proposed houses will be of a modern design and utilise high quality external materials such as a good quality clay multi-red facing brick. The quality of the layout and materials will enhance and contribute positively to the aesthetic of the area. The houses will also feature porch canopies and solar panels incorporated into the roof covers. The proposed layout has made the most of the site layout and levels and its topographical character and what is proposed successfully integrates into the wider residential area. The built ratio of each plot accords with the requirements of the Council's Residential Development Design Guidance and this

ensures a suitable level of garden ground and associated private amenity space is provided for new residents.

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

#### Residential Amenity

- 7.10** Until demolition, the high school building was a significant and dominant feature adjacent to the residential properties that surround the site. Whilst the new development may introduce new houses in closer proximity to existing properties than the previous buildings on site, these new buildings do not have the scale and massing of that which existed previously. The concerns raised in the representations in respect of privacy are noted. Whilst a number of plots adjoin the existing garden boundaries of houses on Cardross Road and face towards the flats at Sutherland Avenue, they will not be dominant or elevated and a window to window distance in excess of 18 metres is achieved in all cases. It is further considered that there is no adverse impact on daylight or sunlight to the nearest houses. Window to window relationships within the development itself are also acceptable. Whilst the development will undoubtedly bring additional activity to the area, the occupation of new dwellings is not expected to cause any noise or activity beyond that typically found in a residential area. Daytime activity will also likely be significantly less than the previous high school use. Whilst it is accepted that any construction site will produce an element of noise and disruption, the Council's Environmental Health Service highlight the requirement to require that the construction of the development is undertaken in a way that ensures that adjacent residential amenity is not adversely affected. A range of conditions are recommended and it is considered appropriate to attach these.

- 7.11** The consultation response from Environmental Health identifies the need for noise to be fully assessed. A Noise Impact Assessment has been submitted in support of the application. This considers how noise sources including road traffic noise and the use of the adjacent sports pitch would impact upon the new dwellings. It is concluded that with appropriate mitigation, noise would not adversely affect the new residents. The requirement to follow the recommendations can be addressed by condition. This includes the installation of a 2.2 metre high acoustic barrier adjacent to the sports pitch. The potential for obtrusive lighting from the sports pitch floodlighting to adversely affect the new houses has also been fully explored and Environmental Health are content that the new houses will not be adversely affected.

#### Trees, open space and landscaping

- 7.12** A variety of trees exist within the site. The function of these trees was to provide part of the landscape setting of the school that formerly occupied the site. They are not protected. Some of the trees are Ash trees affected by die back and the appropriate course of action is to remove them. It is accepted that other trees are removed to accommodate the development. It is not considered that they are

significant specimens and new tree planting is provided as part of the new development.

- 7.13** In respect of open space, this predominantly takes the form of a grassed area; a part of it is taken up by the proposed SuDS pond, which forms a focal point of the development, located in the vicinity of the existing adjacent park. It is noted that the Cunninghame Graham Memorial Park would be clearly and closely connected with the planned development, thus compensating for the limited amount greenspace within it and ensuring appropriate opportunities for outdoor recreation and play provision for residents. Whilst the concern in the objections is noted, it would be inappropriate not to maximise connections to the park. The level of open space within the development is below that expected for such a development. Policy GI2 of proposed LDP2 sets out the up to date position on open space provision with this development requiring 4830 square metres of open space. The development provides for a total area of open space and landscaping of 3918 square metres. The Policy goes on to highlight that where a relaxation in the open space standards is deemed appropriate, developers will require to provide a contribution in accordance with policy GI4. The required contribution in this instance is £27360 and, this can be addressed by the conclusion of a legal agreement. .
- 7.14** The landscaping strategy includes a variety of plants, flowers and trees to encourage wildlife and biodiversity to the site. In terms of hard landscaping, variety is also proposed to the hard landscaped areas with a mix of materials. New tree planting is also proposed throughout the development. In respect of the planting strategy, the Council's Biodiversity Officer highlights that it is unclear from the drawings what the SuDS feature is as the drawing shows a large retention style basin but also has a wetland flower mix shown on the same area. It is highlighted that species would require to withstand both drought and submerged conditions. A recommendation from the Biodiversity Officer for Hawthorn specimens to be included in the overall design which would be in keeping with the wider landscape is also set out. The overall approach to open space provision and planting is considered appropriate and the implementation and maintenance can be addressed by condition together with the recommendations of the Council's Biodiversity Officer in respect of the planting schedule.
- 7.15** Overall, the quality and range of open spaces will likely all contribute to the overall success of the transformation of the now derelict site.

Traffic, parking and road safety

- 7.16** The applicant has submitted a Transport Statement in support of the proposal which concludes that the development will integrate well with the surrounding transport network and that resultant traffic impacts will not be significant. The Transport Statement also includes a swept path analysis for the new development. The Council's Roads Service have no objections to the conclusions.
- 7.17** In terms of pedestrian movements, the proposed layout and footpath connectivity ensures that excellent pedestrian links are provided throughout the site and beyond. Where pedestrian routes meet roads within the development, speed tables are proposed at all internal junctions, street corners and central parts of the longer North-South streets. The speed tables will act as a traffic calming measure

to allow the continuous and uninterrupted movement for pedestrians traveling through the site. The development also includes wider public footpaths connecting it with Hawthornhill Road and Sunderland Avenue to allow these spaces to be shared by pedestrians and cyclists.

- 7.18** In the consultation response, the Roads Service highlights the requirement for a right turn lane to Cardross Road and this is now included in the proposal. The response goes on to conclude that the development is well serviced by pedestrian links and that the parking provision is appropriate. It is highlighted that the final surfacing will be agreed with the Roads Service during the Roads Construction Consent process. The existing pedestrian crossing will be relocated by approximately 200 metres to accommodate the new access. This in turn will require the relocation of the existing bus stop. These matters can be addressed by condition. Whilst the concerns raised in the objections are noted, the assessment is guided by the advice in the consultation response from the Council's Roads Service.

#### Transport, connectivity and permeability

- 7.19** The site is well served by public transport with bus stops adjacent to the site on Cardross Road and Hawthornhill Avenue which provide for services to local destinations, Helensburgh and Glasgow. Dalreoch railway station is also accessible by foot, approximately a 10 minute walk from the site. Dumbarton Town Centre is around a 20 minute walk from the site. It is therefore concluded that the development is provided in an appropriate location within an established settlement accessible by means other than the private car. It is considered appropriate for a travel information pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes to be provided to the residents of the new dwellings. This can be addressed by condition.

#### Flooding and drainage

- 7.20** With respect to flooding and drainage, the applicant has submitted a flood risk assessment in support of the application. The application is below the threshold for SEPA to be consulted and accordingly the assessment is guided by the advice of the Council's Roads Service. Following clarification from the applicant, the Roads Service is content that there is no flood risk to the development or resulting from the development and that drainage inclusive of SuDS can be satisfactorily addressed. Maintenance of the SuDS can be addressed by condition. The concerns raised in the representations regarding surface water are also noted and a condition can also ensure surface water is intercepted within the site.

#### Ecology

- 7.21** The ecological appraisal assists in proposing biodiversity friendly designs such as use of native species and rich mixes thereof, protection of any bird nesting activities during construction, welcome packs for new homeowners instructing how they can increase biodiversity within the curtilage of their dwellings, hedgehog holes in fencing, use of bat friendly lighting throughout the development, bat and bird boxes that can be incorporated throughout the development as well as demonstrating that all protected species specific concerns have been addressed and that good practice with positive effects for biodiversity have been considered

throughout the development. This will be addressed by condition. The Council's Biodiversity Officer also offers no objections to the proposal.

Local service capacity and infrastructure provision

- 7.22** Scottish Water were consulted but have not responded to indicate any objection to the proposal. In terms of education provision the site is allocated within proposed LDP2 as a residential development opportunity with an indicative capacity of 100 units.

Other matters raised in the consultation responses

- 7.23** The Council's Environmental Health Service does not highlight any concerns over and above the standard need for site investigation associated with any brownfield site. This includes the requirement for a site investigation report inclusive of remediation and mitigation measures. These matters alongside other matters regarding dust mitigation and construction activity can be addressed as planning conditions.

Pre-application Consultation and Elected Member Briefing

- 7.24** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to the submission of the application. The applicant has submitted a Pre-application Consultation Report setting out the public engagement undertaken. The local Community Councils, MSPs and MPs and Councillors were contacted about the proposal. A statutory notice was published in the local press advertising the public event and submission of the Proposal of Application Notice and additional consultation was undertaken by the applicant.

**8. CONCLUSION**

- 8.1** The proposed redevelopment of this former school site for 66 houses of 2 and 3 bedroom accommodation for sale is welcomed. The site is within an existing residential area and, subject to the appropriate use of conditions, the proposed development is acceptable. The layout and design of the development has been developed to ensure that it integrates with the existing residential form as well as creating a high quality development which enhances the local residential area as well as improvements to the footpath and greenspace networks. The development will provide high quality housing with good connections to the surrounding area and wider green network.
- 8.2** New housing developments within the immediate surroundings are transforming the area and contributing to the longer term redevelopment/ regeneration of the area and providing quality housing
- 8.3** The proposal will result in a high quality residential development and there are no material considerations which suggest that planning permission should not be granted.

**9. CONDITIONS**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the houses within

- the development site shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.
2. Further to condition 1 above, unless otherwise agreed in writing with the Planning Authority, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Forterra Victorian Mixture' specification and variety.
  3. Further to Conditions 1 and 2 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
  4. The approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed prior to the commencement of works on site with the Planning Authority.
  5. Notwithstanding the approved plans, an updated planting schedule to incorporate Hawthorn planting and clarify the suitability of the planting within the SuDS area shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and shall be implemented with a timescale to be agreed with the Planning Authority.
  6. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
  7. That full details of maintenance and management for the landscaping approved shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
  8. That prior to each house hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.
  9. That within 4 weeks of the last of the houses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
  10. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision inclusive of garages where they part of this parking provision shall be shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.

11. No construction works except ground investigation works shall commence on site until the existing pedestrian crossing on Cardross Road shall be relocated and be fully operational in the new position.
12. No construction works shall commence on site until full details of the new position of the existing bus stop on Cardross Road currently in the position of the relocated pedestrian crossing shall be submitted to and approved in writing by the Planning Authority in consultation with SPT with the relocation taking place and the bus stop being available for use by services
13. That the approved drainage regime inclusive of the SuDS pond shall be fully implemented. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
14. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
15. No site clearance works shall be undertaken during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority. For the avoidance of doubt, any such agreement will require a full nesting bird survey prior to the commencement of works on site, the methodology and findings of which shall be submitted to the Planning Authority
16. That prior to the commencement of any works on site, full details of the incorporation of low or zero carbon generating technologies shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.
17. Prior to the commencement of development with the site, details of the location and design of electric charging points/units and associated infrastructure and ducting to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging points/units/ducting and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained at all times thereafter.
18. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
19. Details of the provision of grit bins for the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first house within the site and thereafter maintained for the lifetime of the development.



20. Prior to the commencement of works on site, details of any street furniture shall be submitted to and approved in writing by the Planning Authority and shall be implemented within an agreed timescale.
21. No house shall be occupied until the contents of a Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
22. No development (other than investigative work) can take place until such time as a comprehensive site investigation has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. The investigation shall be completed by a suitably qualified and competent person and completed in accordance with advice given in the following:
- Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection
  - Act 1990 (as inserted by section 57 of the Environment Act 1995)
  - BS 10175:2011+A1:2013 – British Standards institution ‘The Investigation of Potentially Contaminated Sites – Code of Practice’.
  - Land Contamination and Development Management -Guidance.  
[https://www.epscotland.org.uk/wp\[1\]content/uploads/2019/09/ConLanDevGuide\\_12-Aug19-FINAL.pdf](https://www.epscotland.org.uk/wp[1]content/uploads/2019/09/ConLanDevGuide_12-Aug19-FINAL.pdf)
23. If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted.
24. If the risk assessment identifies any unacceptable risks then an appraisal of remedial options followed by a detailed remediation scheme will be submitted to and approved in writing by the Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Planning Authority’s written approval of the remediation scheme.
25. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

26. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site.
27. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Local Planning Authority.
28. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
29. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
30. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
31. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
32. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
  - Mondays to Fridays: 0800 – 1800
  - Saturdays: 0800 – 1300
  - Sundays and public holidays: No Working
33. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation

of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.

34. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 0800 or after 1800.
35. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
36. Notwithstanding condition 36 above, full details of the design, height and location of an acoustic fence adjacent the sports pitch shall be submitted to and approved in writing by the Planning Authority. The fence shall then be erected prior to the occupation of any dwellinghouse on plots 32 to 44 inclusive.
37. No development shall commence on site until details for the storage and the collection of waste arising from the development and the location of grit bins shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.

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**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 12<sup>th</sup> October 2022**

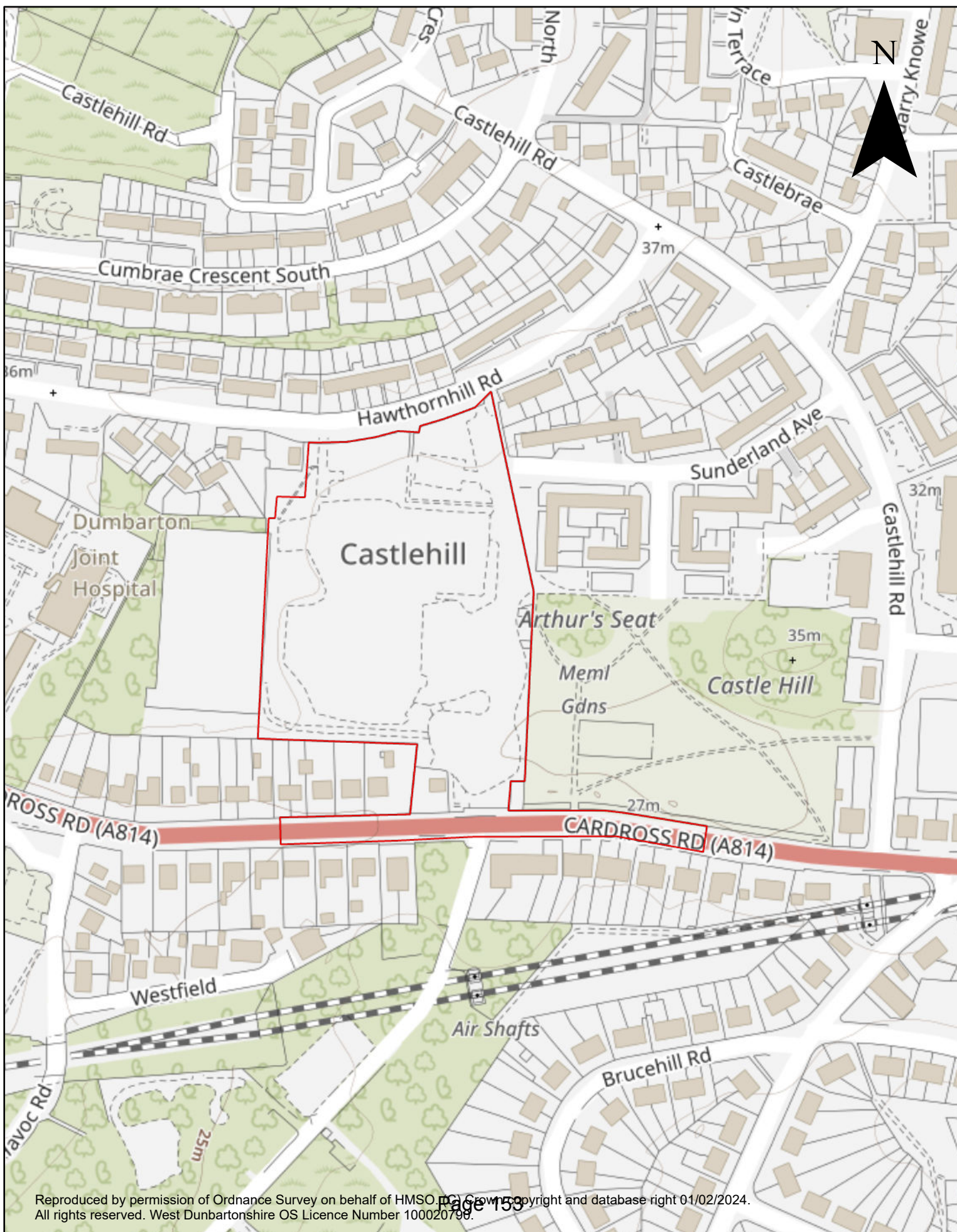
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**Person to Contact:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager  
Email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:**

1. Application documents and plans
2. Clydeplan Strategic Development Plan 2017
3. West Dunbartonshire Local Plan 2010
4. West Dunbartonshire LDP - Proposed Plan 2
5. 'Our Green Network' Guidance
6. Residential Development Design Guidance
7. Scottish Planning Policy 2014
8. Designing Streets
9. Consultation responses
10. Representations







## WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 14<sup>th</sup> February 2024

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**Subject: Clydebank Business Park Planning Guidance**

### **1 Purpose**

- 1.1** The purpose of the report is to seek approval of the finalised version of Planning Guidance relating to Clydebank Business Park for use in making planning decisions.

### **2. Recommendations**

- 2.1** It is recommended that the Committee approves the finalised version of Clydebank Business Park Planning Guidance contained in Appendix 1.

### **3. Background**

- 3.1** The purpose of planning guidance is to add more detail to the content of policies in the Local Development Plan. While primarily a location for business, industrial, and storage and distribution uses, there is interest from a diverse range of business types to locate within the Clydebank Business Park. Planning applications and enquiries have been received for the change of use of existing premises to uses such as nurseries, soft play, gymnasiums, and dog grooming and training premises. The guidance aims to strike a balance between allowing a diverse range of business within the business park, while ensuring these alternative uses do not interfere with the operation of existing businesses and that the area remains primarily a location for industry, business, and storage and distribution.

### **4. Main Issues**

- 4.1** The Planning Committee approved a draft of the guidance for consultation at the meeting on 2<sup>nd</sup> August 2023. Consultation took place from 22<sup>nd</sup> September to 22<sup>nd</sup> December 2023.

A final version of the guidance, with changes reflecting the comments received in Appendix 1.

- 4.2** The guidance details the criteria to be used in assessing planning applications for alternative uses, as well as informing businesses considering locating within Clydebank Business Park.
- 4.3** The consultation received seven representations, all from owners, managers or representatives of businesses within the business park. These representations

and the council response to these questions are set out in Appendix 2.

- 4.4 All representations agreed with the definition for alternative uses set out in the guidance. One respondent was concerned that introducing uses that would lead to more people in the business park in the evening may affect security. Two responses queried the need for a specific area for alternative uses for the following reasons: a business may want to locate within the business park for their specific needs; businesses outside the area would be denied “drop by visitors”; it is important to full vacant units and provide employment; and the business park has good access to public transport.
- 4.5 One respondent stated the criteria for deciding applications was much improved since they went through the planning process. One respondent suggested that increased footfall should be included in the criteria for deciding planning applications and whether the business has parking needs. One respondent was concerned about the proliferation of “motor trade” uses, particularly impact on the appearance of the business park from visible scrap and cars.
- 4.6 Changes made to the draft guidance are shown as italicised and underlined text Appendix 1. The text of the guidance has been amended to clarify that businesses outside of the defined area for alternative uses can still have other ancillary uses for “drop by” visitors, provided their primary activity falls into business, industrial, or storage and distribution uses and that the ancillary use will not attract significant footfall.
- 4.7 It is still considered appropriate for the guidance to define an area for alternative uses in order to direct uses that attract footfall to locations adjacent to the town centre, closest to public transport, and ensure that the business park remains primarily for business, industry, and storage and distribution.
- 4.8 Some issues raised in representations are already covered by the guidance. The guidance acknowledges that some alternative uses have specific needs, making the business park the most appropriate location for them. Parking needs are acknowledged by the guidance.

#### Next steps

- 4.9 On approval by the Planning Committee, the finalised version of the document will become a material consideration in planning decisions and will supersede the existing Clydebank Business Park Guidance (2017).

## **5. People Implications**

- 5.1 There are no people implications associated with this report.

## **6. Financial & Procurement Implications**

- 6.1 There are no financial or procurement issues associated with this report.

## **7. Risk Analysis**



- 7.1** Maintaining up-to-date Planning Guidance will help the Council to achieve the right type of development in the right place. In this case it will help the guidance sets out the Councils approach to balancing the operations of, and need for available space for business, industry, and storage and distribution uses, while allowing for flexibility and maintaining a well occupied business park.

## **8. Equalities Impact Assessment**

- 8.1** The draft guidance document was subject to equality impact assessments. The proposed changes to the documents are not considered to amend the conclusions of this assessment, which are summarised below. The full assessment can be seen in Appendix 3.
- 8.2** As part of managing different types of uses in Clydebank Business Park, child oriented uses have been restricted. The effect of this will be the reduced conflict with these uses and the primary users of Clydebank Business Park. The guidance strikes a balance between the enabling some child oriented uses within the business park and preventing conflict with existing business and industrial uses. The guidance will note that accessibility for those with disabilities is important thus helping to ensure a shared understanding of considerations.
- 8.3** The guidance does not support any kind of residential or accommodation use within the business park. This should have a positive impact on health, as the business and industrial nature of the main occupiers of the business park could harm the amenity of residents.

## **9. Environmental Sustainability**

- 9.1** A pre-screening has been submitted to the Scottish Government Strategic Environmental Assessment Gateway advising that it is considered that the guidance will have no or minimal effects on the environment.

## **10. Consultation**

- 10.1** Consultation has been undertaken on the draft Planning Guidance documents as set out in paragraph 4.1.

## **11. Strategic Assessment**

- 11.1** The Clydebank Business Park Planning Guidance will support the Council's strategic priorities of 'Our Economy – Strong and Flourishing'.

**Pamela Clifford**

**Planning, Building Standards and Environmental Health Manager**  
**14<sup>th</sup> February 2024**

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**Person to Contact:**

Pamela Clifford, Planning, Building  
Standards and Environmental Health Manager  
[Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Cameron Clow**, Development Planning & Place Officer  
[cameron.clow@west-dunbarton.gov.uk](mailto:cameron.clow@west-dunbarton.gov.uk)

**Appendices:**

Appendix 1 – Draft Clydebank Business Park Planning  
Guidance  
Appendix 2 - Consultation Results  
Appendix 3 – Equalities Impact Assessment

**Background Papers:**

None

**Wards Affected:**

Ward 5: Clydebank Central

## 1. Introduction

Clydebank Business Park is an area designated primarily for business, general industry, and storage and distribution uses, however the Council has and continues to receive interest from more diverse range of uses to locate within Clydebank Business Park. Planning applications and enquiries have been received for the change of use of existing premises to uses such as nurseries, soft play, gymnasiums, and dog grooming and training premises. This has raised issues about whether these are suitable uses to locate within a business/industrial area in terms of their impact on existing uses and the impact on the availability of property for industrial and business uses.

This document offers additional guidance on how the Council's Local Development Plan (LDP2, as modified 2020) should be applied when considering proposals for such uses. It will assist the Council in determining applications and will also provide greater certainty to potential applicants. It also takes account of the Fourth National Planning Framework (NPF4).

## 2. Alternative Uses: Defining the Issue

This Guidance uses the term 'industrial/business uses' to refer to the following uses from the Town and Country Planning (Use Classes) (Scotland) Order 1997:

Use Class 4 – Business

Use Class 5 – General Industry

Use Class 6 – Storage and Distribution

This guidance uses the term 'residential/accommodation uses' to refer to:

Use Class 7- Hotels and Hostels

Use Class 8 & 8A - Residential Institutions and Secure Residential Institutions, e.g. nursing home, hospital, prison

Use Class 9 – Houses

Sui Generis flats and student accommodation

All other uses will be referred to as 'alternative employment uses'.

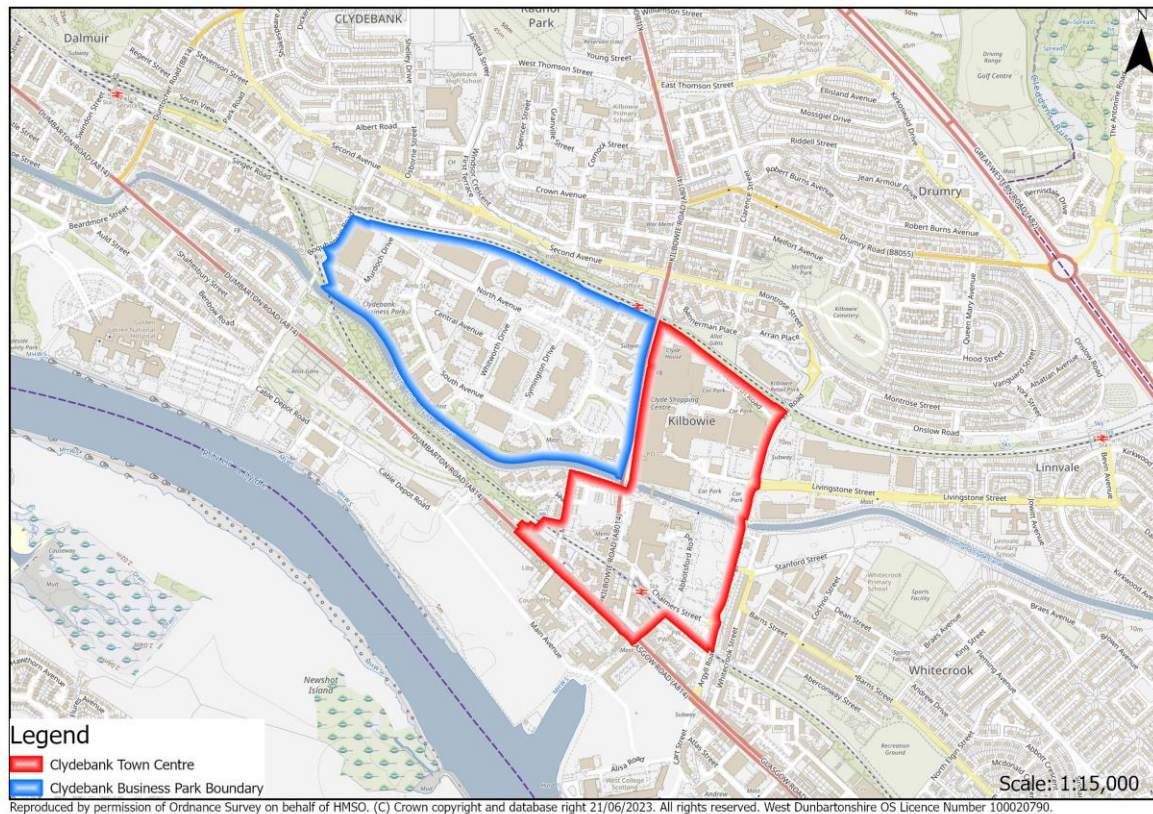
## 3. Clydebank Business Park

Clydebank Business Park was built on part of the site of the former Singer Sewing Machine factory which closed in 1980. The site was identified as an Enterprise Zone in 1981 and the Business Park developed to provide industrial and business accommodation.

It is located centrally within Clydebank, adjacent to the town centre and Clyde Shopping Centre. It is easily accessible by public transport with Singer rail station sitting immediately adjacent to the north, and Clydebank rail station within walking distance to the south. A frequent bus service runs along Kilbowie Road at the

eastern entrance to the Business Park, with more services available within walking distance from locations within the town centre.

Road access is also good with Kilbowie Road linking to the A82 and A814 which provide access to the rest of Clydebank and the West Dunbartonshire area, Glasgow City Centre and via the Erskine Bridge and Clyde Tunnel to the wider trunk road network.



*Map 1 Clydebank Business Park location and transport links*

The Business Park is predominantly occupied by Business (Use Class 4), General Industry (Use Class 5) and Storage and Distribution (Use Class 6) uses. Business types range from small local businesses to national and international organisations such as the Clydesdale Bank and Northern Marine. Business units range in size from under 100sq.m up to 8,000 sq.m.

The Business Park is in multiple ownership, with business units and common areas in different private ownerships. The Council does not own or manage property within the Business Park.

#### **4. Policy context**

Policy 26 of NPF4 describes the type of development that is acceptable in on land allocated for business and industry uses. Part c) of the policy states: “Development proposals for business and industry uses will be supported where they are

compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.”

Policy E1 of LDP2 designates the Business Park as an existing business and industrial area and directs development in Use Class 4, 5 and 6 to these areas.

Policy E2 is intended to manage the level and type of alternative employment uses within business and industrial areas. Proposals for alternative uses will be assessed with regard to the following criteria in E2:

- a) There is no adverse impact on the operation of existing uses or the potential for future business, industrial or employment use within the area;
- b) The proposal protects and enhances the attractiveness of the area as an industrial and business location;
- c) The proposal is ancillary to the industrial and business uses;
- d) There is no unacceptable detrimental impact on the availability of employment land; and
- e) The economic benefit that the proposal can bring to the area is demonstrated.

Policy 27 of NPF4 also identifies town centres as the preferred location for uses attracting significant number of people including retail and commercial leisure, offices, and community, sport, cultural facilities and public buildings.

Policy SC1 of LDP2 (and the accompanying Table 4) states that town centres are the preferred location for new leisure uses. The Plan’s strategy for Clydebank town centre includes support for strengthening and diversifying the town centres role as a hub for retail, leisure, cultural, civic, and office uses.

## 5. Current situation

### Alternative uses

The predominant existing uses within the Business Park are industrial and business (Use Classes 4/5/6). However a number of non-industrial/business uses have been established including a café, dog care/training service, sport/fitness uses, children’s nursery and a soft play centre. Table 1 and Map 2 show the number and spread of these non-industrial uses.

*Table 1 Breakdown of alternative uses*

Use	Count of Premises	Percentage of premises
1A – Shops and professional services	5	4%
3 - Food and Drink	1	1%
4 - Business	70	59%



Use	Count of Premises	Percentage of premises
5 - General Industry	9	8%
6 - Storage and Distribution	2	2%
8 - Residential Institutions	1	1%
10 - Non-residential Institutions	1	1%
11 - Assembly and Leisure	7	6%
Sui Generis	9	8%
Vacant	14	12%
Total	118	

Of the nine sui generis uses, four are dog grooming or dog day care businesses, two are vehicle hire, one is a taxi office, one is the ambulance depot, and one is a car storage and appointment only showroom.



*Map 2 Use Classes in Clydebank Business Park*

### Unit sizes and vacancies

There are a range of different unit types and sizes in the Business Park. Table 2 identifies the number of units available within different size bands. Vacancies exist in greatest number and at the highest rate in the 150-250 sq.m size band and the highest vacancy rate is within the 250 – 800sq.m size band. Vacancies exist in all

the other size bands but in less number and not as high a rate. Vacancies are spread throughout the business park

*Table 2 Breakdown of unit sizes (February 2023)*

Size band (sq.m)	No of units	Vacant unit	Vacancy rate
<150	22	3	14%
150 - 250	42	5	12%
250 - 800	18	4	22%
800 - 1500	16	1	6%
>1500	20	1	5%
Total	118	14	12%

Floorspace information was unavailable for four units. When compared to the floor space of similar size, three of these buildings likely exceed 1000 square meters and one most likely falls within the 100 – 499 square meter size bracket. Additionally, office buildings that are subdivided into different floor space areas which are then let are counted as one premises. They are counted as occupied here, but there was some vacant floor space during the survey, evidenced by advertisements for office space available to let.

Overall there is a higher level of occupancy in the business park in 2023 than the previous survey in 2016.

## 6. Research

### Survey of Business Park businesses

The Council undertook a survey of Clydebank Business Park businesses in April 2023, to update the previous survey undertaken in September 2016. This involved an online questionnaire, with a letter delivered to all businesses in the business park advising of its availability and purpose. Responses were received from seven businesses and four employees. The survey results provide information on the attitude of existing Clydebank Business Park businesses towards alternative uses and vacancies within the Business Park. Full details of the survey and the results are set out in **Appendix 1 – Online Questionnaire for Clydebank Business Park**. Some headline findings are included below. These results were also compared to previous survey results to indicate any changes in attitude towards alternative employment uses.

### Alternative uses

- Overall, alternative uses were generally seen to provide convenient services for businesses and employees, with the exception of residential, which was not seen to provide useful services to the business park. Hotels had a mixed

response to this question, with most respondents being neutral on them, and roughly even positive and negative responses.

- Alternative uses were generally not seen to detract from the character of the business park. Residential and hotels received a more mixed response to this question, with responses to residential uses leaning towards that they would detract from the character.
- There was general agreement that alternative uses helped fill vacant units.
- There were some mixed views on whether alternative uses caused traffic conflicts, but generally that they did not was the most common response. The exceptions to this were hotels, retail and residential, where more respondents strongly agreed that they did cause traffic conflicts with existing businesses.
- There were mixed views as to whether there were other operational conflicts caused by alternative uses. Overall it was generally considered that child related uses did not cause conflict, but this was not unanimous. Opinions on hotels, pet grooming and day care, and residential were split roughly evenly, both in favour and against.
- It was generally agreed that alternative uses contributed to a lively and active business park, with the exception of hotels and residential which received more mixed views.

#### Vacancies

- The majority of respondents agreed or strongly agreed that vacant units detract from the character of the business park, attract anti-social behaviour and vandalism and present a negative image to customers and clients.

#### Other Issues

- On street parking is causing difficulty for other road traffic.
- There was a request for businesses to have industrial bins

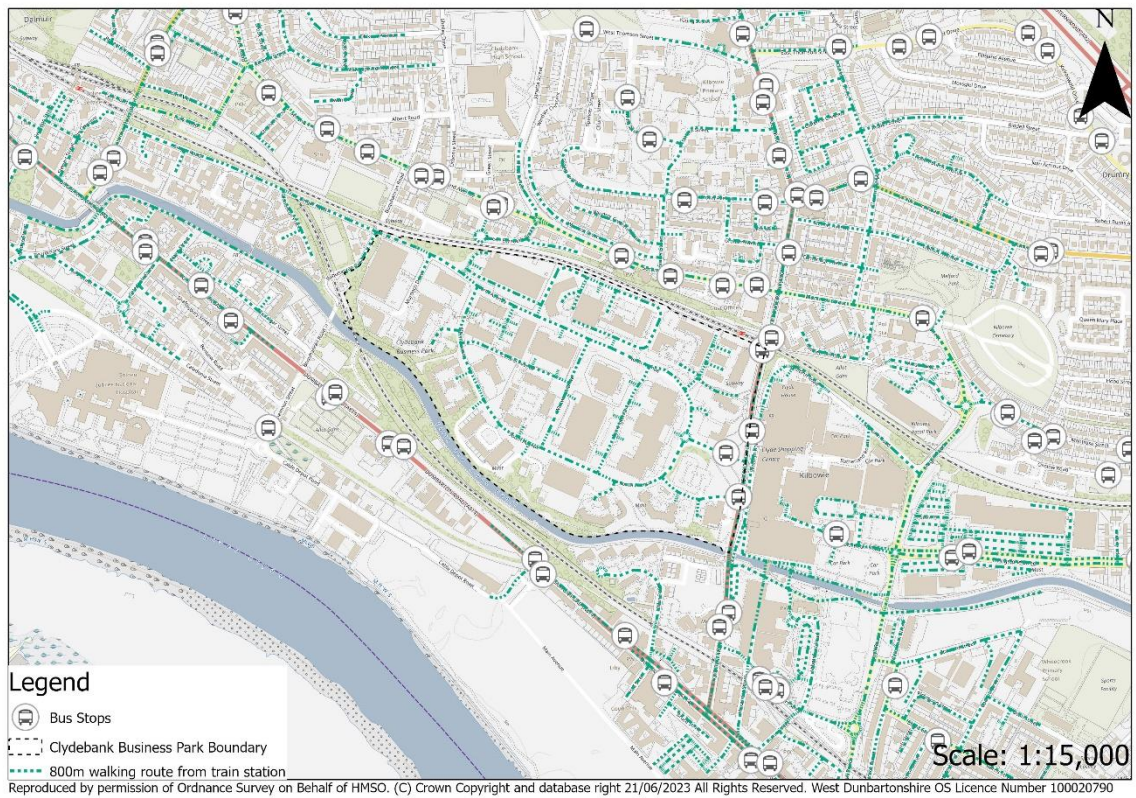
#### Conclusions from survey

The survey indicates a majority opinion within existing businesses in favour of alternative employment uses within the Business Park and support for vacancies to be addressed. There are concerns around on-road parking within the Business Park, although this is not specifically connected to alternative uses.

#### Accessibility

NPF4 and LDP2 require development proposals to demonstrate they are accessible by active travel and public transport. Map 3 shows the majority of the Business Park is within 800 metres (approximately 10 minutes walk) of nearby train stations (Singer, which is immediately adjacent, Clydebank, and Dalmuir stations) and that there are numerous bus stops on the surrounding roads and streets, including at the main entrance on Kilbowie Road.





*Map 3 Accessibility to public transport*

## 7. Application of NPF4 Policies and Local Development Plan Policy E2 criteria

Alternative employment uses will be supported in the area from the eastern entrance to the business park up to Symington Drive, as shown on Map 4. The reasons for this are:

- to ensure the business park is primarily for meeting the demand for use classes 4, 5, and 6, aligning with NPF4 Policy 26 and LDP2 Policy E2;
- the area is adjacent to the Town Centre and so the next sequentially preferred location if there are not suitable premises in the Town Centre or Commercial Centres for the proposed use, following NPF4 Policy 27;
- the area is within easy walking distance of public transport, encouraging sustainable access, following NPF4 Policy 13;

Further details on application of each of these policies, and possible exceptions are described below. Figure 1 contains a flow chart to provide an overview of how the council will assess if an alternative use may or may not be supported, but other considerations may be material.



*Map 4 Area identified for the location of non-industrial/business uses*

#### NPF4 Policy 26

The primary use of Clydebank Business Park is industry and business. Alternative uses will need to demonstrate that they are compatible with existing business and industrial uses in the business park. The council will use the criteria in Policy E2 of LDP2 in order to determine compatibility.

#### NPF4 Policy 27

Taking the town centre first approach, Clydebank town centre is the preferred location for town centre uses (as defined in the development plan) that attract significant footfall, followed by Clyde Retail Park and Kilbowie Retail Park. Where relevant, applicants for alternative employment uses within the Business Park should demonstrate through a Town Centre First Assessment that they have considered available premises within Clydebank town centre and retail parks.

In some circumstances it is accepted that premises within Clydebank town centre and its commercial centres may not be suitable for alternative uses, and cognisance will be given to the operational requirements of the proposed use with regard to physical requirements and hours of operation that may not make it suitable for a town/commercial centre location.

#### LDP2 Policy E2

##### **a. Will there be adverse impacts on the operation of existing uses or the potential for future business, industrial or employment use within the area?**

The Council shares the view of the majority of respondents that alternative employment uses have limited impact on the operations of existing businesses. Therefore, where an application is within the area outlined in map 4, and meets the other considerations set out in this guidance, only where there is clear evidence that there would be an adverse impact on an existing industrial/business use, would an alternative use be refused. However, the Council does have concerns about the safety of users of alternative employment uses within industrial/business areas, particularly of child-focused uses, and survey evidence suggests that there is a general concern with regards to parking in the Business Park, particularly on-road parking. Therefore the safety of the staff and customers of proposed alternative uses will be a consideration, as will the impact on the operations and safety of staff and customers of adjacent businesses.

Proposals should prioritise, sustainable travel, with suitable, safe walking route to the unit from public transport stops demonstrated. This includes ensuring accessibility for people with disabilities.

Any traffic impacts and parking requirements should be discussed and agreed with the Council. Consideration will be given to the need for parking in close proximity to the unit to avoid traffic conflict. Where parking areas are shared with other uses, different hours of operation will be a consideration.

The survey showed the number of dog care, grooming, and training premises within the park has increased. Further proposals for these or similar uses will be required to demonstrate how animals will be kept securely and that any outdoor space dedicated to animals will adjoined and accessed through the unit occupied by the business.

The impact from the overall level of alternative employment uses within the business park on the operation, suitability of existing industrial and business uses will be a consideration. The primary purpose of this Business Park for industrial/business use will remain

The council will not support residential/accommodation uses in the business park as this would not conform to the character of the business park. The operation of existing buildings would likely conflict with residential/accommodation amenity.

**b. will the proposal protect and enhance the attractiveness of the area as an industrial or business location?**

The evidence does not suggest alternative employment uses have a detrimental impact on the suitability of an area's future for industrial/business development and that filling vacant units has a positive effect on the attractiveness of the business park. However, a consideration will be the impact of any particular alternative use, or cluster of alternative uses on the quality and character of the Business Park.

**c. Is the proposal ancillary to the industrial and business use of the area?**

Alternative employment uses that are primarily aimed at servicing businesses or employees operating and working within the business park will be considered favourably. In particular, retail (and other class 1A uses) and food and drink uses should not exceed 250sq.m.

Uses ancillary to a business that is primarily use class 4, 5, or 6 outside of the area defined on Map 4 may be acceptable, provided that the main activity of the business falls within use classes 4, 5, or 6. The applicant must demonstrate that this ancillary uses will not attract a significant level of footfall.

**d. Will there be a detrimental impact on the availability of employment land?**

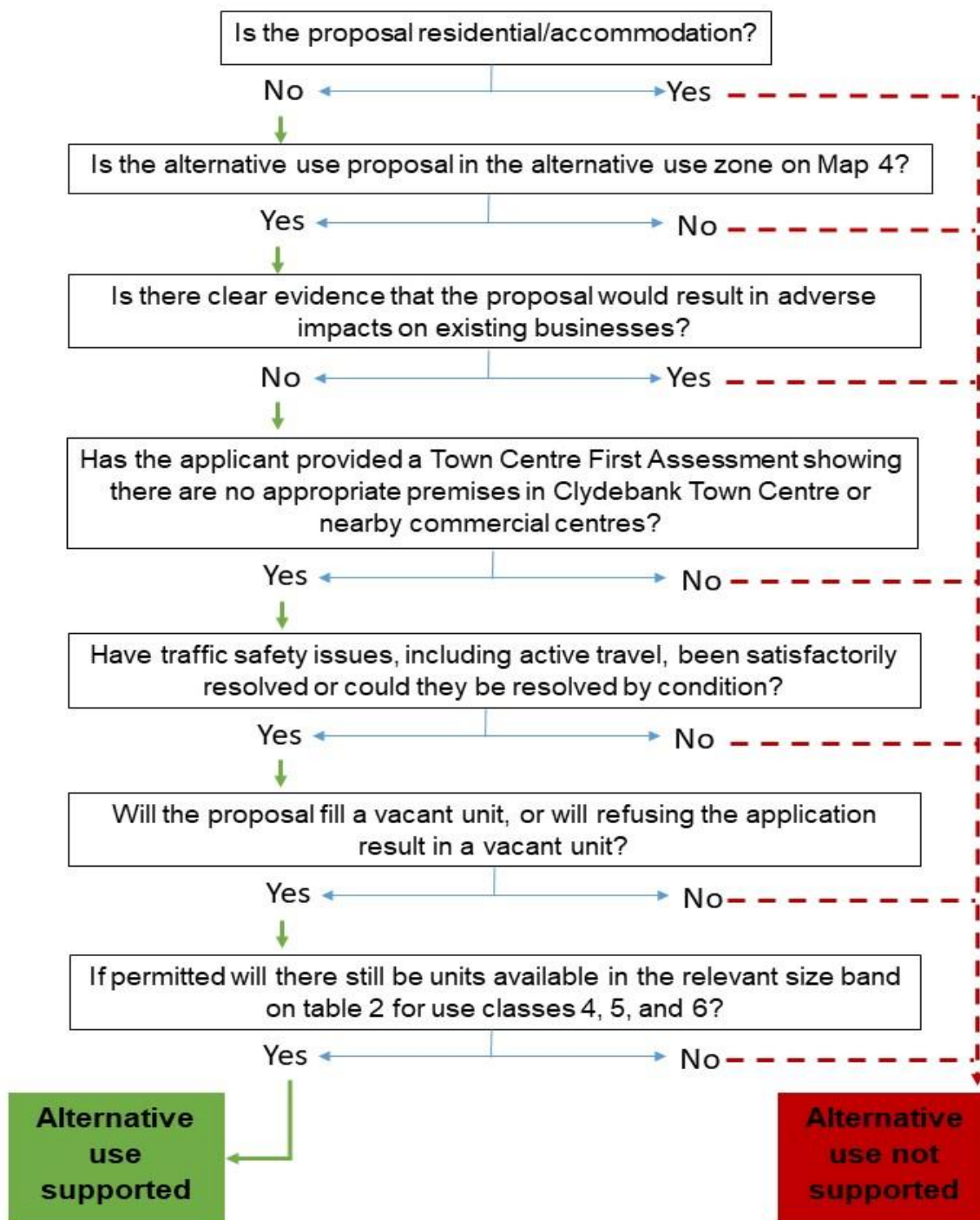
The Council will seek to retain a supply of units for Use Class 4, 5 and 6 uses in preference to other uses. Therefore, the Council will not support an alternative use in any unit that would result in there being no vacant units remaining in any of the size bands identified in Table 2.

**e. Is the economic benefit the proposal will bring to the area demonstrable?**

There is a strong preference for vacant units to be occupied as they detract from the character of the Business Park. Therefore the occupation of a vacant unit by an



alternative employment use will be viewed positively within the area defined in Map 4 for these uses and where they meet other relevant policy criteria.



**Note:** This diagram shows the main considerations for assessing if an alternative use in the business park is appropriate, but there may be other relevant considerations material to an application not included here.

*Figure 1 Flow chart indicating if a proposed alternative use may be appropriate.*

## **Appendix 1 – Online Questionnaire for Clydebank Business Park**

The purpose of this survey was to gain the views of business managers, owners and employees within the business park regarding non-business, industry, and storage and distribution uses within the business park.

The survey was distributed in April 2023 with respondents given a month to reply to each business in the park. Letters explaining the purpose of the survey, with a link and QR code to the survey were delivered to businesses. Where possible they were handed directly to a manager or employee of the business. Where this was not possible it was posted through the door or into a mail box.

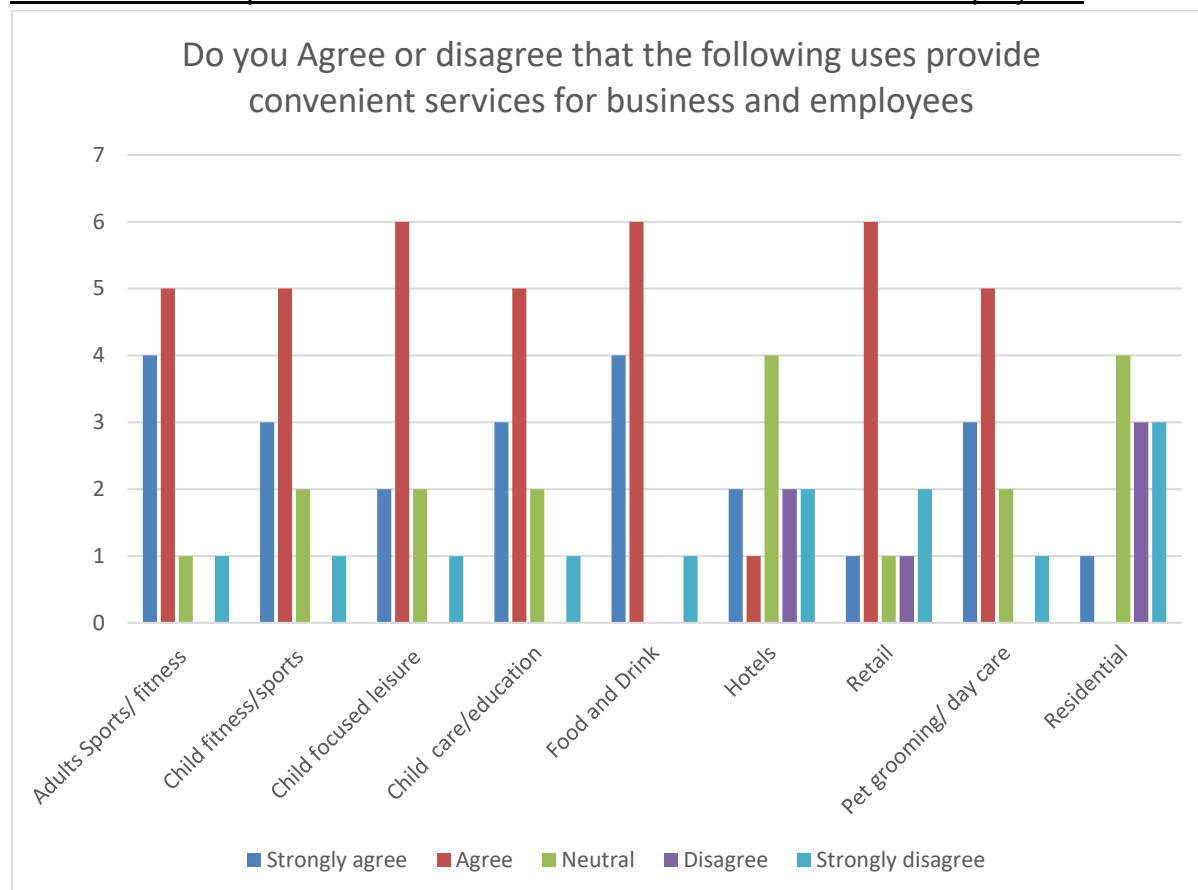
Where applicable responses were compared to the previous survey, which was part of preparing the original 2017 guidance. It should be noted that the previous survey did not ask questions on pet grooming and day care services, retail uses, or residential uses, so any comparison does not refer to these uses.

### Definitions

- Adults Sports/ fitness – Use class 11 premises focussed adult fitness, such as gyms and personal training
- Child fitness/sports – Use class 11 premises focussed on activities and fitness for children, such as dance studios, and gymnastics
- Child focused leisure – Use class 11 premises focussed on leisure for children, such as soft play.
- Child care/education – Use class 10 for child care, such as crèche and nurseries.
- Food and Drink – Use class 3 and Sui Generis hot food takeaways.
- Hotels – Use class 7.
- Retail – Use class 1
- Pet grooming/ day care      Residential – premises for pet grooming and day care services
- Residential – residential uses, including institutions such as care homes and student accommodation.

### Number and Type of Respondents

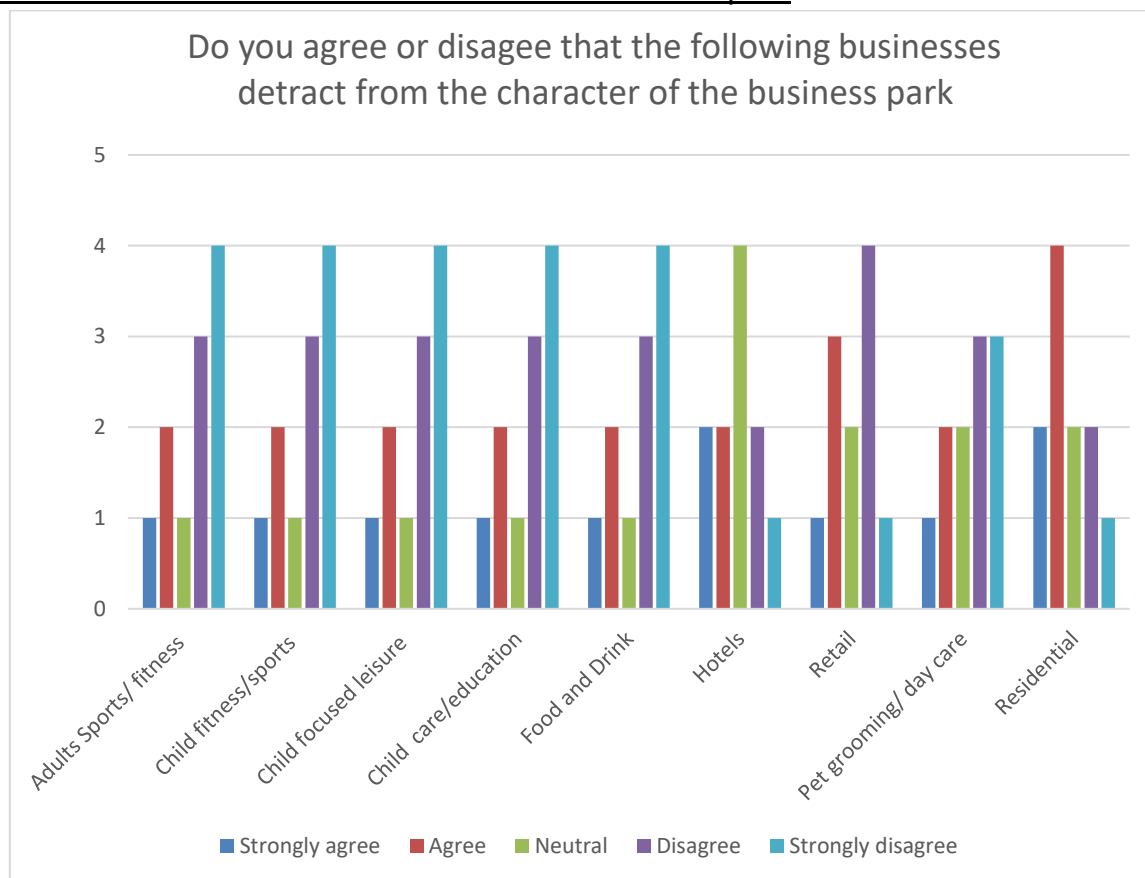
There were a total of 11 respondents to the survey. Respondents were asked if they were responding on behalf of a business or as an employee. Seven responses were on behalf of a business as the manager or owner which represents a 4% response rate from businesses. The remaining four responses were from people who identified as employees.

Alternative uses provide convenient services for businesses and employees

The majority of respondents either agreed or strongly agreed that sports and fitness (for adults and children), child focussed leisure, child care and education, and food and drink provided convenient services to the businesses and employees. For hotels the largest response was neutral, and overall there was slightly more disagreement than agreement that they provided a convenient service. Retail was generally considered to provide a convenient service, as was pet grooming and day care. Residential had the strongest negative response of all the listed uses, with only one respondent strongly agreeing they provide a convenient service and four giving a neutral response.

When compared to the previous survey results were similar for adult fitness, child care and food and drink, however there were more neutral or negative responses to these uses in this survey. Responses were more mixed towards hotels in this survey than the previous survey were responses were in agreement or neutral.

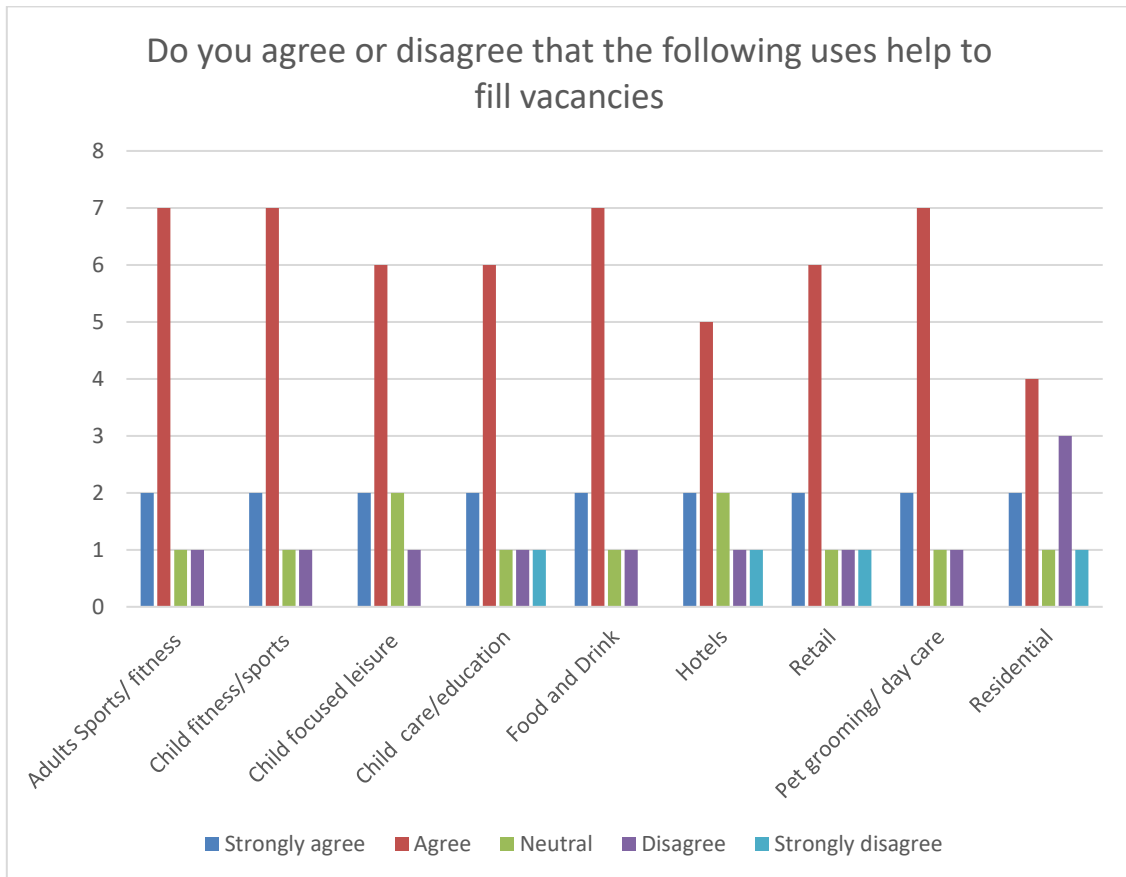


Alternative uses affect the character of the business park

Adult fitness, child fitness, child leisure, child care, and food and drink all had the same responses to this question. More respondents disagreed or strongly disagreed that these uses detracted from the character of the business park than agreed or strongly agreed. Hotels received a mixed response to this question; the largest number of responses were neutral, and slightly more agreed or strongly agreed that hotels detract from the character of the park than agreed or disagreed. Retail received a mixed response, with only one more responded disagreeing or strongly disagreeing that retail detracts from the character of the business park than agreeing or strongly agreeing. The response to pet grooming and day care was generally more positive than negative.

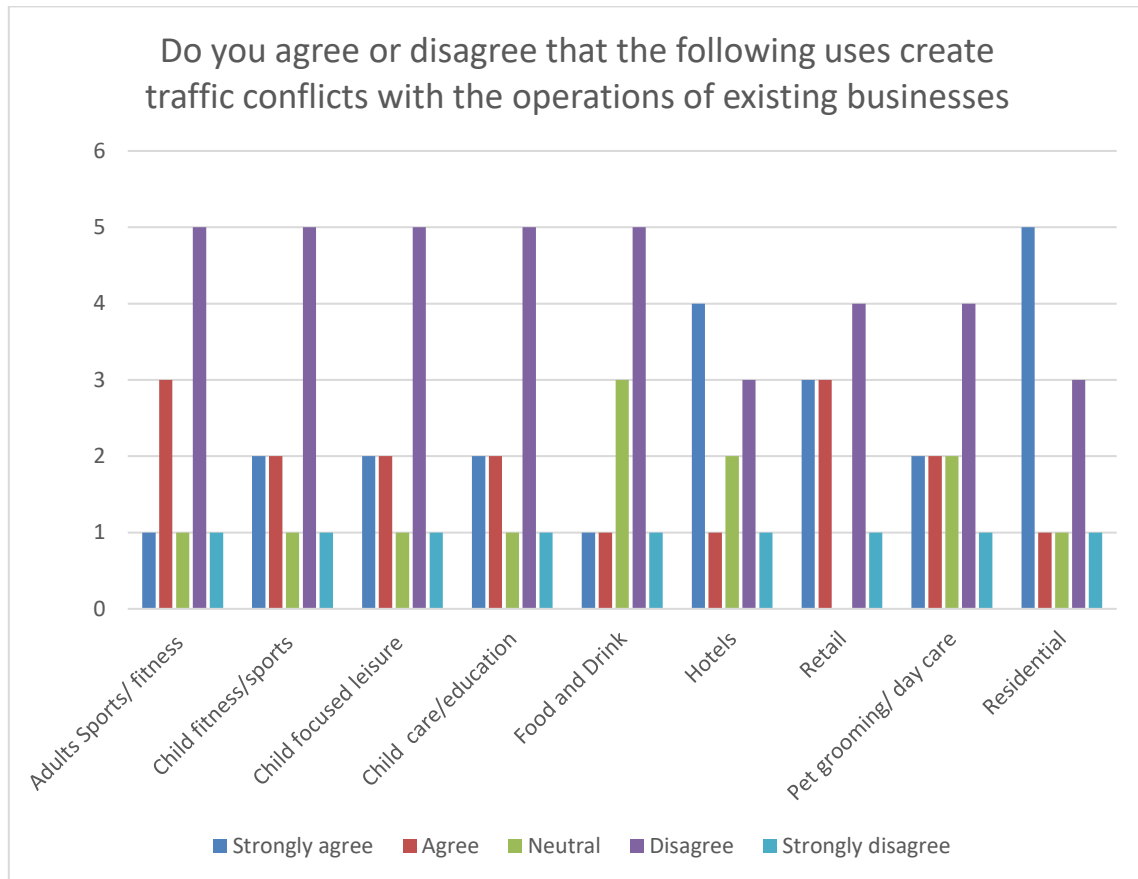
Overall the results of this and the previous survey disagreed that adult fitness, child fitness, child leisure, child care and food and drink detracted from the character of the business park. However there was more, responses in agreement that they did detract than the previous survey. In this survey more respondents strongly disagreed than in the previous. The view on hotels is more mixed than in the previous survey, with more agreement or strong agreement that they detracted from the character of the business park.

### Alternative Uses and Vacancies



There was general agreement that alternative uses helped to fill vacancies within the business park, with a small number of answers being neutral, disagreeing, or strongly disagreeing. The exception to this was residential which had a more mixed response, but was slightly weighted towards agreement.

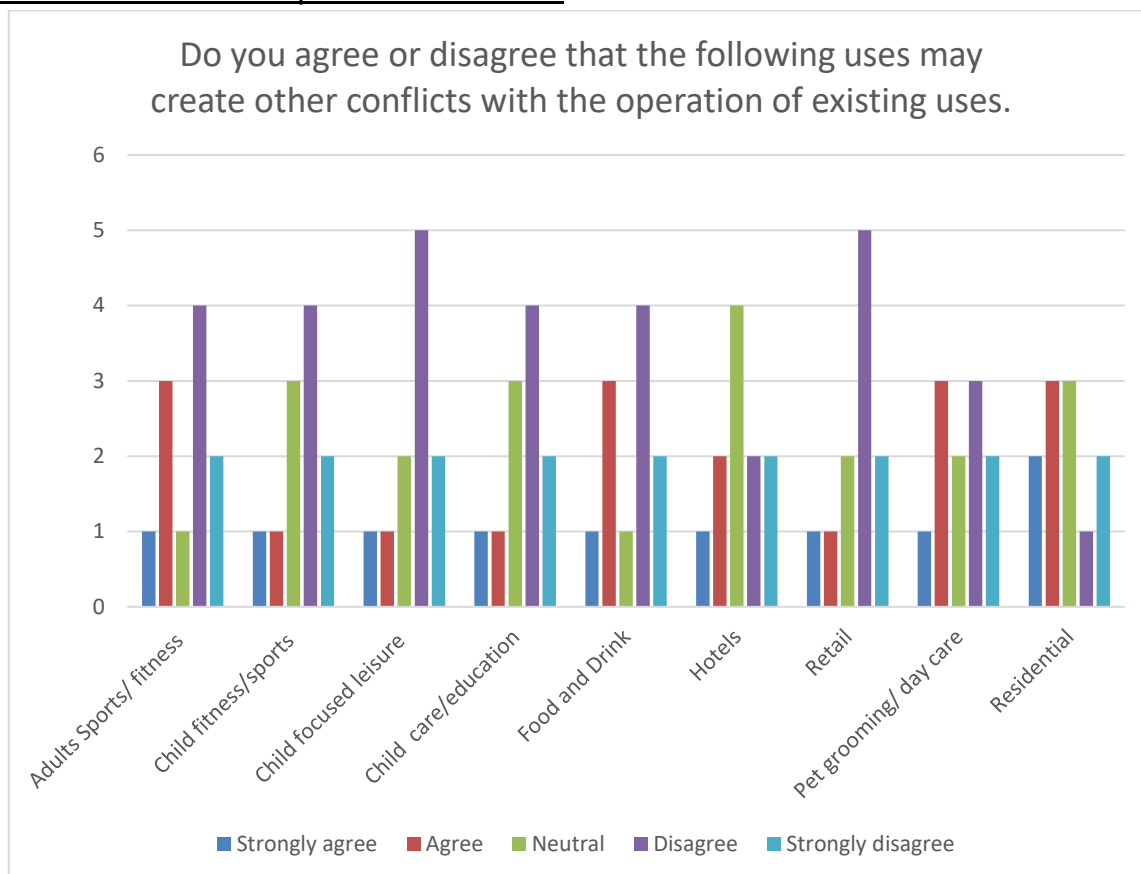
The previous survey was also in agreement that alternative uses help fill vacancies.

Alternative uses and traffic conflicts

Adult fitness, child fitness, child leisure, child care, and food and drink all had similar responses to this question; “disagree” was the most common answer among all these uses, however some responses did agree or strongly agree that these uses created traffic conflict. Residential and Hotels had the largest “strongly agree” responses, respectively, and this was the most common response for these uses, however this was followed by “disagree” in most cases. Retail had a mixed response, however more respondents agreed or strongly agreed than disagreed or agreed. Pet grooming and day care had a very mixed response, but the most common response was “disagree”.

Where applicable, responses from the previous survey are comparable to responses to this survey. Hotels are an exception to this, which received more responses in strong agreement than previously.

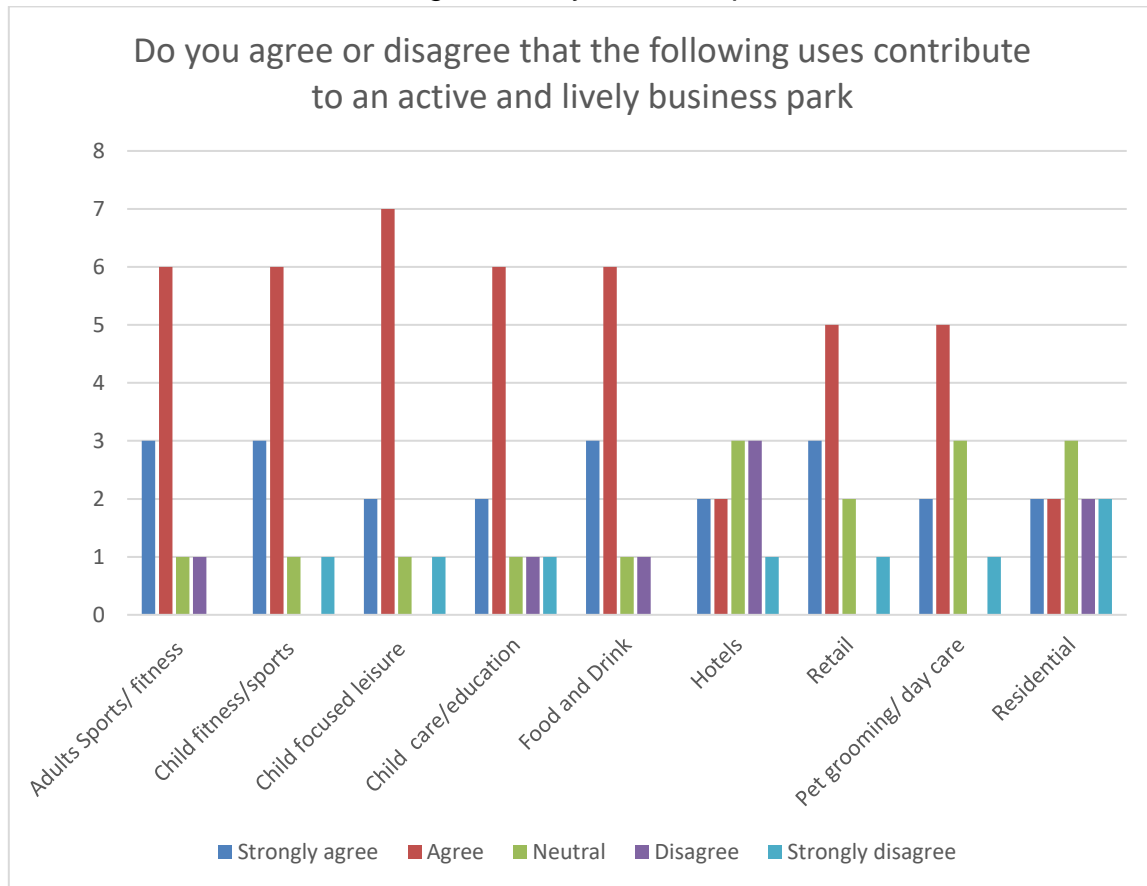
### Alternative uses and operational conflicts



Overall, respondents disagreed, strongly disagreed, or were neutral that child fitness, child leisure, child care, and retail uses did not create operational conflicts or responded neutrally for these uses. Other uses received more mixed results. Adult sports and fitness, and food and drink were considered by more respondents to cause operational conflicts than those uses listed above, but more views stated they disagreed or strongly disagreed they created conflict than did agree or strongly agree. Opinions on hotels, pet grooming and day care, and residential were split roughly evenly.

In the previous survey there was general disagreement that alternative uses cause other operational conflicts with existing businesses. Disagree was still the most common response in this survey, the response overall was more mixed, particularly with adult fitness and food and drink.

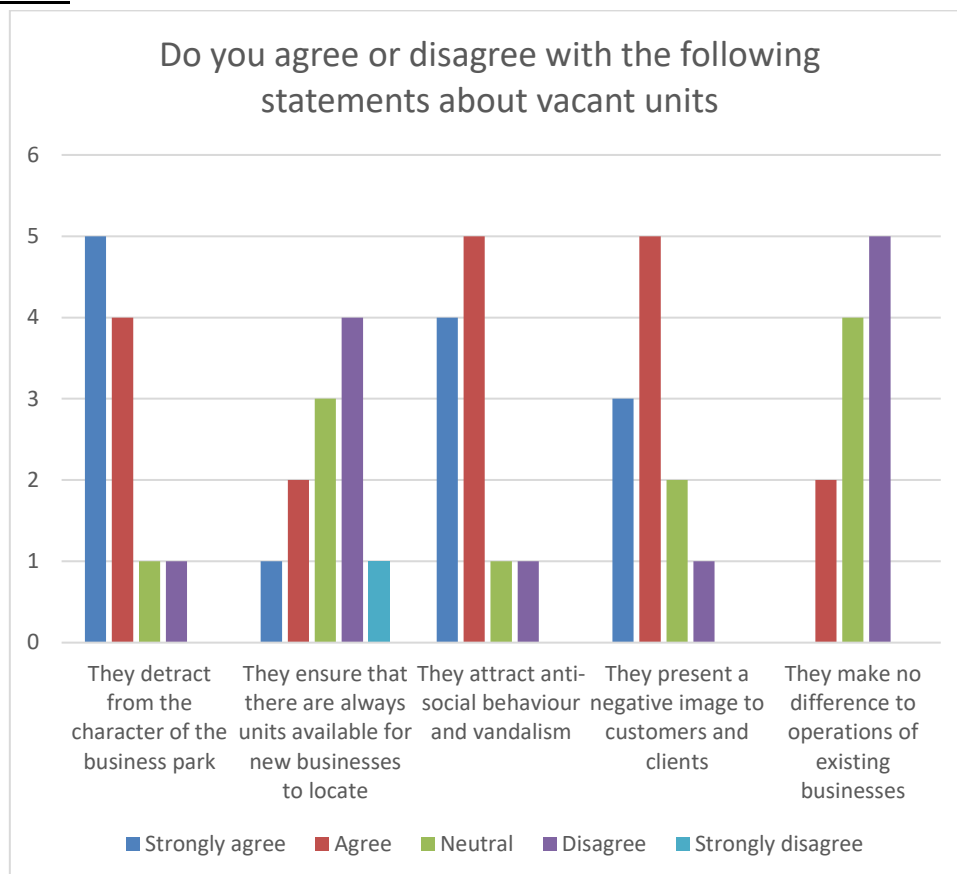
### Alternative uses and contributing to a lively business park



The majority of responses either agreed or strongly agreed that other uses contributed to a lively and active business park. The exceptions to this was hotels and residential. For hotels more respondents had a neutral response or disagreed, though there was still some agreement that hotels contributed to an active and lively business park. Residential received a mixed response, with the most common response being neutral and an equal number of responses that agreed, strongly agreed, disagreed or strongly disagreed.

This generally aligns with responses from the previous survey, however there was some more disagree or strongly disagree responses than in the previous surveys.

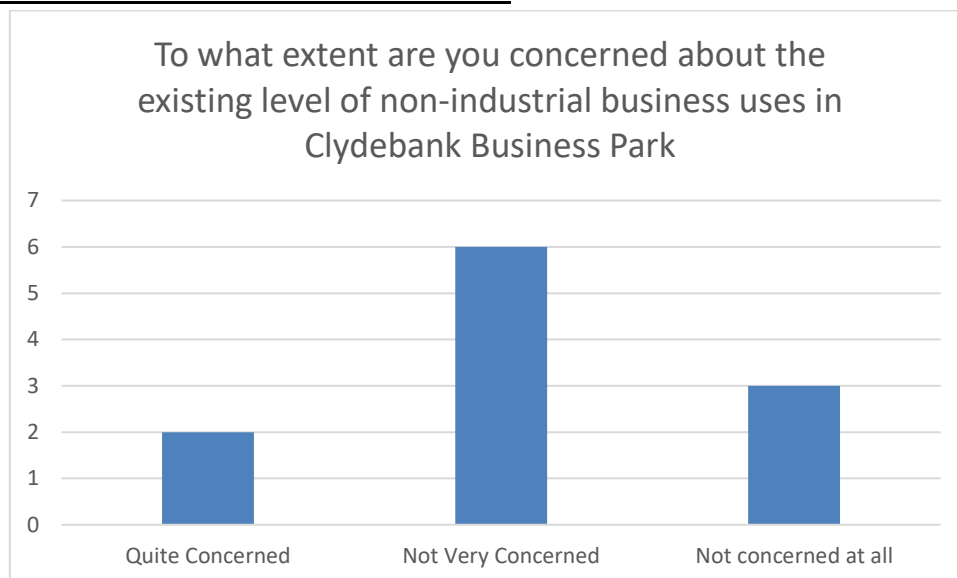
## Vacant Units



Respondents generally agreed that vacant units detracted from the character of the business park, vacant units attract anti-social behaviour and vandalism, and present a negative image to customers and clients. Respondents generally disagreed that they make no difference to the operations of the business park. There were mixed views, but general disagreement that vacant units always ensure there are units available for new businesses to locate.

This survey generally aligns with the previous survey.

### Concern about non-industrial business uses



Most respondents were not very concerned about non-industrial uses in the business park. Two respondents were quite concerned and three were not at all concerned.

A larger proportion of respondents selected “not very concerned” compared to the previous survey, with a small proportion of respondents being quite concerned or not at all concerned.

### Other uses in the business park you would like to see

Respondents were asked if there are any other uses in the business park they would like to see. There were three responses suggesting the following uses:

- Trade stores, e.g. Screwfix
- More food uses
- Hair dresser or nail technician

### Other Comments

When asked if they had any other comments on non-industrial uses in the business park the following responses were received:

- Could we have industrial bins
- I think any business that attract people into the Business Park is good and also feel landlords should be doing all they can to ensure units remain in use and that might mean assistance from the Council to keep rent and service charges affordable while ensuring all roads are in a satisfactory condition which is not the case withing the Business Park at the moment.
- In 2016 we moved into the business park by the skin of our teeth after very strong opposition from some councillors. 7 years later (even after the pandemic and being forced to close for 15 months) we are still here welcoming families, Employing 23 members of staff and contributing to the local community/economy in many small ways. I don't see any reason to

leave units empty when they could be filled with thriving business's? I'd like to thank those councillors who had the foresight to have faith in us.

- We (UK) are moving to, or have moved to years ago, service led businesses. Manufacturing et al is no longer congruent or pivotal with a modern growing economy..
- You just have to look outside any school / nursery or even local activities centres at start finish times to see the chaos brought to any area by inconsiderate and often dangerous parking and blocking of lanes, Some of the parking at weekends with the 1 current play centre is bad enough
- Parking lighting and safety are concerns.
- Traffic and parking is ready a nightmare

#### Key Points from Survey

- Overall, alternative uses were generally seen to provide convenient services for businesses and employees, with the exception of residential, which was not seen to. Hotels had a mixed response to this question.
- Alternative uses were generally not seen to detract from the character of the business park. Residential and hotels received a more mixed response to this question, with responses to residential uses leaning towards that they would detract from the character.
- There was general agreement that alternative uses helped fill vacant units.
- There were some mixed views on whether alternative uses caused traffic conflicts, but generally that they did not was the most common response. The exceptions to this were hotels, retail and residential, where more respondents strongly agreed that they did cause traffic conflicts with existing businesses.
- There were also mixed views as to whether there were other operational conflicts cause by alternative uses. Overall it was generally considered that child related uses did not cause conflict, but this was not unanimous. Opinions on hotels, pet grooming and day care, and residential were split roughly evenly.
- It was generally agreed that alternative uses contributed to a lively and active business park, with the exception of hotels and residential which received more mixed views.
- Overall it was felt that the presence of vacant units had a detrimental effect on the business park.
- There is some concern as to the number of alternative uses within the business park.



**This document is also available in other languages, large print and audio format on request.**

### **Arabic**

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعة الكبيرة وبطريقة سمعية عند الطلب.

### **Hindi**

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

### **Punjabi**

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

### **Urdu**

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

### **Chinese (Cantonese)**

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

### **Polish**

Dokument ten jest na życzenie udostępniany także w innych wersjach językowych, w dużym druku lub w formacie audio.



### **British Sign Language**

BSL users can contact us via [contactSCOTLAND-BSL](https://www.scotland.gov.uk/contact-scotland-bsl), the on-line British Sign Language interpreting service.

**☎ 01389 737527**

**✉ West Dunbartonshire Council, 16 Church Street,  
Dumbarton, G82 1QL**

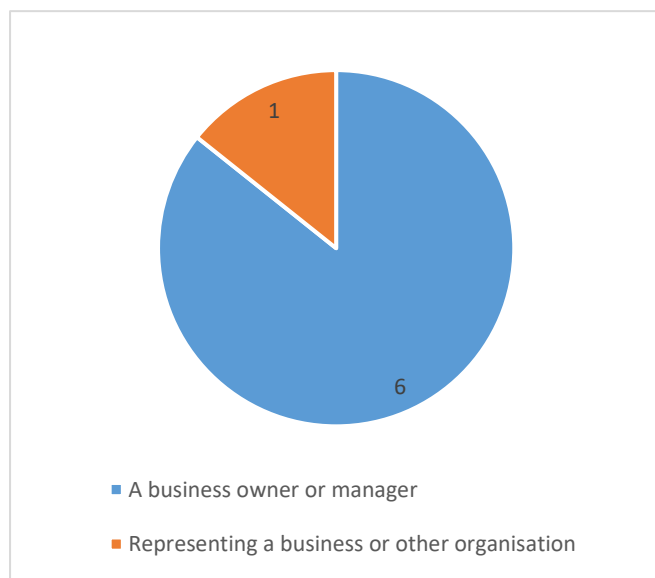
**💻 [communications@west-dunbarton.gov.uk](mailto:communications@west-dunbarton.gov.uk)**

## Clydebank Business Park Draft Guidance Consultation Results

Consultation on the draft planning guidance took place over 12 weeks between the 22<sup>nd</sup> September and 22<sup>nd</sup> December 2023. The consultation was undertaken through the online platform Survey 123 and was mainly targeted at businesses within the business park area. Businesses within the park were contacted by letter that the consultation was taking place, and the consultation was also promoted using the council's social media. Letters were sent to 161 addresses in the park.

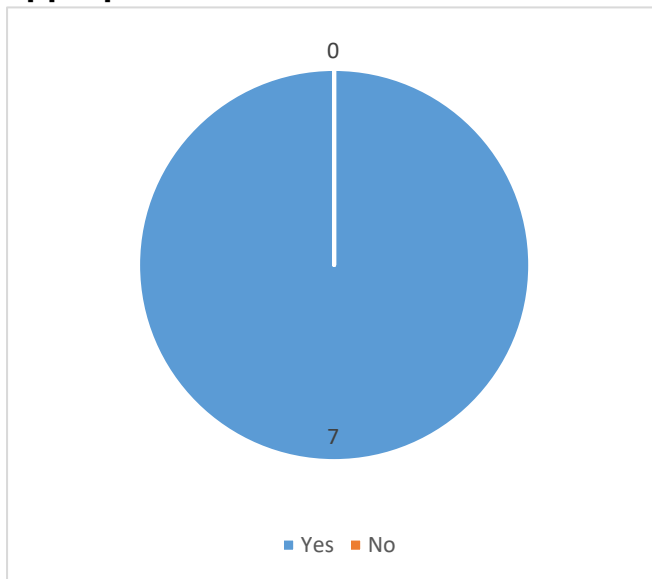
The consultation received a total of seven responses. The survey consisted of four yes or no questions, asking respondents whether they agree with specific elements of the guidance. Respondents were also asked to provide comments should they wish to provide additional detail. The council has responded to each of these comments.

### Which category applies to you?



Six of the seven respondents were a business manager or owner, with one representing a business or other organisation.

**Are the definitions of different uses in section two of the guidance appropriate?**



The guidance uses the term 'industrial/business uses' to refer to the following uses from the Town and Country Planning (Use Classes) (Scotland) Order 1997:

- Use Class 4 – Business
- Use Class 5 – General Industry
- Use Class 6 – Storage and Distribution

The guidance uses the term 'residential/accommodation uses' to refer to:

- Use Class 7- Hotels and Hostels
- Use Class 8 & 8A - Residential Institutions and Secure Residential Institutions, e.g. nursing home, hospital, prison
- Use Class 9 – Houses
- Sui Generis flats and student accommodation

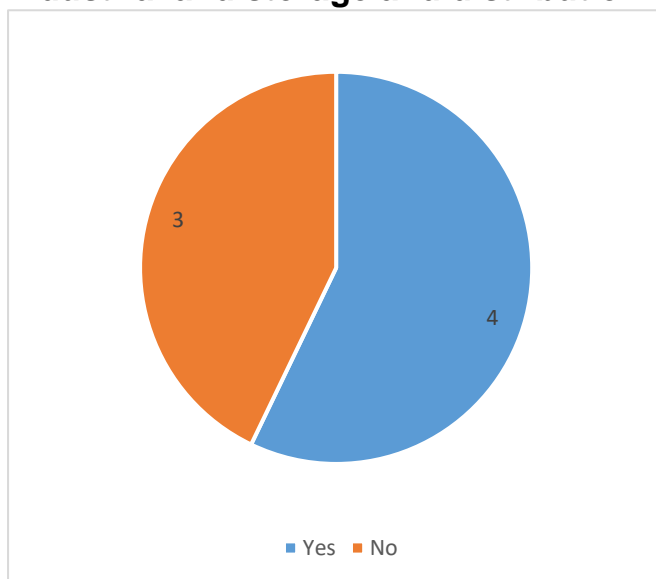
All other uses will be referred to as 'alternative employment uses'.

All respondents agreed with the definitions given in section two of the guidance.

**Proposed changes as a result of responses to this question**

No proposed changes to this section of the guidance as a result of responses to this question.

**Is the area identified in Map 4 the appropriate location for non-business, industrial and storage and distribution uses within the business park?**



Four respondents considered that the area defined on Map 4 was the appropriate area to locate non-business, industrial, and storage and distribution uses.

Three respondents said the area was not appropriate.

**If no, where is it appropriate for non-business, industrial, and storage and distribution to be located?**

Of the three respondents that said no, two considered that there should be no such restriction on the location of businesses and prioritise filling vacant premises and providing employment opportunities. One respondent said that changing the planning status of the park would not bring a positive impact, in particular highlighting concerns around safety and security that increased footfall may bring to the area.

There is a conflict within these responses, between respondents wanting to attract visitors into the park and respondents cautious about doing so for reasons of security.

***Respondent 1***

*“The key element for us locating our business in the located was largely in part due to the current planning status of this area, we do not think that any change to that will bring positive benefits and may become a factor in us looking to relocate away.*

*Also this area is relatively secure for businesses you would be looking to introduce a transient population to an area that in the evening is sparsely populated and can impact on the security of these businesses.”*

**West Dunbartonshire Council response**

The council intends for the main uses of the business park to be business, industrial, and storage and distribution and the criteria for determining planning applications has been designed with this in mind. It is not intended that the guidance would encourage increased activity in the evening. Issues of safety and security can be considered when deciding if an application is compatible with the industrial and business use of the area.

***Respondent 4***

*“There should be no defined area for this. Businesses within the Business Park are denied the opportunity to have 'drop by' visitors if only one part is used for non-business activities. People not familiar with the Business Park may not be aware (I work in the Business Park and I am not aware) of all the businesses within the Park*

*and what services I could use locally. Empty space should be utilised by all types of companies especially if they contribute to employment of local people.”*

### **West Dunbartonshire Council response**

One purpose of the defined area is to ensure businesses that may generate higher levels of footfall are within close proximity of Clydebank Town Centre, however it does not necessarily prohibit businesses from accepting ‘drop by’ visitors, provided this is ancillary to the main business (e.g. not the main purpose of the business or premises). For example some businesses within the business park are primarily sales or manufacturing, but have a showroom element. Ancillary uses such as this that enable visitors to business, industry, and storage and distribution may still be acceptable. The guidance can be amended to clarify this.

#### *Respondent 7*

*“With the accessibility to local bus stops and train and location to shopping centre any units should be available for mixed use. Employment and provision of facilities is more important than units sitting empty, not every business fits in a “box” “*

### **West Dunbartonshire Council Response**

The area for alternative uses was chosen in part because of its proximity to public transport and Clydebank Town Centre. National Planning Policy and West Dunbartonshire Council aim to support town centres through an approach which intends to direct uses that generate significant footfall towards the town centre. Town centres are the preferred location for such uses, however the guidance does recognise this is not always feasible, allowing for these uses within the business park.

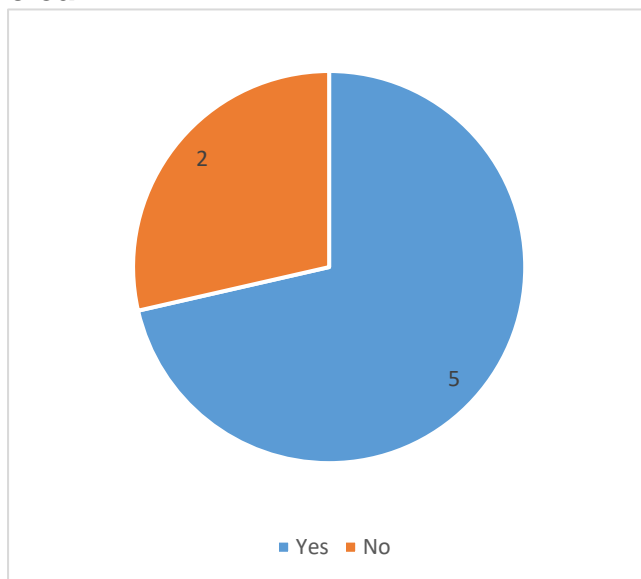
However this needs to be balanced against the need to ensure that there is sufficient land and premises available for business and industry use. The council’s intention is that Clydebank Business Park remains primarily for business, industry, and storage and distribution and so considers that restricting the area that alternative uses are permitted is necessary.

#### Proposed changes as a result of responses to this question

Amend guidance to clarify that uses ancillary to a business in use class 4, 5, or 6 outside of the zone in map 4 may be acceptable, provided that the primary activity on the site still falls under use class 4, 5, and 6. For example a business which is primarily manufacturing or sales, could have a small show room. Applicants for proposals outside of zone for must demonstrate that this will not attract a significant amount of footfall.

It is not considered appropriate for the guidance to enable alternative uses in all areas of the business park, due to the need to ensure that there is available land and premises for business, industrial, and storage uses.

### Are the criteria for deciding planning applications on 'alternative uses' clear?



Five respondents considered that the criteria for deciding applications for 'alternative uses' were clear, with two stating that they were not.

#### If no, what is unclear? How could the clarity be improved?

One of the respondents who said the criteria were not clear did not know what the criteria were. One respondent to this question stated that the criteria in the draft guidance was much clearer than when they had been through the planning process.

*Respondent 3*

*"What are they?"*

#### **West Dunbartonshire Council response**

The criteria were detailed in section 7 of the consultation draft guidance.

*Respondent 7*

*"So much better than when we had to go through planning process."*

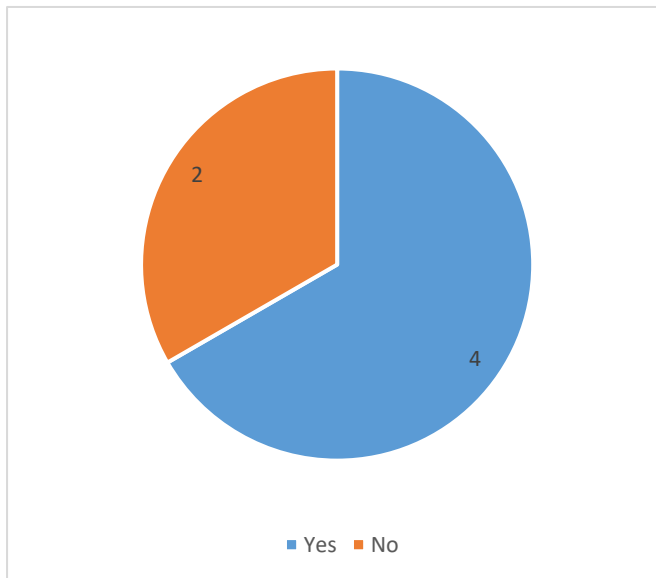
#### **West Dunbartonshire Council response**

This comment is noted.

#### Proposed changes as a result of responses to this question

No proposed changes to this section of the guidance as a result of responses to this question.

**Do you agree with the criteria the guidance applies to determining planning applications for 'alternative employment uses'.**



Six of seven respondents answered this question. Four respondents agreed with the criteria and two did not agree.

**Please provide additional detail on what criteria you think should be applied when determining planning applications within the business park?**

Three respondents provided additional detail. One respondent suggested the council should long term help to the businesses to boost local employment. One respondent suggested if consideration should be given to increased footfall (and therefore custom) to the business park and provision of parking near to the businesses.

***Respondent 1***

*"I understand the planners desire to look at alternatives for this area but this is a well established industrial area and maybe providing some long term support to the businesses located here can help to increase local employment."*

**West Dunbartonshire Council response**

This comment is noted, however this is not an issue that can be addressed through planning guidance.

***Respondent 4***

*"Will it provide a wider variety of people travelling through the Business Park? Would the business asking for change of use within the Business Park benefit from having parking close - not a car park at one or other side of the Shopping Mall (or more importantly would their customer benefit and in turn would this mean more people within the Business Park)."*

**West Dunbartonshire Council response**

Uses that generate significant amounts of footfall (e.g. retail, food, leisure) are generally preferred in town centre locations or retail parks. The Council will continue to promote footfall in town centre locations where possible, but allow these uses in the business park when there are not appropriate premises in the town centre for particular business needs. This is addressed in section 7 under "NPF4 Policy 27".

## Appendix 2

Parking is addressed within the guidance, including the need to have parking close by to the businesses, in section 7 under “LDP Policy E2”, part “a”.

*Respondent 7*

*“Common sense”*

### **West Dunbartonshire Council response**

This comment is noted.

#### Proposed changes as a result of responses to this question

No proposed changes to this section of the guidance as a result of responses to this question.

The suggestion that the Council provide additional support to businesses within the business park is beyond the scope of this guidance and is a wider economic development issue.

The suggestion that the council should consider whether a planning application will lead to greater footfall in the area is not considered appropriate in this situation. Directing footfall towards the town centres is the preference in both local and national planning policy. The business park is designated primarily for business and industry and the council is seeking to ensure that proposals that may bring more footfall are still compatible with this and are in close proximity to the town centre.



**Do you have any other comments on the draft guidance you would like the council to consider?**

*Respondent 2*

*“The business park was previously zoned as not suitable for Motor Trade. Has this been changed officially or just by non enforcement? The motor trade activities are a blight on the whole park. Scrap and untaxed cars are left in north avenue almost permanently. This will be the thin edge of the wedge that will see this high quality park ruined. You should halt any further motor trade activities in the business park.”*

**West Dunbartonshire Council response**

Existing Planning policy and guidance for the Clydebank Business Park does not explicitly exclude “Motor Trade” uses. Mechanic garages would be considered either class 4 (business) or class 5 (industrial) uses depending on the nature of the business and therefore acceptable in the business park in principle. However other motor uses (including sale or display of vehicles, taxi/vehicle hire, or a scrap yard/ yard for breaking motor vehicles) would be considered sui generis (not falling into a specific use class). Application for these uses would need to be considered on their own merits against policy and guidance.

*Respondent 4*

*“For me if a business is considering the Business Park over other areas it is because there is an advantage to that business such as the Unit being considered being the correct size or able to be extended etc. All applications should be considered on merit and not just if they tick a certain amount of boxes on a pre-determined list.”*

**West Dunbartonshire Council response**

We accept some businesses do have specific needs and may find it difficult to locate their businesses elsewhere, such as the town. This is addressed within the draft guidance in section 7 under “NPF4 Policy 27”.

**Proposed changes as a result of responses to this question**

No proposed changes to this section of the guidance as a result of responses to this question.

<b>AssessmentNo</b>	744	<b>Owner</b>	cameron.clow	
<b>Resource</b>	Transformation		<b>Service/Establishment</b>	Regulatory
	First Name	Surname	<b>Job title</b>	
<b>Head Officer</b>	Cameron	Clow	Development Planning and Place Office	
	(include job titles/organisation)			
<b>Members</b>	Cameron Clow Alan Williamson			
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>			
<b>Policy Title</b>	Revision of planning guidance for Clydebank Business Park			
	<b>The aim, objective, purpose and intended out come of policy</b>			
	The aim is to control the types of land use within Clydebank Business park to ensure they are compatible or complimentary to the business parks primary use for industrial and business uses.			
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>			
	Planning			
<b>Does the proposals involve the procurement of any goods or services?</b>			<b>No</b>	
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>			<b>No</b>	
<b>SCREENING</b>				
<i>You must indicate if there is any relevance to the four areas</i>				
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>			<b>Yes</b>	
<b>Relevance to Human Rights (HR)</b>			<b>No</b>	
<b>Relevance to Health Impacts (H)</b>			<b>Yes</b>	
<b>Relevance to Social Economic Impacts (SE)</b>			<b>No</b>	
<b>Who will be affected by this policy?</b>				
Businesses seeking to establish themselves in Clydebank Business park and the users of those businesses. There is specific mention of child oriented uses in the business park, including childcare and leisure uses, such as soft play.				
<b>Who will be/has been involved in the consultation process?</b>				
Business owners/ managers and employees of the business park have been surveyed with an online questionnaire.				
<b>Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.</b>				
	<b>Needs</b>	<b>Evidence</b>	<b>Impact</b>	
<b>Age</b>	Child oriented uses, including childcare and soft play are present in the business park and the guidance seeks to further control these uses to ensure	Online consultation of business owners/ managers and employees. Survey of business park premises and uses maps these uses throughout the park.	The guidance will limit the area where child oriented uses will occur and guides these uses to an area of the business park that is accessible by public	

	that they do not impact the operation of existing businesses and to enable safer access of this group to the business park.		transport and states development should ensure there are safe walking routes.
<b>Cross Cutting</b>			
<b>Disability</b>	The Council needs to have due regard to the Public Sector Equality Duty, in terms of planning matters. This includes around accessibility for disabled people. National Planning Policy sets it out the needs of people with disabilities needs to be met regarding transport and access	There is a range of evidence on the importance of consideration of the PSED in planning matters	The guidance will note that accessibility is an important thus helping to ensure that a shared understanding of considerations.
<b>Social &amp; Economic Impact</b>			
<b>Sex</b>			
<b>Gender Reassign</b>			
<b>Health</b>	The guidance highlights that residential uses are not acceptable in the business park, as the business and industrial nature would likely impact the amenity of residents and impinge on the ability of businesses to operate.	Online consultation of business owners/ managers and employees indicates that residential uses in the park would likely cause conflicts with the operation of existing businesses.	Planning permission would not be granted for residences within the business park, which will avoid conflicts with business uses.
<b>Human Rights</b>			
<b>Marriage &amp; Civil Partnership</b>			
<b>Pregnancy &amp; Maternity</b>			
<b>Race</b>			
<b>Religion and Belief</b>			
<b>Sexual Orientation</b>			
<b>Actions</b>			
<b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>			

<b>Will the impact of the policy be monitored and reported on an ongoing bases?</b>
The guidance will likely be reviewed as part of the preparation of a new Local development Plan.
<b>Q7 What is you recommendation for this policy?</b>
Intoduce
<b>Please provide a meaningful summary of how you have reached the recommendation</b>
As part of managing different types of uses in Clydebank Business Park, child oriented uses have been restricted. The effect of this will be the reduced conflict with these uses and the primary users of Clydebank Business Park. The guidance strikes a balance between the enabling some child oriented uses within the business park and preventing conflict with existing business and industrial uses. The guidance will note that accessibility is an important thus helping to ensure that a shared under standing of considerations. The guidance does not support any kind of residential or accommodation use within the business park. This should have a positive impact on health, as the business and industrial nature of the main occupiers of the business park could harm the amenity of residents.

**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 14<sup>th</sup> February 2024**

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**Subject: Pay Day Lending and Betting Shop Planning Guidance****1 Purpose**

- 1.1** The purpose of the report is to seek approval to consult on draft Planning Guidance relating to Pay Day Lending and Betting Offices.

**2. Recommendations**

- 2.1** It is recommended that the Committee approves the publication of the draft Pay Day Lending and Betting Shops Guidance in Appendix 1 for consultation.

**3. Background**

- 3.1** In 2016 the Council adopted guidance to control pay day lending and betting shops in town centres due to their number and concentration in specific locations. Research involving surveys and in depth focus groups identified Clydebank and Dumbarton Town Centre in particular were considered to have an undesirable number of these premises. The research showed a majority of people felt that too many of these uses in town centres, that they did not improve the vibrancy or vitality of the town center, and they had a negative impact on health and wellbeing.
- 3.2** The proposed 2020 Local Development Plan 2 (LDP2) indicates that the guidance should be updated to reflect new policy. Whilst LDP2 will not now be adopted and does not form part of the development plan, it is a material consideration in planning decisions and it is the most up to date spatial strategy for the Council's planning area. Additionally, the Fourth National Planning framework (NPF4) became part of the statutory development plan in February 2023. NPF4 has taken onboard much of the Council's approved guidance on Pay Day Lending and Betting Offices and now includes provisions enabling planning authorities to refuse proposals for pay day lending and betting shops where it is considered further provision will undermine the character and amenity of the area or health and wellbeing of communities, particularly in disadvantaged areas, in Policy 27.
- 3.3** The updated draft guidance reflects changes to planning policy, up to date town centre surveys identifying the number and location of pay day lending and betting shops, and updated research. The evidence supporting this guidance is compiled in a separate background information document in Appendix 2.

**4. Main Issues**

- 4.1** Updated Pay Day Lending and Betting Shop Guidance and Background Information have been prepared and draft versions for consultation purposes are attached for approval in Appendix 1 and 2 respectively.
- 4.2** The Planning Guidance is intended to address the over-concentration of pay day lending and betting shops and potential negative effects on the vibrancy of town centres and wellbeing. The guidance and accompanying background information sets out the socio economic background of West Dunbartonshire, which is arguably one of the more deprived areas in Scotland according to the Scottish Index of Multiple Deprivation and employment, benefits and earnings data. When compared to the rest of Scotland, the area has lower weekly wages per resident, higher proportion of people economically inactive due to long term illness, and a higher proportion of benefit claimants.
- 4.3** Literature indicates that higher deprivation is correlated to a higher density of gambling machines and that easier access to gambling means individuals are more likely to gamble. West Dunbartonshire, when compared to other authorities of a similar population size was found to have a significantly higher number of betting shop licenses. Regarding pay day lending, research indicates that typical borrowers earn less than £20,000 per year and that there is a relationship between debt and many negative health outcomes, including mental health and addiction. Pay day lending debt was found to have the greatest effect on people's wellbeing of all other types of debt.
- 4.4** The number of pay day lending shops has significantly decreased across the UK due to additional regulation. There has been a decline in the number of betting shop licenses in the council area and across comparable authorities in recent years. However West Dunbartonshire is still arguably more vulnerable to gambling and high interest lending due to its socio-economics. It also still has higher betting shop licenses per person than local authorities of a similar size.
- 4.5** Surveys undertaken through the Citizens Panel in 2015 and 2023 provide evidence that, overall, people consider that there are too many pay day lending and betting shops in Clydebank, Dumbarton, and Alexandria town centres and that they do not contribute positively to the town centres. Town centre surveys undertaken in 2023 show that numbers of these premises remain similar to when the guidance was introduced, and that clusters of these uses are still present in Clydebank (South Sylvania Way) and Dumbarton (High Street, College Way and Riverside Lane). Therefore a refresh of the approved Guidance is appropriate given the policy position of NPF4.
- 4.6** The Guidance would restrict these uses by:
- not supporting applications that would increase the number of these uses to above their current level;
  - by not supporting applications for these uses within identified clusters in Clydebank, Dumbarton and Alexandria Town Centres;
  - not supporting applications on the basis they will contribute to the footfall or vitality of the town centre.
  - in relation to vacant units, the council accepts that it is generally

preferable to have an occupied unit, however due to the socio-economic, health effects and local concerns regarding these types of businesses, unit vacancy will be a lesser consideration in planning decisions.

While it does not introduce a limit or identify clusters in local neighbourhood centres, the guidance also introduces the number and clustering of these uses in local centres as a consideration in planning applications.

- 4.5** The guidance now also applies to Alexandria Town Centre. Previously, the guidance only applied to Core Town Centre Areas, through policy SC2 Core Town Center Areas of LDP2, which only identified in core areas within Dumbarton and Clydebank. However Policy 27 of NPF4 applies to whole town centre areas. The 2023 citizens panel survey results 71% of respondents identified Alexandria as their town centre felt that there were too many betting shops in the town centre and a majority agreed that pay day lending and betting shops had a negative impact on community wellbeing.

#### Next steps

- 4.6** The Draft Planning Guidance will be published for a minimum 8 week consultation period, the outcome of which, and any subsequent proposed changes to the guidance, will be reported to a future Planning Committee.

### **5. People Implications**

- 5.1** There are no people implications associated with this report.

### **6. Financial & Procurement Implications**

- 6.1** There are no financial or procurement issues associated with this report.

### **7. Risk Analysis**

- 7.1** Maintaining up-to-date Planning Guidance will help the Council to achieve the right type of development in the right place. In this case it will help to limit the number of pay day lending and betting shops in town and local centres, therefore limiting their impacts on health and wellbeing and town centre vitality.

### **8. Equalities Impact Assessment**

- 8.1** An Equalities Impact Assessment is attached in Appendix 3. Access to gambling opportunities increase the likelihood of problem gambling and males between the ages of 16 and 20 are more likely to be problem gamblers.
- 8.2** Betting shops tend to concentrate in more deprived areas and pay day loans are often used to bridge gaps between pay-checks. This means that the negative effects on household finances wellbeing of debt and problem gambling disproportionately affect people in deprived areas.

- 8.3** It is expected that the restriction on number and clustering of pay day lending and betting shops will have a positive benefit on the wellbeing of users of town and local centres. It is accepted that there is an economic trade off as it restricts the uses that can take place within the town centre.

## **9. Environmental Sustainability**

- 9.1** A pre-screening has been submitted to the Scottish Government Strategic Environmental Assessment Gateway advising that it is considered that the guidance will have no or minimal effects on the environment.

## **10. Consultation**

- 10.1** A questionnaire was sent out to the Citizens Panel to gauge attitudes on the number and clustering of pay day lending and betting shops, and their effect on town centre vitality and community wellbeing.
- 10.2** The draft Planning Guidance document in Appendix 1 and the background information in Appendix 2 will be published for a minimum 8 week consultation period. The draft documents will be made available online with publicity via social media and local development plan participants.

## **11. Strategic Assessment**

- 11.1** The Pay Day Lending and Betting Shop Guidance will support the Council's strategic priorities of 'Our Communities – Resilient and Thriving'.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**14 February 2023**

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### **Person to Contact:**

**Pamela Clifford**, Planning, Building Standards and Environmental Health Manager  
[Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Cameron Clow**, Development Planning & Place Officer  
[cameron.clow@west-dunbarton.gov.uk](mailto:cameron.clow@west-dunbarton.gov.uk)

**Appendices:**

- Appendix 1 – Draft Clydebank Business Park Planning Guidance
- Appendix 2 – Background information
- Appendix 3 – Equalities Impact Assessment



**Background Papers:** None

**Wards Affected:** Ward 2: Leven  
Ward 3: Dumbarton  
Ward 4: Kilpatrick  
Ward 5: Clydebank Central  
Ward 6: Clydebank Waterfront

## **Introduction**

Health and wellbeing of communities is a consideration when making decision on planning and development in the high street. The Fourth National Planning Policy Framework (NPF4) changes the approach taken to development and uses within town centres, local centres and commercial areas, with a focus on health and wellbeing of the local community, particularly disadvantaged communities. This includes a greater ability to control the proliferation of uses that undermine the health and wellbeing of communities, including hot food takeaways, betting offices, and high interest money lending premises (also known as pay-day lenders).

Concerns have been expressed by the Council and within the community about the overall number and clustering of pay day lending and betting shops in Clydebank and Dumbarton town centres in relation to impact on the character and amenity of town centres and the well-being of communities. The council has previously issued planning guidance to reduce the proliferation of these uses.

This guidance updates the Council's 2016 planning guidance for pay day lending and betting shops in town centres. It incorporates some evidence from the 2016 guidance, including citizens panel and focus group findings, as well as an updated citizens panel survey and literature review.

### *Definitions*

This guidance relates to the offering of these services in premises.

The Financial Conduct Authority's definition states that a payday lender offers high cost short-term credit where:

- APR is equal to or higher than 100%;
- Credit is provided for any period up to 12 months;
- Credit is not secured by a mortgage, charge or pledge.

Betting is defined by the Gambling Act 2005 as the making or accepting of a bet on:

- the outcome of a race, competition or other event or process;
- the likelihood of anything occurring or not occurring; and
- whether anything is or is not true.

Betting offices and pay day loan shops are classified as Sui Generis in the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended.

## **Local Context**

This guidance is based on evidence collected in 2015 for the original version and additional evidence collected in 2023. The evidence is not detailed in this document but can be accessed on the council's website. **[INSERT LINK WHEN AVAILABLE]**

In summary the background evidence identifies that:

- The socio-economic profile of West Dunbartonshire means that it is vulnerable to the ill-effects of gambling and high-interest short-term credit.
- There is already a significant presence of these uses in West Dunbartonshire, including a cluster of such uses in Clydebank town centre, on South Sylvania Way, and Dumbarton town centre, in and around the high street.
- There is evidence of a much higher betting shop licence/ population ratio than similar sized authorities

- The majority of residents of West Dunbartonshire held negative views in respect of the contribution these uses make to the vitality and viability of the area's town centres.
- The majority of users of each town centre consider that there are too many pay day lending and betting shops.
- Pay day lending uses do not contribute significantly to daytime footfall, and betting shops only make a limited contribution to evening footfall.

**Error! Reference source not found.** shows the current number of Pay Day Lending and Betting Offices in each town centre.

*Table 1: Number of Pay day Lending and Betting Offices in Town Centres*

	Dumbarton	Clydebank	Alexandria
Pay Day Lending	2	3	-
Betting Office	3	3	3
Total	5	6	3

## **Planning Policy Context**

### *National Planning Framework 4*

Policy 27 in NPF4 sets out the national approach to town, local and commercial centres and part C focusses on non-retail uses, stating:

“Development proposals for non-retail uses will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. These uses include:

- i. Hot food takeaways, including permanently sited vans;
- ii. Betting offices; and
- iii. High interest money lending premises.”

### *Proposed Local Development Plan 2 (as modified 2020)*

Proposed Local Development Plan 2 (as modified 2020) (LDP2) is a material consideration in the Council's decision-making and the Council's most up to date spatial strategy.

The Network of Retail Centre Strategy is set out in Table 4 of LDP2 and defines the nature and function of town centres, local centres and commercial centres within West Dumbarton. These areas are defined on proposals maps.

Policy SC1 sets out the sequential approach to local town and commercial centres.

Policy SC2 Core Town Centre Areas supports, shops, professional services, food and drink uses, hotels and hostels, assembly and leisure, and public houses within the core town centre area. It also explicitly states that applications will be supported where they comply with the supplementary guidance on pay day lending and betting shops. The policy refers to table 5 which sets out appropriate uses within Town Centres and Core Town Centre Areas.

Policy SC3 Other Town Centre Areas supports uses in other town centre areas that encourage visits to the town centre, including public service and leisure uses. The policy states that the over-proliferation of one type of non-retail use, or proposals that would have a detrimental impact on the overall character and amenity of the area will not be supported by the Council.

Policy SC4 Local Centres supports Class 1, Class 2, public houses, and hotels within local centres. It also states that non retail uses may be appropriate, however is dependent on the impact to the character of the local centre, the amenity of the surrounding area, in particular the proximity to homes and schools. LDP2 identifies 3 local centres: in Dalmuir along Dumbarton Road; in Hardgate at the roundabout where Glasgow Road meets Kilbowie Road; and in Dumbarton along Glasgow Road.

#### **Application of NPF4 Policy 27 part C**

Evidence identifies concentrations of pay day Lending and betting offices uses in Dumbarton and Clydebank Town Centres and concentrations of betting offices in Alexandria Town Centre.

The evidence (survey and literature review) also identifies negative effects on health and wellbeing associated with these uses. Survey evidence identifies that these uses negatively impact the vibrancy and vitality of town centres. The Socio economic profile of West Dunbartonshire identifies that the area can be described as “disadvantaged”.

Therefore, **applications which increase number of these uses within any town centre beyond the numbers recorded in the Error! Reference source not found. will not be supported.**

Given that the majority view of local residents that there are “too many” of these premises, where new applications do not cause the number to exceed the current number in the **Error! Reference source not found.** consideration will be given to the existing number and concentration of these uses already in the town centre.

When applying this policy to local centres, consideration will be given to the number pay day lending shops and betting offices within the centre at the time of the application.

#### **Application of Local Development Plan Policy SC2 Criteria and SC3**

The council will also consider the additional criteria in Policy SC2 and SC3 of LDP2.

*Would the change significantly reduce the retail offer of the core retail area, or parts of it?*

Whilst this is a relevant consideration in any application for change of use from retail to a pay day lending or betting use, as it is about the loss of retail rather than what the unit is to become, there is no specific guidance to be offered.

*Would the change lead to the concentration of a particular use to the detriment of the town centre’s vitality and viability?*

**Where the application would lead to concentrations of pay day lending and betting shops within close proximity of each other, where the Council considers there is already sufficient provision, or where their introduction would be to the detriment of shopping environment, no further uses of this type will be supported.**

Based on recent Town Centre Retail Surveys the following such areas are identified as existing clusters:

- The southern part of Clydebank town centre comprising Sylvania Way South and Chalmers Street;
- Dumbarton Town Centre comprising High Street, College Way and Riverside Lane
- Alexandria Town Centre

As town centre uses and occupancy are dynamic, it is advised that for any application for pay day lending and betting shops, the current numbers of such uses within close vicinity of the application site are taken into account to understand if a new concentration of uses is arising.

The evidence of the Council's Citizen's Panel survey and focus groups is that the majority of West Dunbartonshire residents feel that there are too many pay day lending and betting shops in town centres and very few felt that these uses contributed to the vitality/vibrancy of the town centres. There was majority concern about the clustering of these uses and a majority felt that more of these uses would have a detrimental effect on the vitality and vibrancy of the town centres.

*Would the proposed use contribute to the vibrancy of the town centre by increasing footfall?*

The evidence from the footfall survey is that pawnbrokers offering pay day lending services attracted very few customers in relation to other town centre uses. **Therefore, pay day lending uses will not be supported on the basis that they will contribute to footfall and the vitality of the town centre.**

Over the course of a day, betting shops were found to attract a level of customers that compared well to other town centre uses. However, the evidence that they increased evening activity was mixed. **Therefore betting shops will not be supported on the basis that they contribute to evening footfall and vitality.**

*Are there other suitable locations in the town centre for the proposed use to locate?*

Local Development Plan 2 Policy SC3: 'Other Town Centre Areas' allows a full range of town centre uses, and other uses that would benefit the town centre, while also protecting against harmful concentrations of any particular use. The impact on community well-being may also be a relevant consideration in these areas and also within Local Centres.

The council will consider applications in town centre or local centre locations which do not cause an increase to existing or new clustering of pay day lending and betting shop uses, provided the proposals do not cause a particular town centre to exceed the number of premises in the **Error! Reference source not found..**

*Has the unit affected by the proposal been vacant and suitably marketed for retail use?*

The Council accepts that a vacant ground floor unit is a lost opportunity to generate additional activity and commerce within a town centre, and that generally speaking it is of greater benefit to have a unit occupied. However, it is the Council's position that this should not be an overriding factor in any planning decision on change of use applications. **In areas where there is already a cluster of betting and pay day lending shops or the number in back ground evidence would be exceeded the fact that a unit is vacant should be a lesser consideration.**

#### **Application of Policy SC4**

When considering applications for pay day lending shops or betting offices in Local Centres consideration will be given to the number of these premises already within the Local Centre and the impact additional premises may have on the character of the surrounding area.

**In Local Centres where the application would lead to concentrations of pay day lending and betting shops within close proximity of each other, where the Council considers there is already sufficient provision, or where their introduction would negatively**

**impact the character and amenity of the centre, no further uses of this type will be supported.**

### **Community well-being**

West Dunbartonshire is one of Scotland's more deprived Council areas. Evidence has also been presented that there is a significantly higher number of betting shops per person in West Dunbartonshire than in other similar sized authorities suggesting a link between gambling and deprivation. The community have also raised significant concerns about the impact of pay day lending and gambling on community well-being.

Therefore community well-being should be considered as a material consideration in the assessment of applications for pay day lending and betting shops, and that the evidence approved within this guidance should give weight to that consideration.

# **Pay day lending and betting shops: Planning Guidance**

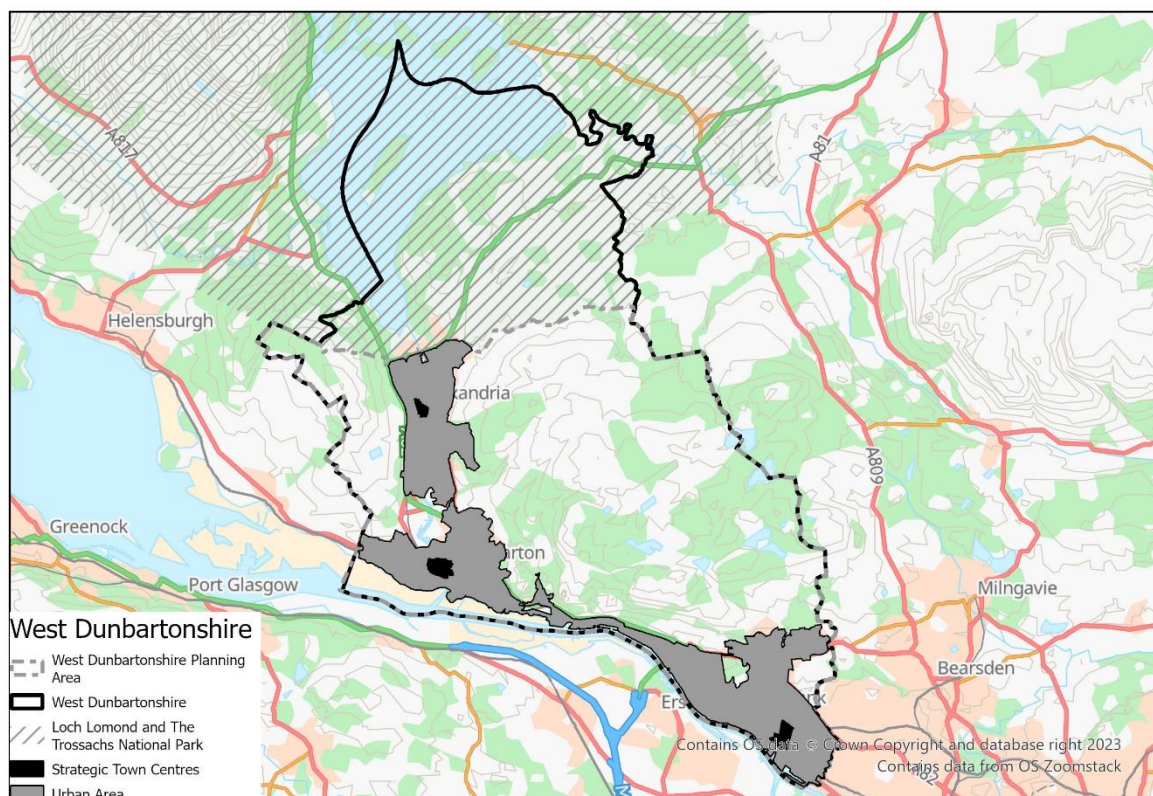
## **Background Information**

# West Dunbartonshire: profile and vulnerability to gambling and high interest debt

West Dunbartonshire is a mixed urban-rural area sitting in the north-west of the Glasgow city-region. In 2021, West Dunbartonshire's population was officially estimated to be 87,800, the majority of which lived in the urban areas of Clydebank, Dumbarton and the Vale of Leven.

The West Dunbartonshire Council planning authority area excludes that part of the Council area within the Loch Lomond and the Trossachs National Park i.e northern parts of Balloch and the rural area to the east and west of Loch Lomond. West Dunbartonshire's three main town centres - Alexandria, Clydebank and Dumbarton - and the majority of the urban area sit within the Council planning authority area.

**Map 1: West Dunbartonshire Council and Planning Authority area**



On many measures, West Dunbartonshire can be identified as one of Scotland's most deprived Council areas. In 2020, 48 of West Dunbartonshire's 121 datazones (39.67%) were within Scotland's 20% most deprived datazones, and 9 (7.44%) were within Scotland's 5% most deprived datazones<sup>1</sup>. Table 1 provides further evidence that West Dunbartonshire compares

<sup>1</sup> SIMD (Scottish Index of Multiple Deprivation) <https://simd.scot/#/simd2020/BTTTTT/9/-4.0000/55.9000/>



poorly to the Scottish average when considering health, benefits and earnings data.

**Table 1: West Dunbartonshire/Scotland comparison of employment, benefits and earnings data**

Measure	West Dunbartonshire	Scotland
<b>Economically active</b> % of residents aged 16 - 64	77.0%	77.2%
<b>Unemployment</b> % of economically active residents	3.4%	3.4%
<b>Long-term sick</b> % of economically inactive	41.6.7%	31.9%
<b>Earnings per residence</b> per week	£616.00	£640.03
<b>Out-of-work benefits</b> % of residents aged 16 - 64 claiming Job Seekers Allowance	2.1%	1.4%
<b>Benefit claimants</b> % of residents aged 16 - 64	14.6%	10.2%

Since 2016, when the pay day lending and betting shop guidance was first implemented, Economic activity and unemployment have improved in West Dunbartonshire to be on equivalent to the rest of Scotland. However, weekly earnings in the area are still lower than Scotland as a whole, and a greater number of people claim benefits. A higher proportion of those who are economically inactive due to long term illness, which is more than Scotland as a whole.

Commissioned by the Responsible Gambling Fund, research prepared by Geofutures and the National Centre for Social Research<sup>2</sup> investigated relationships between the location of gambling machines and the socio-demographic and economic environment in which they are situated. The research found that areas with a high density of fixed odds betting terminals tend to have poorer socio-economic indicators. The report identifies Clydebank as being a High Density Machine Zone - an area where there is a high density of gambling machines. It finds that areas of high machine density tend to have poorer socio-economic indicators, with a higher proportion being low income areas and a higher proportion of residents being economically inactive. Of those who are economically active, a greater number active are in the lowest socio-economic sub-groups.

Table 2 provides evidence of this showing that West Dunbartonshire has a higher number of betting shop licences per person than other local authorities with a similar population, but

<sup>2</sup> Wardle H., Kelly R., Thurstain-Goodwin M. and Astbury G. 2011. Mapping the social and economic characteristics of high density gambling machine locations. National Centre for Social Research and Geofutures Ltd.

which do not have as high a proportion of data zones within the 20% most deprived

**Table 2: Local Authority population and betting shop licence comparison<sup>3</sup>**

Local authority area	Population	Betting shop licences	Persons per licence
East Renfrewshire Council	96,600	10	9660
Midlothian Council	94,700	5	18940
Stirling Council	93,500	9	10389
West Dunbartonshire	87,800	19	4621
Argyll and Bute Council	86,200	5	17240

Since 2016 the number of betting shop licences has decreased across all the authorities in Table 2. However, West Dunbartonshire still has a significantly higher level of betting office licences than authorities of a similar population size.

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<sup>3</sup> Betting shop licence figures derived from [www.stopthefobts.org](http://www.stopthefobts.org), January 2023. Original source is [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

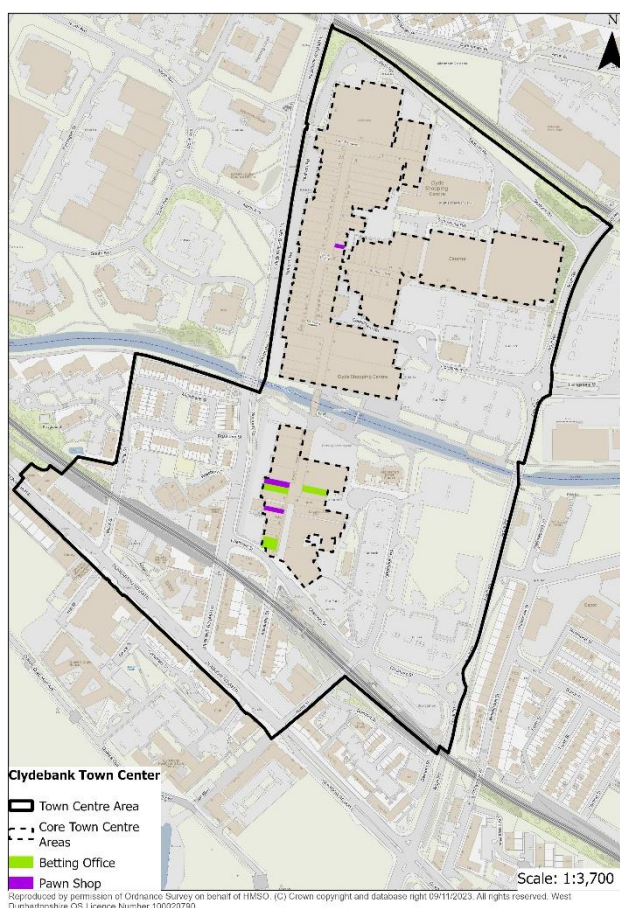
# Current situation

The Council undertakes a town centre outlet survey in Spring each year to record what types of uses are occupying town centre units and to analyse the year on year change in the mix of uses and vacancy rates. Maps 2, 3 and 4 highlight betting offices and pay day lending premises in Clydebank, Dumbarton, and Alexandria town centres, and those premises with planning permission. The information was collected in the 2023 town centre survey.

## Clydebank Town Centre

The Clyde Shopping Centre forms the majority of Clydebank town centre. The northern part of the centre is a modernised enclosed mall, and the southern part (Sylvania Way South) an unenclosed, but partially covered and fully pedestrianised, shopping area. The northern mall is adjoined by some larger retail units including a superstore, a cinema and restaurant uses, and car parking. Clydebank has good access links with a rail station in the town centre and another nearby, designated bus and taxi areas, and parking adjoining the shopping centre.

### Map 2: Clydebank town centre



A core retail area is identified within the town centre by the Local Development Plan 2. Policy SC2 aims to maintain a quality retail offer at the heart of the town centre and control against a proliferation of Class 2 uses. This covers the enclosed mall, adjoining large retail units and Sylvania Way South

Table 3 details the number of betting shops and premises offering high interest lending in Clydebank town centre. Pay day lending and gambling uses are clustered on Sylvania Way South, where there are 3 betting shops and 3 premises offering high interest lending. There is also an amusement arcade on Sylvania Way South, another within the indoor market on Sylvania Way South and another close-by on Chalmers Street. There is another betting shop nearby on Chalmers Street. Another premises offering high-interest lending can be found on Sylvania Way

Sylvania Way South is an area where the cluster of betting and pay day lending shops is very noticeable. This is particularly significant as it serves as a main gateway to the town centre linking Clydebank rail station and main bus stops on Chalmers Street with the rest of the town centre.

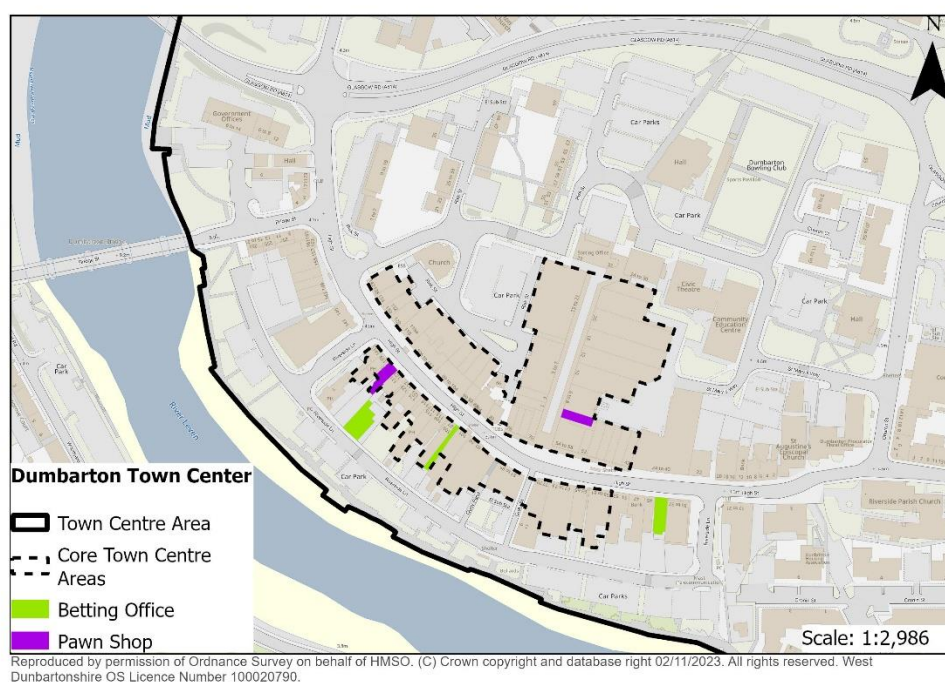
**Table 3: Betting shop and high interest lending premises in Clydebank town centre**

Clydebank town centre	2023	2015
Betting shop premises	3	3
High-interest lending premises	3	4

## Dumbarton Town Centre

The town centre is based around the historic High Street and the more modern Artizan Centre. Beyond this area is a mix of residential and civic uses such as the Sheriff Court, municipal buildings and library. The town centre is served by a rail station and several bus services which make use of the High Street.

**Map 3: Dumbarton town centre**



There is a core retail area identified within the town centre by the Local Development Plan 2, the purpose of which is to maintain a quality retail offer at the heart of the town centre and control against a proliferation of Class 2 uses. This covers the central part of the High Street and the Artizan Centre (College Way). All Pay day lending/pawn shops and betting offices within Dumbarton town centre are within or very near to the core retail area.

Table 4 details the number of betting shops and premises offering high interest lending in Dumbarton town centre. Pay day lending and betting shops are found along the High Street and in the Artizan Centre.

**Table 4: Betting shop and high interest lending premises in Dumbarton town centre**

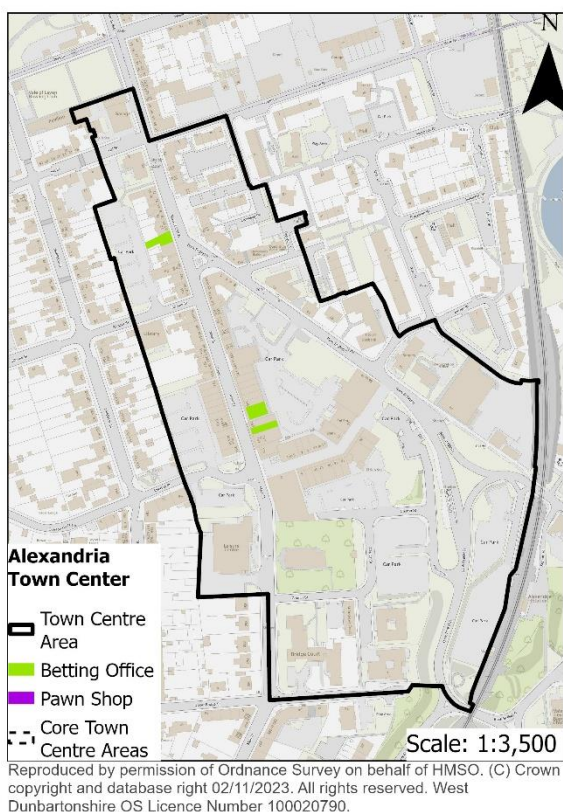
Dumbarton town centre	2023	2015
Betting shop premises	3	3
High-interest lending premises	2	2

## Alexandria Town Centre



Alexandria town centre is built mostly around Main Street, Alexandria, which is a traditional high street, with Mitchell Way forming a more modern, pedestrian shopping street and Bank Street. The town centre is accessible by rail and bus services and contains a mix of retail public services, business and residences.

#### Map 4: Alexandria town centre



Unlike Clydebank and Dumbarton Alexandria does not have a core retail identified in LDP2, however it there are a number of development opportunities for the town centre identified, including: the redevelopment of Mitchell Way, improvements to the public realm and residential opportunities.

There are no high interest lending premises in Alexandria Town Centre, however there are a number of betting shops along Main Street

**Table 5: Betting shop and high interest lending premises in Alexandria town centre**

Alexandria towncentre	2023	2015
Betting shop premises	3	3

#### Changes To number and clustering since 2015

The number and clustering of pay day lending and betting shops has broadly remained very similar since 2015, although there has been some changes in premises.

In Clydebank there is still a concentration of these premises in Sylvania Way South. In Dumbarton the premises are mainly along the high street.

# Literature review

The Royal Society for Public Health's report 'Health on the High Street'<sup>4</sup> considers the positive and negative impacts of a range of town centre uses on health. Health was considered holistically with consideration given to:

- Healthy lifestyle choices
- Social interaction
- Access to health care services and health advice
- Mental wellbeing

The report used literature review, consultation with public health experts and a survey of a representative sample of 2000 members of the public to score a range of different high street uses in terms of their impact on health. Uses were given a score against each criteria ranging from +2 where the use had a positive impact on health to -2 where the use had a negative impact on health. A score of 0 was awarded when the impact was considered neutral.

For pay day lending shops:

- 68% of those surveyed believe they discourage healthy choices
- 65% of those surveyed believe they have a negative impact on mental wellbeing
- 57% of those surveyed believe they have no effect on providing access to health services

Payday lending services were generally used to bridge gaps in finance to the next pay check, with people on low incomes more likely to use pay day lending services. The typical borrower is single, earns less than £20,000 a year and has at least one child, according to research from a payday loan company.

For betting shops:

- 54% of those surveyed believe they discourage healthy choices
- 49% of those surveyed say they have no effect on promoting social interaction
- 52% of those surveyed say they have a negative impact on mental wellbeing

Greater accessibility to gambling was found to have increase problem gambling. Gambling machine density is disproportionality greater in areas of socioeconomic deprivation, and in areas with a younger than average population profile.

An update to Health on the High Street was undertaken in 2018<sup>5</sup>, titled 'Health on the High Street: Running on Empty'. It found that pay day loan shops declined on high street across the UK by a third, largely because of new regulations making payday lending less profitable. It also found that the increase in the number of betting shops had been halted in London where restrictions have been put in place, indicating planning restrictions are effective at reducing the proliferation of these uses.

The Royal Society for Public Health also published information on the impact of debt on a persons health and wellbeing titled 'Life on Debt Row'<sup>6</sup>. The report identified that there is a statistically significant relationship between debt and a number of negative health outcomes, including mental disorder, suicide attempts, drinking problems, drug dependence, depression, OCD, and anxiety. Households are more likely to be in debt problems if they have a low income.

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<sup>4</sup> [b6f04bb8-013a-45d6-9bf3d7e201a59a5b.pdf \(rsph.org.uk\)](https://www.rsph.org.uk/documents/HealthOnTheHighStreet.pdf)

<sup>5</sup> [rsph.org.uk/static/uploaded/dbdbb8e5-4375-4143-a3bb7c6455f398de.pdf](https://www.rsph.org.uk/static/uploaded/dbdbb8e5-4375-4143-a3bb7c6455f398de.pdf)

<sup>6</sup> [75b46b96-10e8-48a3-bc597f3d65d91566.pdf \(rsph.org.uk\)](https://www.rsph.org.uk/documents/LifeOnDebtRow.pdf)

When compared to other forms of debt, payday loans had the greatest effect on wellbeing with more people with payday loan debt reporting the following issues than people with other forms of debt: they spent less time with others' they ate less as they could not afford healthy food; their housing is negatively effected; they could not afford time off or transport to access health care.

When studying the impact of gambling on individuals and their social network<sup>7</sup>, the University of Glasgow found that: those with easy access to gambling opportunities gambled more, and moving away from areas where gambling was a problem tended to encourage reduction; significant life events could cause someone to gamble more; and problematic gambling could affect relationships.

## Citizens Panel Survey

### 2016 Survey

The Council undertook a survey of its Citizen's Panel in August/September 2015. The survey results provide information of how residents within West Dunbartonshire view uses such as pay day lending and betting shops in terms of how they contribute to the vitality and viability of the area's town centres. The full survey is included as Appendix 1. Some headline statistics are included below.

With regard to Pay day lending shops

- 90% of respondents did not feel they were important for a vibrant town centre
- 38% disagreed and 50% strongly disagreed that they were important because they helped to fill vacant premises.
- 19% agreed and 57% strongly agreed that they charge very high interest rates
- 27% agreed and 63% strongly agreed they make it too easy for vulnerable people to get a loan
- 68% of people strongly disagreed that they add to the vibrancy of the town centre.
- 27% agreed and 44% strongly agreed that there are too many of them
- 34% agreed and 37% strongly agreed that they are not good for the wellbeing of the community.

With regard to betting offices:

- 94% of respondents did not feel they were important for a vibrant town centre.
- 42% disagree and 39% strongly disagree that they are important for filling vacant premises
- 35% agree and 44% strongly agree they make it too easy to gamble.
- 36% agree and 44% strongly agree that there are too many of them.
- 34% agree and 32% strongly agree that they are not good for community wellbeing.

Regarding the number and clustering of pay day lenders and betting offices:

- 44% were quite concerned and 31% were very concerned about the overall number of pay day lending and betting offices.
- 38% were quite concerned and 32% were very concerned about the clustering of pay day lending and betting offices.
- 20% of people agreed and 75% of people agreed the council should be able to control the number and clustering of pay day lending and betting shops in town centres.

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<sup>7</sup> [https://www.physci.gla.ac.uk/media/Media\\_310864\\_smxx.pdf](https://www.physci.gla.ac.uk/media/Media_310864_smxx.pdf)

## 2023 Survey

The council repeated Citizens Panel survey in 2023 with the citizens panel in order to understand if there were any changes in attitudes to the pay day lending and betting offices in town centres. The repeated survey stuck to the original as closely as possible with a couple of exceptions.

The question asking respondents agreed or disagreed that pay day lending and betting offices “attracted the wrong sort of people” was changed to “they attract antisocial behaviour” at the recommendation of Performance and Strategy Officers. When asking if respondents were concerned about the number and clustering of pay day lending and betting shops, this was combined to a single question for each use, rather than asking about numbering and clustering separately. The question “To what extent do you agree that the Council should be able to restrict the number and clustering of pay day lenders and betting offices in your town centre?” was not included in the 2023 survey. The full survey is shown in appendix 2

With regard to Pay day lending shops

- 89% of respondents did not feel they were important for a vibrant town centre
- 30% disagree and 51% strongly disagree that they are important because they help to fill vacant premises.
- 22% agree and 47% disagree that they charge very high interest rates.
- 28% agree and 54% strongly agree that they make it too easy for vulnerable people to get a loan.
- 24% disagree and 61% strongly disagree that they add vibrancy to the town centre.
- 29% agree and 37% strongly agree there are too many of them.
- 31% agree and 35% strongly agree they are not good for the wellbeing of the community.

With regard to betting offices:

- 86% of respondents did not feel they were important for a vibrant town centre
- 36% disagree and 38% strongly disagree that they are important for filling vacant premises
- 30% agree and 48% strongly agree they make it too easy to gamble.
- 32% agree and 38% strongly agree that there are too many of them.
- 33% agree and 35% strongly agree that they are not good for community wellbeing.

Regarding the number and clustering of pay day lenders and betting offices:

- 40% of respondents were quite concerned and 26% were very concerned about the number and clustering of betting offices in town centres.
- 39% were quite concerned and 23% were very concerned about the number and clustering of pay day lenders in town centres.

## Conclusions from surveys

Results from both surveys indicate that residents think the number and clustering of pay day lending and betting shops have a negative impact on the vibrancy of the town centre and that they are not good for community wellbeing. There is some difference to the degree of agreement or disagreement with the questions between the two surveys, the same conclusions can be drawn from both.



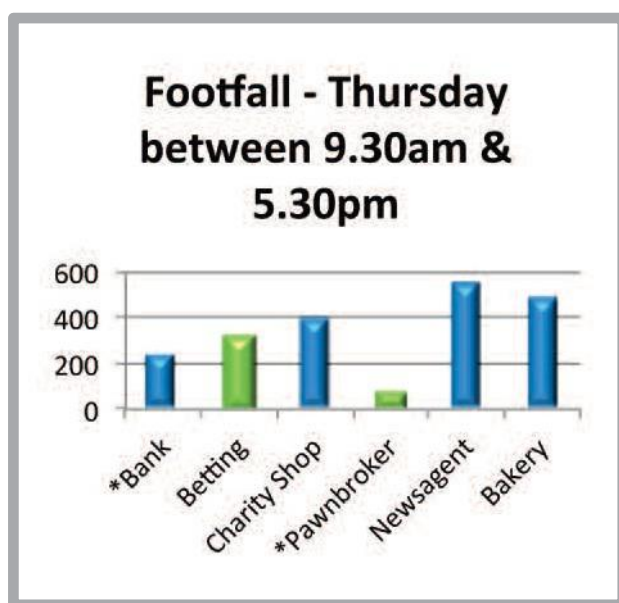
# Customer/ footfall counts

The Council undertook a survey of the number of customers visiting a variety of different shop/service types in Clydebank and Dumbarton town centres in September and October 2016. Full details of the survey methodology and full results are set out in Appendix 3. Alexandria was not included in the study or the initial guidance, and so there is not data relating to customer or footfall counts in Alexandria.

The purpose of the survey was to gain an understanding of how many customers use such as pay day lending and betting shops attracted to the town centres in comparison to other uses.

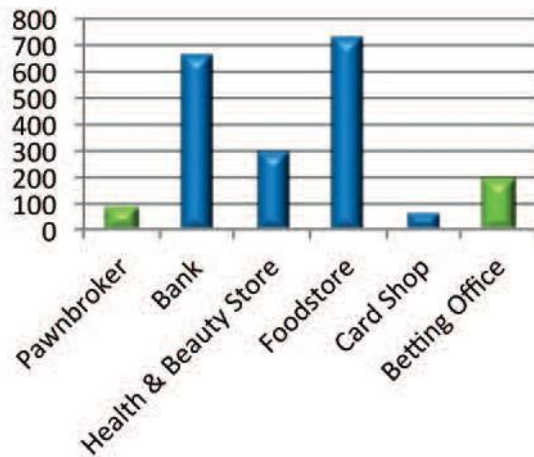
The results for Clydebank town centre indicate that whilst the betting shop surveyed attracted a comparable level of customers over the daytime period (9.30am to 5.30pm) to other uses, the pawnbroker surveyed attracted a significantly smaller amount of customers. Similar results were found in Dumbarton.

## Clydebank results

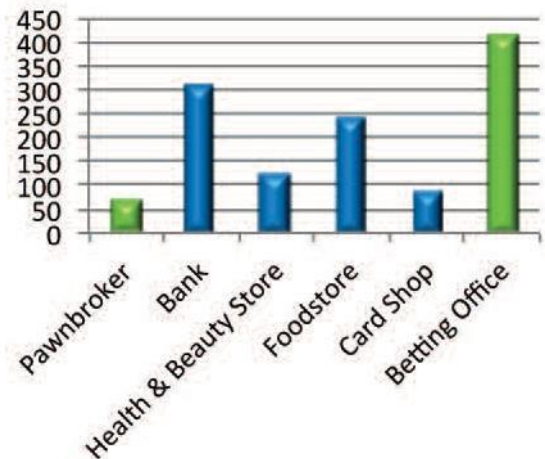


## Dumbarton results

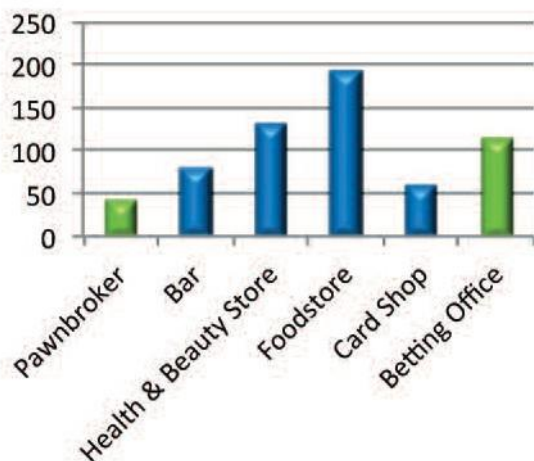
**Footfall - Thursday  
between 9.30am &  
5.30pm**



**Footfall - Saturday  
between 9.30am &  
1.30pm**



**Footfall - Saturday  
between 1.30pm and  
5.30pm**



### Evening results

Clydebank Evening Count

Time	Unit	Tally
17.30 - 18.00	Ladbrokes	9
18.00 - 18.30	PaddyPower	10

Dumbarton evening count

18.00 - 18.30	Ladbrokes	3
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	Unit	Tally
17.30 - 18.00	William Hill	10
18.00 - 18.30	William Hill	10
18.00 - 18.30	William Hill	9

# Conclusions

This background information offers the following evidence in respect of pay day lending and betting office uses in town centres

- The socio-economic profile of West Dunbartonshire means that it is vulnerable to the ill-effects of gambling and high-interest short- term credit.
- There is already a significant presence of these uses in West Dunbartonshire, including a cluster of such uses in Clydebank town centre.
- There is evidence of a much higher betting shop/ population ratio than similar sized authorities
- The majority of residents of West Dunbartonshire held negative views in respect of the contribution these uses make to the vitality and viability of the area's town centres.
- Pay day lending uses do not contribute significantly to daytime footfall, and betting shops only make a limited contribution to evening footfall.

# **Appendix 1: Citizens Panel Research Report 2015**

# Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Citizens' Panel Research Report**

**by**



*For further information contact: Jim Patton*

**Director**  
**Hexagon Research and Consulting**  
**Suite 401**  
**47 Timber Bush**  
**Edinburgh**  
**EH6 6QH**

**Tel: 0131 669 9574**

**e-mail: [jim@hexagonresearch.co.uk](mailto:jim@hexagonresearch.co.uk)**

**September 2015**

*Citizen Panel Research Report by Hexagon Research and Consulting*

**1**

## Contents

	<b>Page</b>
<b>1.</b> Introduction	3
<b>2.</b> Background and Objectives	4
<b>3.</b> Our Approach	6
<b>4.</b> The Importance of a vibrant town centre	8
<b>5.</b> Pay day lenders	16
<b>6.</b> Betting offices	21
<b>7.</b> The number and clustering of pay day lenders and betting offices in town centres	25
<b>8.</b> Concluding Comments	32
Appendix 1: The West Dunbartonshire Citizens' Panel	33
Appendix 2: Focus group discussion guide	37
Appendix 3: Survey questions	41

## **1. Introduction**

This document sets out our report for West Dunbartonshire Council on Citizens' Panel research conducted to help build the evidence base to support the development of Supplementary Guidance on Pay Day Lending and Betting Offices Premises.

In our report:

- Section 2 sets out the background to and objectives of the assignment
- Section 3 outlines our approach to designing and conducting the research programme
- Section 4 presents Panel members' views on the importance of a vibrant town centre
- Section 5 deals with respondents' attitudes to pay day lenders in local town centres
- Section 6 assesses Panel members' views on betting offices in their local town centre
- Section 7 establishes Panel members' views on the impact of the number and clustering of pay day lenders and betting offices in local town centres
- Section 8 sets out our concluding comments



## 2. Background and Objectives

A recent report on pay day lending and gambling in Scottish town centres and neighbourhoods<sup>1</sup> cited the importance of town centres as a base for small businesses and local jobs as well as the important role they play in community identity. This was echoed in a second report<sup>2</sup> which saw town centres as an important part of vibrant communities and a critical engine for economic growth in local areas. It regarded high streets as having an important role to play in supporting the public's health; a healthy high street can provide the public with healthy choices, support community cohesion and social interaction, promote access to health services and support individual well being.

Both reports also highlighted a growing concern with the clustering of pay day lenders and betting offices in town centres, with the Scottish Government's policy objectives in relation to this aiming to:

- Improve town centres, creating vibrant community hubs with a range of services by tackling the increasing numbers and clustering of pay day lenders and betting offices
- Minimise exposure and potential adverse risk to vulnerable individuals of pay day lenders via town centres
- Minimise exposure and potential adverse risk to vulnerable individuals through gambling via town centres

However, the report from the May 2014 summit recognised that a key barrier to more coherent action was the complex nature of reserved and devolved legislation; Planning and Business rates are devolved while Financial Services, Consumer Credit and Gambling are reserved. Consequently, the Scottish Government and local authorities have limited controls on how to address concerns about the impact of pay day lenders and betting offices. Nevertheless, it was felt the Planning system could be used to guard against clustering of these types of premises.

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<sup>1</sup> Tackling Payday Lending and Gambling in Scottish Town Centres and Neighbourhoods. A report from a summit hosted by the Minister for Local Government and Planning, Scottish Government. May 2014.

<sup>2</sup> Health on the High Street. Royal Society for Public Health. 2015

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

West Dunbartonshire Council's Planning and Building Standards Department is now involved in a pilot project supported by the Scottish Government which involves the preparation of Supplementary Planning Guidance in relation to planning applications for pay day lenders and betting offices. The purpose of the pilot is to strengthen/develop the evidence base available when the Council wants to refuse planning applications for pay day lenders and betting offices.

The Supplementary Guidance is required to be based on a policy in the Council's existing Local Development Plan, which sets out criteria for the assessment of non-retail uses (such as pay day lenders and betting offices) in core retail areas. These criteria are:

- 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.

Criteria a, d and e can be assessed objectively as they are based on unit size or availability of units. Criteria b and c are more subjective and quite often based on a single officer's assessment. The Council therefore commissioned Hexagon Research and Consulting to develop more objective evidence for these criteria (b & c) based on public opinion.

Our approach to developing this evidence base is outlined in Section 3.

### 3. Our Approach

There is a requirement to generate robust and credible data to support the Supplementary Guidance which can withstand scrutiny as it will be used in reports to the Planning Committee and be subject to independent scrutiny by Reporters considering appeals. It is also important that any evidence has not been derived from what could be viewed as 'leading' questions.

To meet these requirements, we recommended using the West Dunbartonshire Citizens' Panel, a group of over 1,500 adults evenly divided between the Regeneration areas and the rest of West Dunbartonshire (more details of the Panel are attached at Appendix 1). In our view the Panel provided the ideal basis to conduct a two stage research programme:

#### Stage 1 - Focus group research

Two focus groups with members of the Citizens' Panel were held in Clydebank and Dumbarton with the overall aim was of establishing respondents' views on the impact of the clustering of pay day lenders and betting offices on their town centre (positive and negative). Respondents' views on how to deal with any concerns about these types of premises, including amending the Planning guidance, were also sought.

Each focus group was based on an agreed discussion guide (attached at Appendix 2), with the aim of obtaining respondents' views in an unprompted way. With the agreement of respondents, the focus groups were recorded to ensure their comments are presented accurately and verbatim comments can be included in our report (although these have been anonymised). Once detailed transcriptions of the discussions were made, the recordings were deleted. The focus groups were held on the 24<sup>th</sup> July 2015.

Location	Number of respondents	Breakdown of respondents
Garshake, Dumbarton	7	4 male, 3 female
Town Hall, Clydebank	8	4 male, 4 female

## Stage 2 - Survey of the Citizens' Panel

On completion of the focus group programme, the second stage involved a survey of all members of the Citizens' Panel. A postal survey approach was adopted for the survey which covered a number of issues in addition to the questions required for the evaluation of pay day lenders and betting offices (see Appendix 3). Questionnaires were sent out to Panel members in early August 2015. By early September, a final response of 1,028 returns had been achieved (68%), and the table below illustrates the high level of accuracy that can be attributed to the results derived from this response overall, as well as for the two main sub areas.

**Survey Response**

	<b>West Dunbartonshire</b>	<b>Dumbarton</b>	<b>Clydebank</b>	<b>Alexandria</b>
Sample achieved	1,028	316	443	269
Sampling error	± 3.0%	± 5.5%	± 4.7%	± 6.0%

As illustrated above, results for the Panel as a whole have sampling errors limited to only ± 3%. This means, for example, that if 50% of Panel members say they support the proposal for the Council to introduce planning policies so they would have stronger control over the change of a use of a property into a pay day lender or a betting office, the real figure would be in a narrow range, from only 47% to 53%.

The sampling errors for the three towns rise marginally to a range from only ± 4.7% to ± 6.0% and our analysis includes a breakdown by town as well as for West Dunbartonshire as a whole.

#### 4. The importance of a vibrant town centre

Surveyed Panel members from Dumbarton use their town centre less regularly than those in the other two towns. For example, only 39% said they visited the town weekly, compared to 56% of those from Clydebank and 61% from Alexandria. Despite this, there is widespread agreement across all three towns on the importance of a vibrant town centre. Almost three quarters (72%) agree this is 'very important' while only 1% stated that a vibrant town centre was 'not very important'.

##### How often would you visit your local town centre?

	Dumbarton	Clydebank	Alexandria	West Dunbartonshire
Daily	12%	8%	16%	12%
2-3 times a week	27%	48%	45%	41%
Once a week	33%	22%	23%	25%
2-3 times a month	20%	12%	9%	14%
Once a month	6%	6%	0%	4%
Less than once a month	2%	4%	7%	4%
Never	0%	Under 1%	Under 1%	Under 1%

##### How important do you think it is to have a vibrant town centre?

	Dumbarton	Clydebank	Alexandria	West Dunbartonshire
Very important	74%	67%	78%	72%
Quite important	25%	30%	21%	26%
Not very important	1%	1%	2%	1%
Not important at all	0%	0%	0%	0%
Don't know	0%	2%	0%	1%

There was also unanimous support among focus group respondents for the concept of a vibrant town centre, with many citing reasons such as its importance to the health and well being of the local community, as a base for community activity and an important centre of employment.

***Of course a vibrant town centre is important. It's a sign of the health of the local community.***

Clydebank respondent

***A town centre should be about more than just shopping. It should encourage people to use it for social and recreational purposes, to provide a focus for community activity.***

Clydebank respondent

***At one time the town centre had the post office, the big army recruitment centre, the Council office where you could pay your rent and rates, the Registrar, as well as a good range of shops. There were important civic functions as well as good commercial outlets. It provided a wide range of activities and was an important centre of employment. That's what a vibrant town centre needs.***

Dumbarton respondent

The features which most survey respondents regard as 'very important' in a vibrant town centre include:

- A wide range of shops (79%)
- Good quality shops (74%)
- Banks (70%)
- Pharmacy/health facilities (68%)

Conversely, those which were regarded as being of least importance focused on:

- Betting offices (59% stated these were 'not important at all')
- Pay day lenders/pawn shops (57%)

These priorities were also reflected across the three town centres.

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**How important are the following in a vibrant town centre?**

	<b>Very important</b>	<b>Quite important</b>	<b>Not very important</b>	<b>Not important at all</b>	<b>Don't know</b>
Wide range of shops	79%	21%	Under 1%	Under 1%	0%
Fast food outlets	11%	42%	41%	6%	Under 1%
Pharmacy/health facilities	68%	30%	2%	Under 1%	0%
Pubs	3%	43%	43%	11%	Under 1%
Charity shops	5%	49%	35%	10%	1%
Cafes and restaurants	36%	57%	5%	2%	0%
Betting offices	Under 1%	5%	35%	59%	1%
Libraries/museums/art galleries	42%	50%	7%	1%	0%
Banks	70%	29%	1%	Under 1%	Under 1%
Good quality shops	74%	24%	1%	1%	Under 1%
Pay day lenders/pawn brokers	Under 1%	6%	33%	57%	3%
Green/open spaces	38%	50%	9%	2%	Under 1%
'Pound' shops	11%	45%	30%	12%	2%
Leisure facilities (cinema etc)	45%	48%	5%	2%	0%
Local Government/civic uses	33%	51%	12%	2%	2%

**'Very important' aspects of a vibrant town centre**

	Dumbarton	Clydebank	Alexandria
Wide range of shops	77%	76%	87%
Fast food outlets	9%	10%	15%
Pharmacy/health facilities	73%	60%	73%
Pubs	6%	2%	1%
Charity shops	8%	4%	5%
Cafes and restaurants	44%	30%	39%
Betting offices	0%	1%	Under 1%
Libraries/museums/art galleries	36%	46%	43%
Banks	75%	60%	78%
Good quality shops	81%	72%	70%
Pay day lenders/pawn brokers	0%	1%	0%
Green/open spaces	34%	41%	38%
'Pound' shops	11%	9%	14%
Leisure facilities (cinema etc)	45%	46%	43%
Local Government/civic uses	38%	25%	38%

**Base: respondents stating "very important"**

Focus group respondents agreed that the key aspects of a vibrant town centre should include good quality shops, as well as community facilities and services and effective traffic management.

***Better quality shops has to be the starting point, but the town centre should also be a place for people to interact, so meeting places, places to sit, cafes and so on are needed.***

Clydebank respondent

***I also think a town centre needs community services such as a library, or a health centre or the Council's one stop shop. It shouldn't just be about shopping.***

Clydebank respondent

***There should be good traffic management to encourage the traffic to flow along the High Street. The one-way system is meant to do that but the parking is rarely policed and you get people parking on both sides of the road. So, when a bus***



***stops at a bus stop, it holds up all the traffic because the road isn't wide enough for cars to get past.***

Dumbarton respondent

Panel members were then asked to indicate the extent to which they were satisfied with each of these aspects of their own town centre. A very high level of satisfaction was recorded for banks (89%) and pharmacy/health facilities (86%), while over half were also satisfied with cafes and restaurants (60%) and libraries, museums and art galleries (58%). Conversely, more than half of all Panel members were dissatisfied with the range (57%) and quality (56%) of shops and approximately a third dissatisfied with pay day lenders/pawn shops (34%) and betting offices (32%).

This pattern was largely repeated across each town centre apart from significantly higher satisfaction in Clydebank for:

- Leisure facilities (70%)
- Local government/civic uses (58%)
- The range (44%) and quality (42%) of shops
- Fast food outlets (40%)

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**How satisfied are you with the following in your town centre?**

	<b>Very satisfied</b>	<b>Quite satisfied</b>	<b>Neither satisfied nor dissatisfied</b>	<b>Quite dissatisfied</b>	<b>Very dissatisfied</b>	<b>Don't know</b>
The range of shops	2%	22%	19%	37%	20%	0%
Fast food outlets	5%	25%	47%	12%	9%	2%
Pharmacy/health facilities	25%	61%	10%	4%	Under 1%	Under 1%
Pubs	6%	27%	49%	9%	3%	6%
Charity shops	6%	42%	41%	9%	1%	1%
Cafes and restaurants	6%	54%	22%	12%	5%	1%
Betting offices	4%	5%	51%	15%	17%	8%
Libraries/museums/art galleries	10%	48%	24%	10%	5%	3%
Banks	30%	59%	7%	3%	Under 1%	1%
The quality of the shops	4%	25%	14%	36%	20%	1%
Pay day lenders/pawn brokers	3%	5%	47%	16%	18%	11%
Green/open spaces	8%	37%	27%	21%	7%	Under 1%
'Pound' shops	7%	29%	42%	10%	8%	4%
Leisure facilities (cinema etc)	6%	28%	20%	24%	19%	3%
Local Government/civic uses	4%	34%	39%	12%	4%	7%

**Satisfied with aspects of your local town centre**

	<b>Dumbarton</b>	<b>Clydebank</b>	<b>Alexandria</b>
The range of shops	8%	44%	11%
Fast food outlets	27%	40%	18%
Pharmacy/health facilities	92%	78%	93%
Pubs	40%	26%	35%
Charity shops	44%	51%	46%
Cafes and restaurants	50%	68%	56%
Betting offices	6%	12%	9%
Libraries/museums/art galleries	44%	67%	61%
Banks	88%	89%	90%
The quality of the shops	13%	42%	29%
Pay day lenders/pawn brokers	5%	7%	13%
Green/open spaces	37%	49%	47%
'Pound' shops	44%	41%	17%
Leisure facilities (cinema etc)	8%	70%	4%
Local Government/civic uses	24%	58%	23%

**Base: respondents stating "very satisfied" or "quite satisfied"**

These findings were consistent with the views of focus group respondents. Dumbarton residents in particular complained about the poor range of shops, the prevalence of charity shops and that there were too many empty properties.

***There is very little in the town centre now. I would only go in maybe once every few weeks, usually to the bank. I think the authorities are just papering over the cracks with the town centre. It really is a terrible place and just doesn't work.***

Dumbarton respondent

***People do their food shopping out of town or go to the shopping centre in Clydebank. I don't know many people who would come into Dumbarton on a regular basis because the shops are so poor.***

Dumbarton respondent

***The shopping centre at Clydebank is undercover. They tried to put up some cover at the Artizan Centre, some sheets of glass like an awning, but it's very poorly***

***designed and when it rains, the water just pours in. And they are never cleaned so the appearance is very off-putting.***

Dumbarton respondent

***Unfortunately, the town centre is now full of charity shops. I know they are serving a purpose but you wouldn't decide to go into town to look in the charity shops. They don't really add anything to the vitality of the High Street.***

Dumbarton respondent

***There are too many empty shops on the High Street. That is even worse than having lots of charity shops; it creates an air of neglect and decay.***

Dumbarton respondent

Clydebank focus group respondents said they visited their town centre more frequently, with some saying the shopping centre met most of their needs. However, there was a concern that the town didn't have a genuine town centre, only a shopping centre, with none of the community focus they would prefer to see. Some also said there were too many charity shops and 'pound' shops.

***I think the shopping centre is perfectly adequate. I use it every day for my food shopping and there is also a bank.***

Clydebank respondent

***The town centre used to be around here (the Town Hall). We don't really have a town centre, just a shopping centre. You've got 3 Queens Square where they re-instated the old bandstand and there are occasions when some event is put on. But now a cycle path goes right through it and you take your life in your hands walking across it. They spent £2.2m doing up 3 Queens Square in an attempt to improve the town centre but to me it was a complete waste of money. It doesn't provide a community focus for the town.***

Clydebank respondent

***I don't use it (the shopping centre) as much as I used to as it has become dominated by places like pound shops.***

Clydebank respondent

***There are too many charity shops, especially when they seem to be concentrated in one part of the centre.***

Clydebank respondent

## 5. Pay day lenders

To help the Council develop its evidence base to support new Planning Guidance, survey respondents were asked to state the extent to which they agreed or disagreed with ten statements about pay day lenders/pawn brokers in their town centre (to minimise bias, the statements were phrased to reflect both positive and negative views of pay day lenders/pawn brokers). As illustrated in the table below, there is a very high level of agreement that pay day lenders/pawn brokers:

- Make it too easy for vulnerable people to get a loan (90% agreed with this statement)
- Charge very high interest rates (76%)
- There are too many of them (71%)
- They are not good for the well being of the town centre (71%)

Significantly, 92% also disagreed that pay day lenders/pawn brokers add to the vitality/vibrancy of the town centre (with 68% 'disagreeing strongly'). There was also little support for the role pay day lenders/pawn brokers play in helping to fill vacant premises (88% disagreed that this was important, with 50% 'disagreeing strongly') or by paying business rates (62% disagreed that this was important). These views were also strongly reflected within each of the three towns.

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Do you agree or disagree with the following statements about pay day lender/pawn brokers in your town centre?**

	<b>Strongly agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know</b>
They are important because they help to fill vacant premises	1%	6%	38%	50%	5%
They charge very high interest rates	57%	19%	1%	3%	20%
They make an important contribution to the area by paying business rates	1%	15%	38%	24%	22%
They make it too easy for vulnerable people to get a loan	63%	27%	3%	1%	6%
They add to the vitality/vibrancy of the town centre	Under 1%	2%	24%	68%	6%
There are too many of them	44%	27%	7%	6%	16%
They provide an important service for those who can't access mainstream financial institutions	3%	21%	39%	24%	13%
They attract the wrong type of people into the town/put others off	21%	30%	25%	7%	17%
They are a valuable employer in the town centre	2%	9%	37%	25%	27%
They are not good for the well being of the community	37%	34%	8%	6%	15%

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

### Agreement with statements in your local town centre about pay day lenders/pawn shops

	Dumbarton	Clydebank	Alexandria
They are important because they help to fill vacant premises	10%	8%	3%
They charge very high interest rates	88%	74%	66%
They make an important contribution to the area by paying business rates	22%	14%	11%
They make it too easy for vulnerable people to get a loan	92%	87%	91%
They add to the vitality/vibrancy of the town centre	5%	2%	2%
There are too many of them	80%	75%	55%
They provide an important service for those who can't access mainstream financial institutions	30%	24%	16%
They attract the wrong type of people into the town/put others off	49%	53%	49%
They are a valuable employer in the town centre	20%	6%	8%
They are not good for the well being of the community	66%	70%	76%

**Base: respondents stating "strongly agree" or "agree"**

Focus group respondents were also asked if they felt there was a role for pay day lenders in their town centres. Only a few agreed, saying that they suited some people.

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

***There is clearly a demand for them, so they must provide a service for some people. I guess for some people they are a necessity.***

Dumbarton respondent

***I do some volunteering work with St. Vincent de Paul and I see the lower end of the social scale. A Credit Union is a brilliant thing but a lot of people just can't get access to these because they can't save, whether it's through drugs or alcohol dependence. For some the only option is the pay day lender. They are convenient in the sense that some people can get a small loan to see them through a short period until their benefits or wages are paid. Unfortunately, it doesn't always work out as simple as that and astronomical rates of interest are charged.***

Clydebank respondent

However, the overwhelming view of focus group respondents was that pay day lenders were unwelcome in their town centres because of the high interest rates they charge, that their presence was not a sign of a healthy community as well as a feeling that the pawn broking aspect of some of the shops encouraged criminal behaviour.

***I work in the local Credit Union. Why on earth do people go in to these pay day lenders when there is a Credit Union on their doorstep? The interest in the Credit Union is 1% on the reduced balance. They can save to get some money behind them and get a loan when they need it at a low rate of interest.***

Clydebank respondent

***The pay day lenders argue that their loans are meant to be paid off quickly and the interest payable is usually a relatively small amount, but we all know they don't work like that. People borrowing the money usually extend the loan or take out another one and the interest piles up.***

Clydebank respondent

***I can't see what value they (pay day lenders) bring to the community other than to a small desperate minority. When you see these shops the impression you get is of a community that has problems. They are not a sign of a healthy and vibrant community.***

Clydebank respondent

***Some people just see what they are getting (a pay day loan) and don't think about the consequences. It's the same with the crowds you see in places like \*\*\*\*\* where they will get a TV valued at £600 for a few pounds a week but end up paying £3,000 for it as the weekly payments go on forever.***

Clydebank respondent

***My main concern is that the pay day lenders do not screen people properly so that they lend responsibly. They seem happy to lend to anyone and are probably glad when the customer can't pay back on time so they can add even more interest. That's not the type of business we should welcome on our High Street.***

Dumbarton respondent



***My worry is that they look like they are fences for criminal behaviour, offering cash for goods with little concern where they came from.***

Clydebank respondent

***I would prefer another couple of empty shops if it meant getting rid of these places (pay day lenders) from the High Street. They create the wrong impression and attract a criminal element.***

Dumbarton respondent

***I work in a charity shop and one of the lads who comes in from time to time told me when he is skint he nicks the footballs from outside \*\* \*\*\*\*\* then sells them to the pawn broker shop. He says he never gets asked where the things come from.***

Dumbarton respondent

***These pawn broker places just encourage crime. I know of one lad who broke into a church and stole two big brass candlesticks. When the Police found them in a pawn broker's shop, the manager said he had bought them that morning for a fiver. They were obviously worth a lot more but the manager turned a blind eye to where they had come from. We don't want that sort of thing going on in our town centre.***

Dumbarton respondent

## **6. Betting offices**

A similar approach was adopted to establish Panel members' views on betting offices in their town centre. Of the nine statements about betting offices, those which most survey respondents agreed with were:

- There are too many of them (80%)
- They make it too easy to gamble (79%)
- They are not good for the well being of the community (66%)

The majority of respondents also disagreed that betting offices:

- Added vitality and vibrancy to their town centre (85% disagreed, with 41% 'strongly disagreeing')
- Were important because they help to fill vacant premises (81% disagreed)

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Do you agree or disagree with the following statements about betting offices in your town centre?**

	<b>Strongly agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Don't know</b>
They are important because they help to fill vacant premises	1%	13%	42%	39%	5%
They make it too easy to gamble	44%	35%	13%	3%	5%
They make an important contribution to the area by paying business rates	2%	26%	30%	20%	22%
There are too many of them	44%	36%	6%	2%	12%
They add to the vitality/vibrancy of the town centre	2%	7%	44%	41%	6%
They attract the wrong type of people into the town/put others off	20%	28%	28%	9%	15%
They provide an important service for those who like to gamble	4%	40%	25%	17%	14%
They are not good for the well being of the community	32%	34%	17%	3%	14%
They are a valuable employer in the town centre	3%	20%	32%	19%	26%

**Agreement with statements about betting shops**

	<b>Dumbarton</b>	<b>Clydebank</b>	<b>Alexandria</b>
They are important because they help to fill vacant premises	11%	15%	17%
They make it too easy to gamble	86%	81%	68%
They make an important contribution to the area by paying business rates	24%	27%	32%
There are too many of them	75%	83%	83%
They add to the vitality/vibrancy of the town centre	9%	6%	15%
They attract the wrong type of people into the town/put others off	55%	46%	46%
They provide an important service for those who like to gamble	47%	44%	39%
They are not good for the well being of the community	67%	69%	62%
They are a valuable employer in the town centre	29%	19%	22%

**Base: respondents stating “strongly agree” or “agree”**

Several focus group respondents acknowledged that betting offices have been around for a long time and can provide a useful service for some people. There was also an acceptance that they help to create employment and contribute income to the area through the payment of business rates.

***The bookie’s has always been part of our society and I’m sure there are some who enjoy the odd punt. I had a friend who went to the bookies each morning to place his bets then came home and spent the afternoon watching the races on the TV. It wouldn’t appeal to me but he enjoyed it and it got him out of the house every day.***  
Dumbarton respondent

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

***I've got a neighbour and he likes to have a wee bet now and then. I'm not opposed to that but surely we don't need to have more than one or two in the town.***

Clydebank respondent

***At least they pay business rates to the Council rather than there being even more depressing empty premises which generate no income. It might not be the shop that you want but it provides employment for some people.***

Dumbarton respondent

However, there was widespread concern among most focus group respondents about the number of betting offices, their siting at the heart of town centres and the growth of fixed odds betting terminals.

***Clydebank is a deprived area and people can't afford to lose money through gambling so I'm opposed to them being in busy places where people passing by might be tempted to go in.***

Clydebank respondent

***As well as the bookies there are places in the shopping centre where there are loads of fruit machines where kids as young as 10 or 12 can go. I think it's incredible that we are encouraging school kids to go to these places. In a few years time they will graduate to the bookies and a lifetime of debt.***

Clydebank respondent

***In the olden days they (betting offices) were hidden up closes but now they are right on the High Street. Unfortunately, they now seem to be right at the centre of our community.***

Dumbarton respondent

***These fixed odds betting terminals just eat money. I heard that they keep about 99 pence out of every pound bet.***

Dumbarton respondent

***The profit from the slot machines (fixed odds betting terminals) is massive. They are a real menace.***

Clydebank respondent

## 7. The number and clustering of pay day lenders and betting offices in town centres

Given the views expressed above in relation to the perceived impact of pay day lenders and betting offices in West Dunbartonshire's town centres, it is not surprising that the majority of Panel members stated they were concerned about the number of these premises (75%) as well as their clustering in particular parts of the town centres (70%). Conversely, typically only one in five respondents stated they were 'not very concerned' or 'not concerned at all'.

### Are you concerned about the number and clustering of pay day lenders and betting offices in your town centre?

	Very concerned	Quite concerned	Not very concerned	Not concerned at all	Don't know
The overall number of pay day lenders and betting offices in the town centre	31%	44%	15%	3%	7%
The clustering of pay day lenders and betting offices in particular parts of the town centre	32%	38%	18%	3%	9%

### Are you concerned about the number and clustering of pay day lenders and betting offices in your town centre?

	Dumbarton	Clydebank	Alexandria
The overall number of pay day lenders and betting offices in the town centre	82%	75%	69%
The clustering of pay day lenders and betting offices in particular parts of the town centre	69%	77%	59%

Base: respondents "very concerned" or "quite concerned"

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

Focus group respondents in both towns also raised the issue (unprompted) of the clustering of pay day lenders and betting offices, with most saying they would prefer to see fewer of these outlets in their town centre.

***In the lower part of Clydebank (shopping centre) all you have are charity shops, pound shops, pay day lenders, pawn shops and bookies. We definitely don't need any more of these. I understand some people want these places but we really don't need three or four of each in such a small area.***

Clydebank respondent

***The top half of the centre is not too bad; there are some good shops there. But the bottom part is all pound shops, charity shops, bookies, fruit machine places. There is also a beautiful listed building, the old Co-operative building that is lying empty.***

Clydebank respondent

***There are three pay day lenders or pawn shops in a row at the bottom end of the shopping centre. I think there are more now than there were a few years ago. It's definitely not a problem that is going away.***

Clydebank respondent

***I wouldn't want to see any more betting shops in the town centre. This is a deprived area and betting shops can be fatal for those who have a gambling addiction.***

Dumbarton respondent

***You also get these 'cash generator' type of shops opening all the time. They can be good to get your foreign exchange when you're going on holiday, but the pawn broking and pay day loans side of the business is not welcome.***

Dumbarton respondent

Two of the Council's key criteria for the assessment of non-retail uses (such as pay day lenders and betting offices) in core retail areas are:

- Whether a change would lead to the concentration of a particular use to the detriment of the town centre's vitality and viability or,
- Whether the proposed use would make a contribution to the vibrancy of the town centre by increasing footfall

As illustrated in the table below, the vast majority of survey respondents (82%) agree that more pay day lenders and betting offices would have a detrimental effect on the vitality and vibrancy of their town centre. Conversely, only 4% agreed that more pay day lenders and betting offices would improve the vitality and vibrancy and vitality of their

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

town centre by increasing footfall. In addition, 81% agreed that more pay day lenders and betting offices would be bad for the health and well being of the local community. These views were strongly reflected within each of the three towns.

### The effect of more pay day lenders and betting offices in your town centre

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
It would have a detrimental effect on the vitality and vibrancy of the town centre	51%	31%	8%	1%	9%
It would improve the vitality and vibrancy of the town centre by increasing footfall	2%	2%	45%	45%	6%
It would be bad for the health and well being of the community	43%	38%	6%	3%	10%

### The effect of more pay day lenders and betting offices in your town centre

	Dumbarton	Clydebank	Alexandria
It would have a detrimental effect on the vitality and vibrancy of the town centre	86%	77%	87%
It would improve the vitality and vibrancy of the town centre by increasing footfall	2%	6%	3%
It would be bad for the health and well being of the community	84%	81%	77%

**Base: respondents stating “strongly agree” or “agree”**

Survey respondents were asked to state the extent to which they agreed that the Council should be able to restrict the number and clustering of pay day lenders and betting offices in their town centre. Overall, 95% agreed with this statement, with 75% ‘strongly agreeing’, a pattern found across all three town. Less than 1% disagreed.



## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**To what extent do you agree that the Council should be able to restrict the number and clustering of pay day lenders and betting offices in your town centre?**

	Dumbarton	Clydebank	Alexandria	West Dunbartonshire
Strongly agree	76%	77%	69%	75%
Agree	19%	18%	24%	20%
Disagree	0%	1%	0%	Under 1%
Strongly disagree	0%	1%	0%	Under 1%
Don't know	5%	3%	7%	5%

There was also universal agreement among focus group respondents that steps should be taken to prevent more pay day lenders and betting offices from opening in town centres, and in particular, from clustering in particular parts of the town centre.

***I'm a gambler and I like the fact that having two or three bookies in the town centre means there is competition and I can get shop around to get better odds, but we don't need any more than the ones we've got. Two or three is plenty.***  
Clydebank respondent

***We do not want more pay day lenders and bookies opening in the shopping centre or the streets around it. We made that clear during the Harry Corry case. We were up in arms about it.***  
Clydebank respondent

***It would be a backward step to allow too many of these (pay day lenders and betting offices) to be located on the High Street. Even though it might reduce the number of empty premises, it would be detrimental to the well being of our town and the community.***  
Dumbarton respondent

***If there was a growth in the number of pay day lenders and bookies in Dumbarton, you may as well turn the lights out because it would destroy the town. People would avoid the High Street full stop. The High Street would be dead.***  
Dumbarton respondent

***They give them catchy names like but they are basically pawn shops. I get the feeling these are the only shops which can fill up the empty spaces in the High Street but I wouldn't say that was a good thing because there are simply too many of them already. I can understand some people may need them but surely one or two on the High Street is enough.***  
Dumbarton respondent

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

***The real problem is the proximity of bookies in one place. If there was one at either end of the shopping centre, I don't think people would complain. But having them concentrated near each other, and near pawn shops or pay day lenders, is going to create an environment that is very off putting to most people coming into the centre.***

Clydebank respondent

***Siting a bookie's next to a pay day lender or a pawn broker is just asking for trouble.***

Clydebank respondent

***Surely it has reached the point where the local authorities can say, 'That's it. There aren't going to be any more bookies or any more pay day lenders'. I assume business of that nature have to be licensed so surely the Council can just stop awarding licenses to restrict the numbers.***

Dumbarton respondent

***The Council licenses bookies so I can't see why they don't refuse more licenses to reduce the number of premises.***

Dumbarton respondent

***Can't the Council set a cap on the number of licenses issued?***

Clydebank respondent

***I don't think the Council can do that (cap the number of licenses) because the Harry Corry case was an example of where the Council seemed unable to prevent the application for another betting office.***

Clydebank respondent

***What made me angry recently was when Harry Corry was closing someone wanted to use the site for another bookie's shop. The people of Clydebank all said no; we don't want another bookie's. That's the last thing we need. But the Council said they can go ahead and open a bookie's there. How can the Council take a decision like that against the wishes of the people? What can the people of Clydebank do to stop more bookies being opened if the Council won't help? It feels like we don't have a voice.***

Clydebank respondent

Respondents were informed that the Council has limited powers to address the number and clustering of pay day lenders and betting offices in town centres but one option would be to introduce planning policies so that the Council would have stronger control over the change of use of a property into a pay day lender or a betting office. As illustrated in the table below, 95% of Panel members said they would support this proposal, with more than two thirds (68%) saying they would 'strongly support' it. Only 2% said they opposed it.

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**To what extent would you support planning policies so that the Council would have stronger control over the change of a use of a property into pay day lender or a betting office?**

	Dumbarton	Clydebank	Alexandria	West Dunbartonshire
Strongly support	67%	72%	61%	68%
Support	30%	21%	32%	27%
Oppose	1%	4%	Under 1%	2%
Strongly oppose	0%	1%	0%	Under 1%
Don't know	2%	2%	7%	3%

This proposal was also widely welcomed by focus group respondents as an effective way to prevent the future clustering of pay day lenders and betting offices in their town centres.

***That's definitely something I would support. If only the Council had those powers at the time of the Harry Corry case, we would have felt a lot happier. At the time we felt we were being ignored but now I understand the Council and the Scottish government had no option.***

Clydebank respondent

***It clearly won't help with the existing problem of bookies and pay day lenders. We have to accept that. But it will ensure the problem won't get any worse.***

Clydebank respondent

***The Council should be in a position to be able to refuse an application for a new bookie's or pay day lender if they feel there are too many of them in the area already and more would be detrimental to the well being of the town. If the simplest way to do that is to amend the planning laws, then I'm all for that.***

Dumbarton respondent

***A lot of the political parties mentioned taking action against the proliferation of pay day lenders and betting offices in their manifestos. It's good to see that now seems to be bearing fruit. The pay day lenders are the scourge of our nation and they need to be stopped.***

Clydebank respondent

***That sounds a lot better than playing around with the business rates. It tackles the issue head on by refusing to allow more premises to be turned into pay day lenders or bookies shops.***

Dumbarton respondent

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

***I'm delighted to hear that action is being taken on this (dealing with the clustering of pay day lenders and betting offices). It restores your faith in the political process.***

Clydebank respondent

***The Scottish government has been criticised for being too authoritarian but this (the clustering of pay day lenders and betting offices) is an issue which does need intervention.***

Dumbarton respondent

## 8. Concluding Comments

The survey and focus group research programme with members of the West Dunbartonshire Citizens' Panel has generated feedback on three key issues:

**The importance of a vibrant town centre** – respondents widely acknowledged the vital role a vibrant town centre can play in promoting community well being and cohesion

**Major concerns about the number and clustering of pay day lenders and betting offices** – there was universal concern about the number of pay day lenders and betting offices premises, and in particular, their clustering in some of the busiest parts of town centres where they had an unhealthy impact on community well being. Significantly,

- 82% of survey respondents agreed that more pay day lenders and betting offices would be detrimental to their town centre's vitality and vibrancy (Criterion b for the assessment of non-retail uses in core retail areas)
- Only 4% stated that more pay day lenders and betting offices would improve the vitality and vibrancy of the town centre by increasing footfall (Criterion c)
- 95% of Panel members agreed that the Council should be able to restrict the number and clustering of pay day lenders and betting offices in town centres

**Widespread support for Supplementary Planning Guidance** – there was widespread support (95%) for planning policies which would give the Council stronger control over the change of use of a property into a pay day lender or a betting office

**Jim Patton**

**Director**

**Hexagon Research and Consulting**

**September 2015**

## **Appendix 1**

### **West Dunbartonshire Citizens' Panel**

The West Dunbartonshire Citizens' Panel was recruited with the following aims:

- To be representative of local residents and willing to be surveyed on a regular basis about the policies and services of the community planning partners
- To recruit approximately 500 Panel members from the regeneration areas and a further 500 across the rest of West Dunbartonshire
- To allow these views to be fed into the decision-making processes of the community planning partners
- To keep Panel members informed of the actions taken by community planning partners in response to the views expressed

### **Previous Recruitment Exercises**

The original Panel recruitment exercise in 2005 produced 1,185 members, with 542 in the Regeneration areas and 639 across the rest of West Dunbartonshire. With the aim of running typically four surveys with the Panel each year, it was agreed to refresh the Panel on a regular basis and refresh exercises were carried out in October 2007, March 2009, February 2011, September 2012 and March 2014.

### **The 2014 Refresh**

Between late February and late March 2014, two exercises were completed to refresh the Panel:

- To replace those removed from the Panel, a fresh sample of 7,500 residents was drawn from the edited edition of the 2013 Electoral Register for West Dunbartonshire. Of these, 5,000 lived in the Regeneration areas and 2,500 lived elsewhere within West Dunbartonshire. Based on previous recruitment exercises, it was anticipated there would be an interest to join the Panel from approximately 5% of those from the Regeneration areas and 10% from those who lived elsewhere in West Dunbartonshire, generating approximately 500 new Panel members. The recruitment questionnaire (Appendix 1) was therefore issued to

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

the sample of 7,500 which generated 511 responses from residents who ticked a declaration to indicate they wished to become Panel members

- In recognition of wanting to maintain the Panel at a similar size, the response to the last two survey exercises was examined, revealing 490 Panel members who had not replied to either. These were sent a letter advising them they would be withdrawn from the Panel unless they indicated they wished to remain Panel members through a Freepost reply. However, none responded to say they wished to remain Panel members, leaving a core of 992 Panel members before the refresh exercise

When the 511 new Panel members were added to the 992 existing Panel members, this gave a refreshed Panel of 1,503 members, with 747 in the regeneration areas and 756 in the rest of West Dunbartonshire.

### **2014 Panel Characteristics**

Overall, the 2014 Panel has a very similar composition to the 2012 Panel and also continues to reflect many of the characteristics of the West Dunbartonshire adult population, with most variations being limited to only a few percentage points (a full breakdown is provided in Appendix 2 to this report). This is particularly the case in terms of the following characteristics:

- Residents aged 30-59 (53.5% of the Panel compared to 50.9% in the Council's estimate)
- Gender (56.1% of the Panel is female compared to 53.6% in the Council's estimate)
- Ethnicity (the Council estimates 99.3% of the adult population is white. Excluding 'not stated' responses, the Panel has 97.8% white members)
- Residents in owner occupation (62.6% of the Panel compared to 58% in the Council's estimate)



#### Supplementary Guidance on Pay Day Lending and Betting Offices Premises

However, the principal difference is that the Panel has a higher proportion of who are aged 60+ (37.1% compared to 28.8% in the Council's estimate).

## **Appendix 2**

### **Focus group discussion guide**

**Supplementary Guidance on Pay Day Lending and Betting Offices Premises  
Focus Group Discussion Guide**

Introduction	<p>Welcome respondents and outline purpose of discussion:</p> <p>Stress the confidentiality of the discussion</p>
Your town centre	<p><b>How often do you visit your town centre?</b></p> <p><b>What do you visit the town centre for?</b></p> <p><b>Overall, how important is it to have a town centre that is ‘vibrant’ and has a positive impact on the well being of the local community?</b></p> <p><b>Why do you say that?</b>  <i>Prompt:</i>  <i>Good for community cohesion</i>  <i>Important for the local economy</i>  <i>Provides an identity for the town</i>  <i>Diverse range of shopping outlets</i>  <i>Important community facilities</i>  <i>Important business location</i></p>
A ‘vibrant’ town centre	<p><b>What are the characteristics you would associate with a good town centre?</b>  <i>Prompt:</i>  <i>Good range of shops</i>  <i>Pharmacies/health facilities</i>  <i>Leisure centres/health clubs</i>  <i>Libraries</i>  <i>Museums/art galleries</i>  <i>Pubs</i>  <i>Cafes and restaurants</i>  <i>Good open/green spaces</i>  <i>Good parking facilities</i>  <i>Good public transport</i></p> <p><b>What are the characteristics you would associate with a town centre that was not good?</b>  <i>Prompt:</i>  <i>PDLs</i>  <i>BOs</i>  <i>Tanning salons</i>  <i>Fast food outlets</i>  <i>Vacant premises</i>  <i>Litter</i>  <i>Traffic congestion</i></p>

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

Rating your town centre	<p><b>Overall, how would you rate your town centre on these characteristics?</b></p> <p><b>What do you regard as the best aspects of your town centre?</b></p> <p><b>What do you regard as the worst aspects of your town centre?</b>  <i>Prompt:</i>  <i>Clustering of PDLs and BOs</i></p>
PDLs	<p><b>What are your views on the presence of PDLs in your town centre?</b>  <b>First of all, your positive views.</b></p> <p><i>Prompt:</i>  <i>They help fill vacant premises</i>  <i>They help increase the footfall in the town centre</i>  <i>They provide a service for those who can't access mainstream financial institutions</i></p> <p><b>Have you any negative views on the presence of PDLs in your town centre?</b>  <i>Prompt:</i>  <i>They exploit the most vulnerable by making it too easy to get a loan</i>  <i>They charge very high interest rates</i>  <i>They are aggressive when pursuing payment</i>  <i>There are too many of them</i>  <i>They create a bad impression</i>  <i>They attract the wrong type of people into the town/put others off</i>  <i>They are not good for the well being of local communities</i></p>
BOs	<p><b>What are your views on the presence of BOs in your town centre?</b>  <b>First of all, your positive views.</b></p> <p><i>Prompt:</i>  <i>They help fill vacant premises</i>  <i>They help increase the footfall in the town centre</i>  <i>They provide a service for those who like to gamble</i></p> <p><b>Have you any negative views on the presence of BOs in your town centre?</b>  <i>Prompt:</i>  <i>They exploit the most vulnerable by making it too easy to gamble</i>  <i>There are too many of them</i>  <i>They create a bad impression</i>  <i>They attract the wrong type of people into the town/put others off</i>  <i>They are not good for the well being of local communities</i></p>

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

Clustering of PDLs and BOs	<p><b>Do you think that allowing more properties to change their use to become PDLs or BOs would affect the town centre?</b></p> <p><b>In what way?</b></p> <p><i>Positive prompts:</i></p> <p><i>It would be good for the vibrancy and vitality of the town centre</i></p> <p><i>It would be good for community well being</i></p> <p><i>It would help fill vacant premises</i></p> <p><i>It would help increase the footfall in the town centre</i></p> <p><i>It would provide a service for those who like to gamble</i></p> <p><i>Negative prompts:</i></p> <p><i>It would not be good for the vibrancy and vitality of the town centre</i></p> <p><i>It would not be good for community well being</i></p> <p><i>They exploit the most vulnerable by making it too easy to gamble</i></p> <p><i>There are already too many of them</i></p> <p><i>They create a bad impression</i></p> <p><i>They attract the wrong type of people into the town/put others off</i></p>
Solutions	<p><b>To what extent would you say you were concerned about the clustering of PDLs and BOs in your town centre?</b></p> <p><b>Overall, do you think action is needed to curtail the number and clustering of PDLs and BOs in your town centre?</b></p> <p><b>What steps do you think should be taken?</b></p> <p><i>Prompt:</i></p> <p><i>They should be charged higher business rates</i></p> <p><i>Planning permission should be refused for a change of use to a PDL or BO</i></p>
Closing remarks	<p>Council's role in pilot scheme to develop supplementary guidance by September for the Scottish Government</p> <p>Thank respondents and end</p>

### **Appendix 3 Survey Questions**

## Section 2: Your Town Centre

**Q7.** Which of the following do you regard as your local town centre?

- |   |                         |
|---|-------------------------|
| Dumbarton (the High Street, including the Artizan Shopping Centre)                  | <input type="radio"/> 1 |
| Clydebank (the Clyde Shopping Centre, Sylvania Way South and the streets near this) | <input type="radio"/> 2 |
| Alexandria (Main Street, Bank Street and Mitchell Way)                              | <input type="radio"/> 3 |

**Q8.** How often would you visit your local town centre?

- |                        |                         |
|------------------------|-------------------------|
| Daily                  | <input type="radio"/> 1 |
| 2-3 times a week       | <input type="radio"/> 2 |
| Once a week            | <input type="radio"/> 3 |
| 2-3 times a month      | <input type="radio"/> 4 |
| Once a month           | <input type="radio"/> 5 |
| Less than once a month | <input type="radio"/> 6 |
| Never                  | <input type="radio"/> 7 |

**Q9.** How important do you think it is to have a vibrant town centre?

- |                      |                         |
|----------------------|-------------------------|
| Very important       | <input type="radio"/> 1 |
| Quite important      | <input type="radio"/> 2 |
| Not very important   | <input type="radio"/> 3 |
| Not important at all | <input type="radio"/> 4 |
| Don't know           | <input type="radio"/> 5 |





**Q10.** How important are the following in a vibrant town centre?

	Very important	Quite important	Not very important	Not important at all	Don't know
Wide range of shops	0 1	0 2	0 3	0 4	0 5
Fast food outlets	0 1	0 2	0 3	0 4	0 5
Pharmacy/health facilities	0 1	0 2	0 3	0 4	0 5
Pubs	0 1	0 2	0 3	0 4	0 5
Charity shops	0 1	0 2	0 3	0 4	0 5
Cafes and restaurants	0 1	0 2	0 3	0 4	0 5
Betting offices	0 1	0 2	0 3	0 4	0 5
Libraries/museums/art galleries	0 1	0 2	0 3	0 4	0 5
Banks	0 1	0 2	0 3	0 4	0 5
Good quality shops	0 1	0 2	0 3	0 4	0 5
Pay day lenders/pawn brokers	0 1	0 2	0 3	0 4	0 5
Green/open spaces	0 1	0 2	0 3	0 4	0 5
'Pound' shops	0 1	0 2	0 3	0 4	0 5
Leisure facilities (cinema etc)	0 1	0 2	0 3	0 4	0 5
Local Government/civic uses	0 1	0 2	0 3	0 4	0 5

**Q11.** Thinking of your own town centre, how satisfied or dissatisfied are you with the following?

	Very satisfied	Quite satisfied	Neither satisfied nor dissatisfied	Quite dissatisfied	Very dissatisfied	Don't know
The range of shops	0 1	0 2	0 3	0 4	0 5	0 6
Fast food outlets	0 1	0 2	0 3	0 4	0 5	0 6
Pharmacy/health facilities	0 1	0 2	0 3	0 4	0 5	0 6
Pubs	0 1	0 2	0 3	0 4	0 5	0 6
Charity shops	0 1	0 2	0 3	0 4	0 5	0 6
Cafes and restaurants	0 1	0 2	0 3	0 4	0 5	0 6
Betting offices	0 1	0 2	0 3	0 4	0 5	0 6
Libraries/museums/art galleries	0 1	0 2	0 3	0 4	0 5	0 6
Banks	0 1	0 2	0 3	0 4	0 5	0 6
The quality of the shops	0 1	0 2	0 3	0 4	0 5	0 6
Pay day lenders/pawn brokers	0 1	0 2	0 3	0 4	0 5	0 6
Green/open spaces	0 1	0 2	0 3	0 4	0 5	0 6
'Pound' shops	0 1	0 2	0 3	0 4	0 5	0 6
Leisure facilities (cinema etc)	0 1	0 2	0 3	0 4	0 5	0 6
Local Government/civic uses	0 1	0 2	0 3	0 4	0 5	0 6

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Pay Day Lenders/Pawn Brokers**

**Q12.** To what extent do you agree or disagree with the following statements about pay day lenders/pawn brokers in your town centre?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
<b>They are important because they help to fill vacant premises</b>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They charge very high interest rates</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They make an important contribution to the area by paying business rates</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They make it too easy for vulnerable people to get a loan</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They add to the vitality/vibrancy of the town centre</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<b>There are too many of them</b>	<b>0 1</b>	<b>0 2</b>	<b>0 3</b>	<b>0 4</b>	<b>0 5</b>
<b>They provide an important service for those who can't access mainstream financial institutions</b>	<b>0 1</b>	<b>0 2</b>	<b>0 3</b>	<b>0 4</b>	<b>0 5</b>
<b>They attract the wrong type of people into the town/put others off</b>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They are a valuable employer in the town centre</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>
<i>They are not good for the well being of the community</i>	<i>0 1</i>	<i>0 2</i>	<i>0 3</i>	<i>0 4</i>	<i>0 5</i>



### Betting Offices

**Q13.** To what extent do you agree or disagree with the following statements about betting offices ('bookies') in your town centre?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
They are important because they help to fill vacant premises	0 1	0 2	0 3	0 4	0 5
They make it too easy to gamble	0 1	0 2	0 3	0 4	0 5
They make an important contribution to the area by paying business rates	0 1	0 2	0 3	0 4	0 5
There are too many of them	0 1	0 2	0 3	0 4	0 5
They add to the vitality/vibrancy of the town centre	0 1	0 2	0 3	0 4	0 5
They attract the wrong type of people into the town/put others off	0 1	0 2	0 3	0 4	0 5
They provide an important service for those who like to gamble	0 1	0 2	0 3	0 4	0 5
They are not good for the well being of the community	0 1	0 2	0 3	0 4	0 5
They are a valuable employer in the town centre	0 1	0 2	0 3	0 4	0 5

## Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Clustering of Pay Day Lenders and Betting Offices**

**Q14.** To what extent are you concerned about the number and clustering of pay day lenders and betting offices in your town centre?

	Very concerned	Quite concerned	Not very concerned	Not concerned at all	Don't know
The overall number of pay day lenders and betting offices in the town centre	0 1	0 2	0 3	0 4	0 5
The clustering of pay day lenders and betting offices in particular parts of the town centre	0 1	0 2	0 3	0 4	0 5

**Q15.** What would be the effect of more pay day lenders and betting offices being opened in your town centre? Please state whether you agree or disagree with the following statements

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
It would have a detrimental effect on the vitality and vibrancy of the town centre	0 1	0 2	0 3	0 4	0 5
It would improve the vitality and vibrancy of the town centre by increasing footfall	0 1	0 2	0 3	0 4	0 5
It would be bad for the health and well being of the community	0 1	0 2	0 3	0 4	0 5

Supplementary Guidance on Pay Day Lending and Betting Offices Premises

**Q16.** To what extent do you agree that the Council should be able to restrict the number and clustering of pay day lenders and betting offices in your town centre?

Strongly agree	Agree	Disagree	Strongly disagree	Don't know
O 1	O 2	O 3	O 4	O 5

**Q17.** The Council has limited powers to address the number and clustering of pay day lenders and betting offices in town centres.

One option would be to introduce planning policies so the Council would have stronger control over the change of a use of a property into a pay day lender or a betting office.

To what extent would you support this option?

Strongly support	Support	Oppose	Strongly oppose	Don't know
O 1	O 2	O 3	O 4	O 5

## **Appendix 2: Citizens Panel Results 2023**



## 2023 Citizens Panel Survey Results – Pay Day Lending and Betting Shops

Questionnaires were sent out to the members of the citizens panel via an online questionnaire. 282 responses were received..

The questions were a copy of a selection of questions from the citizens panel survey undertaken in 2015, which provides the background for the original 2016 guidance. While this citizens panel survey could not include all the questions of the original survey, the included questions were used to gauge if attitudes towards Payday lending/pawn shops and betting offices had changed. In the original survey specific questions on hot food takeaways were not included. For consistency Hot food takeaway questions were the same as pay day lending and betting shop questions. Alongside the results to each question there will be a comparison made to the results to the same question in the original 2015 survey.

### Town Centres

*Which of the following do you regard as your local town centre*

Dumbarton	Clydebank	Alexandria
80	137	65
28%	49%	23%

Almost half of respondents (49)% considered Clydebank their local town centre. Slightly over a quarter of respondents (28%) considered Dumbarton their local town centre and slightly under a quarter of respondents (23%) considered Alexandria their local town centre.

### *Importance to a vibrant town centre*

	<b>Very important</b>	<b>Quite Important</b>	<b>Not very important</b>	<b>Not Important at all</b>	<b>Don't know</b>
Betting offices	1%	5%	24%	62%	7%
Pay day lending/pawn shops	1%	3%	17%	71%	8%

Pay day lending and betting shops were generally unimportant to a vibrant town centre. Pay day lending/pawn shops had the strongest negative response, with 71% of respondents stating they were “not important at all” and 17% saying they were “not very important”. The response to betting offices was also negative overall, but less strong with 62% of respondents stating they were “not important at all” and 24% saying they were “not very important”.

The negative response to Pay day lending/pawn brokers in the 2023 survey was stronger than in the 2015 survey, with 14% more respondents stating they were “not important at all”. A similar proportion of respondents stated they were “very important” or “quite important” in each survey and there was 5% increase in those stating “don’t know” in the 2023 survey.

The response to betting offices in the 2023 survey was similar to the 2015 survey, however in the 2016 survey 6% more respondents said “don’t know”.

### *“Very important” aspects of a town centre*

	Dumbarton	Clydebank	Alexandria
Hot food takeaways	11%	7%	8%
Betting offices	3%	1%	0%

Pay day lending/pawn shops	1%	1%	0%
----------------------------	----	----	----

Very few respondents stated that any of the premises asked about were “very important”. A similar proportion of respondents stated that pay day lending/pawn shops and betting offices were “very important” in 2015 and 2023.

#### Pay Day lenders/Pawn Brokers

*Do you agree or disagree with the following statements about pay day lenders/pawn brokers in your town centre*

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't know
Important because they help to fill vacant premises	2%	8%	30%	51%	9%
Charge very high interest rates	47%	22%	3%	6%	23%
Perform a valuable contribution to the area by paying business rates	2%	20%	25%	31%	22%
Make it too easy for vulnerable people to get a loan	54%	28%	1%	6%	11%
Add to the vibrancy/vitality of the town centre	1%	5%	24%	61%	9%
There are too many of them.	37%	29%	6%	4%	23%
Provide an important service to those who can't access mainstream finance	4%	24%	24%	27%	21%
Attract anti-social behaviour/put others off.	21%	28%	13%	4%	34%
Are a valuable employer in the town centre	2%	13%	32%	26%	27%
Are not good for the wellbeing of the community	35%	31%	6%	8%	19%

While the exact proportion of responses differ between the 2015 and 2023 surveys the same general trends appeared, specifically agreement or strong agreement that:

- Make it too easy for vulnerable people to get a loan (90% agreed with this statement in 2015 and 82% in 2023);
- Charge very high interest rates (76% agreed with this statement in 2015 and 69% in 2023);

- There are too many of them (71% agreed with this statement in 2015 and 66% in 2023);
- They are not good for the well being of the community (71% agreed with this statement in 2015 and 71% in 2023).

In most cases agreement was lower in 2023 than in 2015, however there is still a majority agreement.

There is still a majority disagreeing with the following statements about Pay day lenders/pawn brokers:

- they add to the vibrancy of the town centre (92% disagreed in 2015 and 85% in 2023);
- important for filling vacant premises (88% disagreed this was important in 2015 and 85% in 2023);
- They perform a valuable contribution to business rates (62% disagreed with this statement in 2015 and 56% in 2023).

*Respondents who agree or strongly agree with the following statements about pay day lenders/pawn shop*

	Dumbarton	Clydebank	Alexandria
Important because they help to fill vacant premises	10%	12%	9%
Charge very high interest rates	76%	64%	69%
Perform a valuable contribution to the area by paying business rates	20%	25%	20%
Make it too easy for vulnerable people to get a loan	88%	79%	83%
Add to the vibrancy/vitality of the town centre	5%	7%	5%
There are too many of them.	63%	72%	58%
Provide an important service to those who can't access mainstream finance	18%	31%	37%
Attract anti-social behaviour/put others off.	53%	49%	43%
Are a valuable employer in the town centre	13%	17%	15%
Are not good for the wellbeing of the community	66%	69%	63%

### Betting Offices

*Do you agree or disagree with the following statements about Betting Offices*

	Agree	Strongly Agree	Disagree	Strongly Disagree	Don't know
Are important because they help to fill vacant	16%	3%	36%	38%	7%

premises					
Make it too easy to gamble	30%	48%	11%	3%	7%
Make an important contribution to the area by paying business rates	32%	2%	26%	19%	21%
Are too many of them	32%	38%	9%	2%	18%
Add to the vitality/vibrancy of the town centre	9%	1%	41%	38%	11%
Attract anti-social behaviour/put others off.	29%	22%	18%	2%	28%
Provide an important service for those who like to gamble	36%	5%	22%	21%	16%
Are not good for the wellbeing of the community	33%	35%	10%	5%	16%
Are a valuable employer in the town centre	24%	4%	23%	24%	25%

While the exact proportion of responses differ between the 2015 and 2023 surveys the same general trends appeared, specifically agreement or strong agreement that:

- There are too many of them (80% of participants agreed or strongly agreed in 2015 and 70% in 2023)
- They make it too easy to gamble (79% of participants agreed or strongly agreed in 2015 and 78% in 2023)
- They are not good for the wellbeing of the community (66% of participants agreed or strongly agreed in 2015 and 68% in 2023)

There was mostly disagreement or strong disagreement that

- They added vitality and vibrancy to their town centre (85% disagreed in 2015 and 71% in 2023)
- They were important because they help to fill vacant premises (81% disagreed in 2015 and 74% in 2023)

*Respondents who agree or strongly agree with the following about betting offices:*

	Dumbarton	Clydebank	Alexandria
Are important because they help to fill vacant premises	24%	17%	15%
Make it too easy to gamble	83%	77%	74%
Make an important contribution to the area by paying business rates	35%	31%	42%

Are too many of them	65%	74%	71%
Add to the vitality/vibrancy of the town centre	14%	7%	11%
Attract anti-social behaviour/put others off.	51%	55%	43%
Provide an important service for those who like to gamble	45%	37%	45%
Are not good for the wellbeing of the community	64%	74%	65%
Are a valuable employer in the town centre	34%	23%	32%

There

#### The Number of Pay Day Lenders/Pawn Shops and Betting offices

*Are you concerned about the number and clustering of pay day lenders and betting offices in your town centre?*

	Not concerned at all	Not very concerned	Quite concerned	Very concerned	Don't know
Number of betting offices in the town centre	5%	20%	40%	26%	8%
Number of pay day lending/pawn shops in the town centre	5%	19%	39%	23%	14%

Over 60% of respondents were either quite concerned or very concerned about the number of pay day lending/pawn shops and betting offices in their town centre in the 2023 survey. This is the majority of respondents however the proportion of respondents concerned is down from 75% in the 2015 survey

*Respondents who are “quite concerned” or “very concerned” about the number of pay day lending and betting offices*

	Dumbarton	Clydebank	Alexandria
Betting offices	54%	72%	71%
Pay day lending/pawn shops	46%	72%	62%

Respondents in Clydebank and Alexandria were significantly more concerned than respondents in Dumbarton

*Effect of more pay day lending and betting in the Town Centre*

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't know
Would have a detrimental effect on the vitality and vibrancy of the town centre	45%	38%	2%	1%	13%
Would improve the vitality and vibrancy of the town centre by increasing footfall	3%	4%	43%	38%	12%
Would be bad for the health and well being of the community	40%	41%	4%	0%	15%

Respondents in 2023 had a similar view to respondents in 2015, that more pay day lenders and betting would be detrimental to the town centre and bad for the health and wellbeing of the community.

*Agree or strongly agree with statements on the effect of more pay day lending and betting on town centres*

	Dumbarton	Clydebank	Alexandria
Would have a detrimental effect on the vitality and vibrancy of the town centre	83%	81%	89%
Would improve the vitality and vibrancy of the town centre by increasing footfall	9%	8%	3%
Would be bad for the health and well being of the community	84%	80%	82%

The proportion of users of different town centres agreeing or strongly agreeing with all of the above statements is very similar. A slightly larger proportion of users of Alexandria town centre agreed they would have a detrimental effect on vitality and vibrancy of the town centre. A slightly lower proportion of users of Alexandria town centre agreed they would improve vibrancy and vitality by increasing footfall.

# Appendix 3: Betting Office and Pay day loan customer count

## Introduction

This research provides background information in support of the Pay Day Lending and Betting Shops Planning Guidance. The guidance will assist in the decision making of planning applications for pay day lending and betting shops.

It was considered it would be useful to establish what contribution pay day lending and betting shops make to footfall in Clydebank and Dumbarton town centres in comparison to other town centre uses.

## Survey methodology

A total of 6 units were surveyed in each town centre across the typical shopping hours of 9.30am - 5.30pm and extended to count evening footfall generated by betting shops. This was carried out on a Thursday 10th September and Saturday 12th September in Clydebank; and Saturday 19th September and Thursday 1st October in Dumbarton; two days for each town centre. Of the 6 units surveyed in each town centre, a betting office and pay day lender were included, as well as 4 other retail/commercial related uses (see charts below). The method was to count the number of people entering each unit, with some exclusions such as young children, staff and postal workers. Surveys were based on a 10 minute count per unit per hour, and therefore do not reflect the actual footfall count for the day. However, the results have been weighted to reflect what an average count for the day would have been, based on the 10-minute results. The weighted results can be seen in the charts below.

A further evening count of the betting offices was undertaken to gauge footfall coming into the centre after normal shop opening hours.

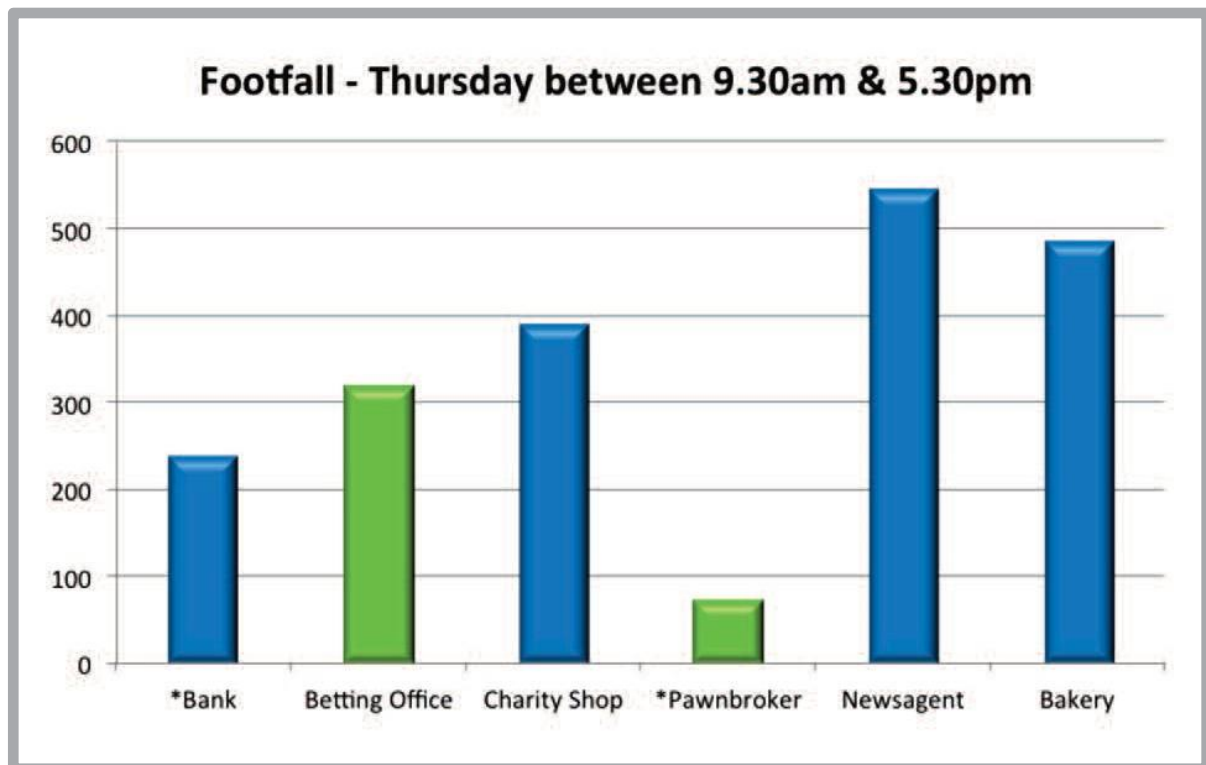
The survey was undertaken by Council staff.

## Footfall results

Figures 1 and 2 show the Clydebank results for each day. On Thursday the betting office was the fourth busiest shop, with the charity shop, newsagent and bakery attracting more customers. On Saturday, the betting office was the 2nd busiest unit, with the highest number of customers visiting the newsagent.

For both survey days, the pawnbroker attracted the least customers of all six units. It should be

noted that the bank on both days closed earlier than the other stores (4.30pm on Thursday and 3.30pm on Saturday), as did the pawnbroker on the Thursday count (4.30pm). Results have been weighted to reflect the average count for that day



**Figure 1**

**\*Bank and Pawnbroker closed during last hour of count (4.30pm - 5.30pm)**





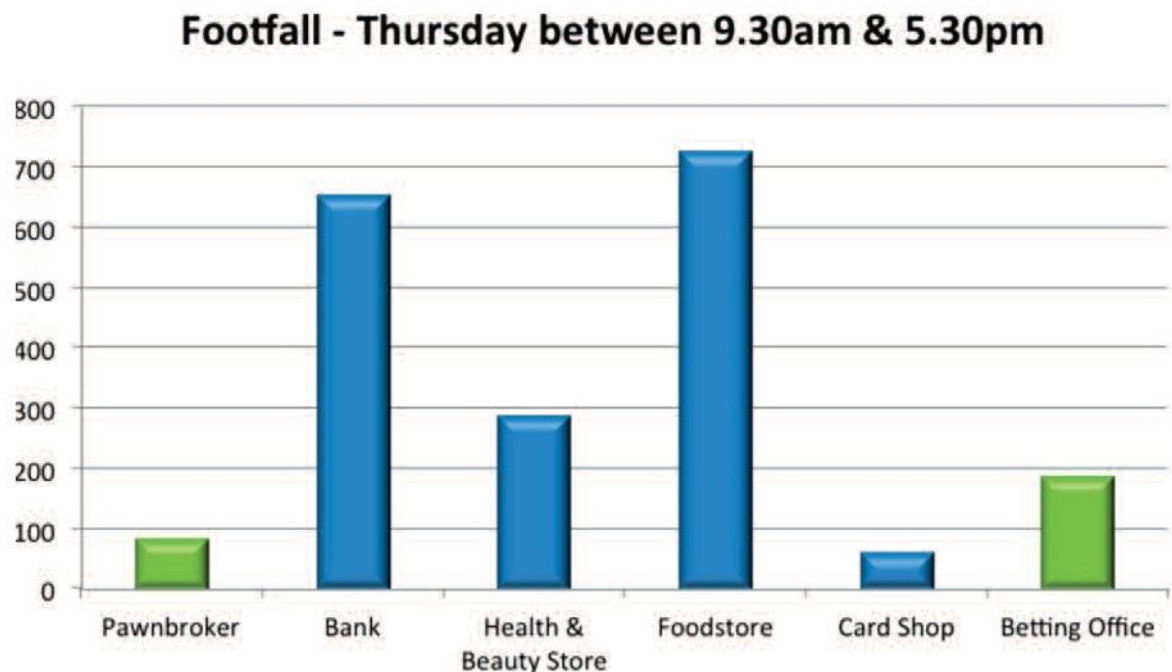
## <sup>1</sup>Figure 2

**\*Bank closed during last two hours of count (3.30pm - 5.30pm)**

Figures 3 - 5 show the results for Dumbarton. Thursday's footfall was of a similar pattern to Clydebank, the betting shop was the fourth busiest unit when compared to the others. On Saturday morning the betting shop faired the busiest with higher footfall than the other units surveyed. In the afternoon this dropped to the third highest footfall.

The pawnbroker took the second lowest footfall on Thursday with only the card shop taking less. On Saturday the pawnbroker had the lowest footfall for both morning and afternoon.

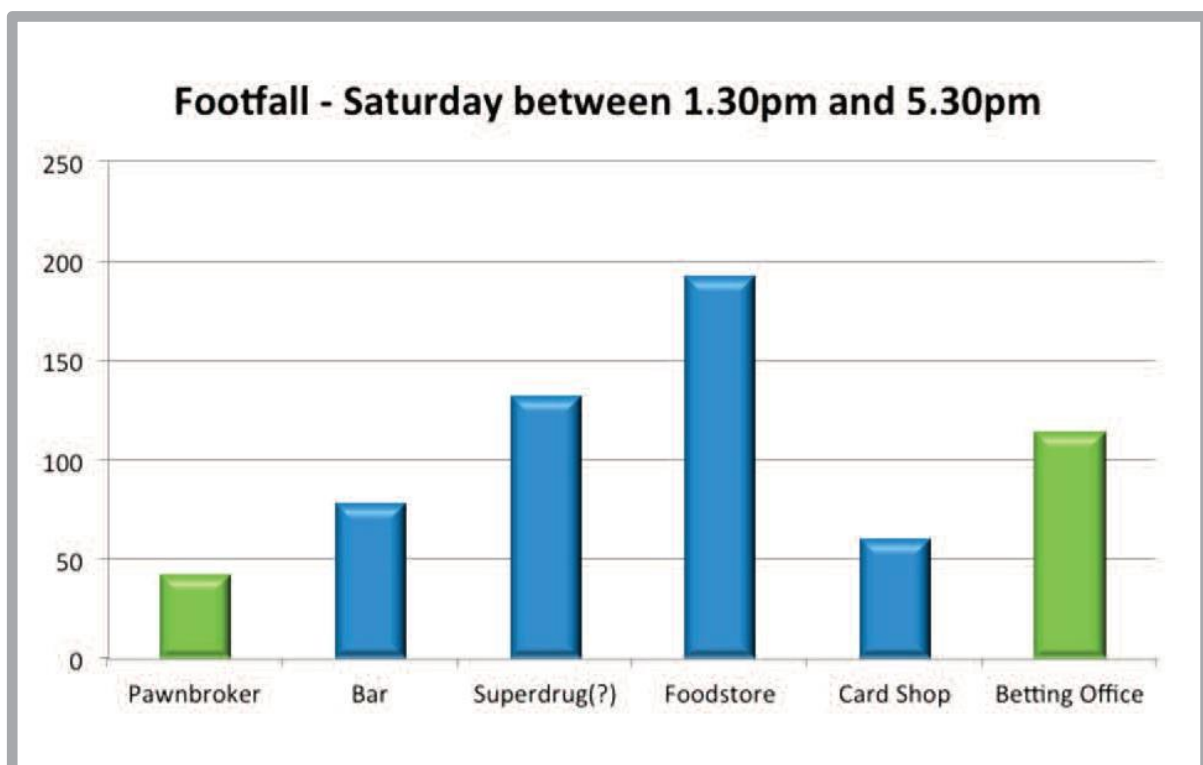
There are two separate charts displayed for Saturday. This is due to the bank closing at midday, and for the afternoon a public house was surveyed instead.



## <sup>2</sup>Figure 3



**Figure 4**



**Figure 5**

### Evening count

This provided evidence of the footfall attracted into the centres during evening hours, after the

typical closing hours of other stores. Betting shops in both town centres were open late into the evening.

In Clydebank two betting shops were surveyed for half hour periods between 5.30pm and 7pm on Thursday 12 September.

In Dumbarton. A single betting shop was surveyed between 5.30pm and 7.00pm on Thursday 1 October, with numbers recorded for half hour periods.

## Summary

From the results above, it is demonstrated that the betting offices attract a similar and at times higher footfall than that of other high street retailers/commercial users. It is also evident that such uses attract footfall into the early evening.

Generally speaking, the pawnbrokers did not have many customers in comparison to other high street occupiers.

# Customer count - actual recorded results

Clydebank: Thursday 10th September  
Weather conditions: Good, generally sunny throughout

Hour: 9.30 - 10.30

Hour: 10.30 - 11.30

Hour: 11.30 - 12.30

Unit	Tally	Unit	Tally	Unit	Tally
Clydesdale Bank	7	Clydesdale Bank	5	Clydesdale Bank	3
Paddy Power	4	Paddy Power	8	Paddy Power	11
British Heart Foundation	5	British Heart Foundation	13	British Heart Foundation	22
H & T Pawn	2	H & T Pawn	1	H & T Pawn	3
RS McColl	14	RS McColl	11	RS McColl	16
Greggs	8	Greggs	11	Greggs	22

Hour: 12.30 - 13.30

Hour: 13.30 - 14.30

Hour: 14.30 - 15.30

Unit	Tally	Unit	Tally	Unit	Tally
Clydesdale Bank	7	Clydesdale Bank	4	Clydesdale Bank	4
Paddy Power	10	Paddy Power	8	Paddy Power	5
British Heart Foundation	12	British Heart Foundation	7	British Heart Foundation	3
H & T Pawn	1	H & T Pawn	2	H & T Pawn	2
RS McColl	14	RS McColl	10	RS McColl	7
Greggs	18	Greggs	13	Greggs	3

Hour: 15.30 - 16.30

Hour: 16.30 - 17.30

Unit	Tally	Unit	Tally
Clydesdale Bank	10	Clydesdale Bank	CLOSED
Paddy Power	2	Paddy Power	5
British Heart Foundation	2	British Heart Foundation	1
H & T Pawn	1	H & T Pawn	CLOSED
RS McColl	9	RS McColl	10
Greggs	3	Greggs	3

Clydebank: Thursday 10th September, evening count  
Weather conditions: Good, light

Time	Unit	Tally
17.30 - 18.00	Ladbrokes	9
18.00 - 18.30	Paddy Power	10
18.00 - 18.30	Ladbrokes	3

# Customer count - actual recorded results

Clydebank: Saturday 12th September  
Weather conditions: Overcast, occasional rain

Hour: 9.30 - 10.30

Hour: 10.30 - 11.30

Hour: 11.30 - 12.30

Unit	Tally	Unit	Tally	Unit	Tally
Royal Bank of Scotland	16	Royal Bank of Scotland	13	Royal Bank of Scotland	16
Paddy Power	5	Paddy Power	17	Paddy Power	16
British Heart Foundation	6	British Heart Foundation	12	British Heart Foundation	10
H & T Pawn	1	H & T Pawn	0	H & T Pawn	2
RS McColl	21	RS McColl	21	RS McColl	22
Greggs	6	Greggs	10	Greggs	12

Hour: 12.30 - 13.30

Hour: 13.30 - 14.30

Hour: 14.30 - 15.30

Unit	Tally	Unit	Tally	Unit	Tally
Royal Bank of Scotland	10	Royal Bank of Scotland	6	Royal Bank of Scotland	13
Paddy Power	17	Paddy Power	13	Paddy Power	22
British Heart Foundation	19	British Heart Foundation	16	British Heart Foundation	10
H & T Pawn	1	H & T Pawn	4	H & T Pawn	1
RS McColl	14	RS McColl	14	RS McColl	10
Greggs	8	Greggs	23	Greggs	7

Hour: 15.30 - 16.30

Hour: 16.30 - 17.30

Unit	Tally	Unit	Tally
Royal Bank of Scotland	x	Royal Bank of Scotland	x
Paddy Power	4	Paddy Power	13
British Heart Foundation	9	British Heart Foundation	9
H & T Pawn	0	H & T Pawn	1
RS McColl	13	RS McColl	12
Greggs	10	Greggs	5

# Customer count - actual recorded results

Dumbarton: Saturday 19th September  
Weather conditions: Cloudy

Hour: 9.30 - 10.30

Hour: 10.30 - 11.30

Hour: 11.30 - 12.30

Unit	Tally	Unit	Tally	Unit	Tally
Ramsdens	1	Ramsdens	2	Ramsdens	4
Bank of Scotland	12	Bank of Scotland	17	Bank of Scotland	18
Superdrug	6	Superdrug	1	Superdrug	9
William Hill	14	William Hill	20	William Hill	27
Farmfoods	10	Farmfoods	2	Farmfoods	16
Hallmark & Thorntons	0	Hallmark & Thorntons	7	Hallmark & Thorntons	6

Hour: 12.30 - 13.30

Hour: 13.30 - 14.30

Hour: 14.30 - 15.30

Unit	Tally	Unit	Tally	Unit	Tally
Ramsdens	4	Ramsdens	5	Ramsdens	0
Bank of Scotland	5	Bank of Scotland	3	Bank of Scotland	3
Superdrug	5	Superdrug	3	Superdrug	10
William Hill	8	William Hill	8	William Hill	6
Farmfoods	13	Farmfoods	12	Farmfoods	4
Hallmark & Thorntons	2	Hallmark & Thorntons	0	Hallmark & Thorntons	5

Hour: 15.30 - 16.30

Hour: 16.30 - 17.30

Unit	Tally	Unit	Tally
Ramsdens	2	Ramsdens	0
Bank of Scotland	5	Bank of Scotland	2
Superdrug	5	Superdrug	4
William Hill	1	William Hill	4
Farmfoods	9	Farmfoods	7
Hallmark & Thorntons	4	Hallmark & Thorntons	1

# Customer count - actual recorded results

Dumbarton: Thursday 1st October  
Weather conditions: Foggystart, clear/sunny for remainder

Hour: 9.30 - 10.30

Hour: 10.30 - 11.30

Hour: 11.30 - 12.30

Unit	Tally	Unit	Tally	Unit	Tally
Ramsdens	1	Ramsdens	0	Ramsdens	3
Bank of Scotland	16	Bank of Scotland	22	Bank of Scotland	12
Superdrug	2	Superdrug	8	Superdrug	6
Farmfoods	8	Farmfoods	10	Farmfoods	25
Hallmark & Thorntons	0	Hallmark & Thorntons	1	Hallmark & Thorntons	2
William Hill	1	William Hill	1	William Hill	2

Hour: 12.30 - 13.30

Hour: 13.30 - 14.30

Hour: 14.30 - 15.30

Unit	Tally	Unit	Tally	Unit	Tally
Ramsdens	2	Ramsdens	3	Ramsdens	3
Bank of Scotland	18	Bank of Scotland	17	Bank of Scotland	7
Superdrug	9	Superdrug	8	Superdrug	9
Farmfoods	10	Farmfoods	20	Farmfoods	15
Hallmark & Thorntons	4	Hallmark & Thorntons	1	Hallmark & Thorntons	1
William Hill	6	William Hill	3	William Hill	11

Hour: 15.30 - 16.30

Hour: 16.30 - 17.30

Unit	Tally	Unit	Tally
Ramsdens	0	Ramsdens	2
Bank of Scotland	9	Bank of Scotland	8
Superdrug	4	Superdrug	2
Farmfoods	15	Farmfoods	18
Hallmark & Thorntons	1	Hallmark & Thorntons	0
William Hill	3	William Hill	4

Dumbarton: Thursday 1st October, evening count  
Weather conditions: Good, light

Time	Unit	Tally
17.30 - 18.00	William Hill	10
18.00 - 18.30	William Hill	10

18.00 - 18.30

William Hill

9



<b>AssessmentNo</b>	715	<b>Owner</b>	cameron.clow	
<b>Resource</b>	Regeneration, Environment and Growth		<b>Service/Establishment</b>	Regeneration
	First Name	Surname	<b>Job title</b>	
<b>Head Officer</b>	Cameron	Clow	Development Planning and Place Office	
	(include job titles/organisation)			
<b>Members</b>	Cameron Clow Alan Williamson			
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>			
<b>Policy Title</b>	Revision of planning guidance for Pay Day Lending and Betting Shops			
	<b>The aim, objective, purpose and intended out come of policy</b>			
	The guidance places planning controls on applications for the stated uses, due to the correlation of these uses with deprivation and problem gambling, and debt and negative health outcomes. The update to the guidance is expected to reflect National Planning Framework 4, which restricts payday lending and betting shops			
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>			
	Licensing, environmental health, and communities.			
<b>Does the proposals involve the procurement of any goods or services?</b>			<b>No</b>	
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>			<b>No</b>	
<b>SCREENING</b>				
<i>You must indicate if there is any relevance to the four areas</i>				
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>			<b>No</b>	
<b>Relevance to Human Rights (HR)</b>			<b>No</b>	
<b>Relevance to Health Impacts (H)</b>			<b>Yes</b>	
<b>Relevance to Social Economic Impacts (SE)</b>			<b>Yes</b>	
<b>Who will be affected by this policy?</b>				
Users of pay day lending and betting offices on high streets. Potential economic impacts on town center areas due to restrictions of uses.				
<b>Who will be/has been involved in the consultation process?</b>				
Questions on the above uses and their impacts (positive or negative) has been put to the citizen's panel. A draft of the guidance will be consulted on with the wider public.				
<b>Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.</b>				
	<b>Needs</b>	<b>Evidence</b>	<b>Impact</b>	
<b>Age</b>	Males between 16 and 24 are more likely to be problem gamblers.	Literature indicates that this group is more likely to have a gambling problem and that opportunities for	Restricting betting shops in town centres will reduce the opportunities to gamble.	

		gambling (accessibility) increases gambling problems.	
<b>Cross Cutting Disability</b>			
<b>Social &amp; Economic Impact</b>	Short term loans are often used to bridge the gap to the next pay-check. Gambling premises concentrate in more deprived areas. Impacts on economy of town centres due to restricted uses.	Typical user of payday loans earns less than £20k a year. Lower income households are less likely to hold debt, but are more likely to have debt problems. Concentration of gambling premises and machines are disproportionately in deprived areas. Problem gambling can have an effect on household finances Cross cutting with health, due to health inequalities.	
<b>Sex</b>	Males between 16 and 24 are more likely to be problem gamblers.	Literature indicates that this group is more likely to have a gambling problem and that opportunities for gambling (accessibility) increases gambling problems.	Restricting betting shops in town centres will reduce the opportunities to gamble.
<b>Gender Reassign</b>			
<b>Health</b>	Mental and physical wellbeing.	Problem debt impacts mental wellbeing, with relationship between debts and negative health outcomes including mental disorder, suicide attempts, problem drinking, drug dependence, depression, OCD, panic disorder, anxiety. Debt results in poor health outcomes, but also	Restricting payday lending and betting shops potentially reduces access and therefor use of these premises.

		people with poor health are more likely to be in debt. Problem gambling can strain household finances and relationships, so can impact mental health.	
<b>Human Rights</b>			
<b>Marriage &amp; Civil Partnership</b>			
<b>Pregnancy &amp; Maternity</b>			
<b>Race</b>			
<b>Religion and Belief</b>			
<b>Sexual Orientation</b>			
<b>Actions</b>			
<b>Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.</b>			
Policy is expected to have a positive effect on groups effected by the proliferation of these use types. There is expected to be some economic impacts resulted from restricting the uses allowable in town centres, however it is expected to make the overall town centre areas more attractive, by avoiding concentrations of these uses. Betting shops have declined nationally anyway as a result of changes in regulations to the gambling industry and the movement to online gambling, however the concentration of them is still higher in West Dunbartonshire than in comparable areas. Payday lending shops have also declined nationally due to other forms of regulation.			
<b>Will the impact of the policy be monitored and reported on an ongoing bases?</b>			
The prevalence of these uses in town centers will be monitored via the annual town center outlet survey.			
<b>Q7 What is your recommendation for this policy?</b>			
Introduce			
<b>Please provide a meaningful summary of how you have reached the recommendation</b>			
West Dunbartonshire has a socio-economic profile which is vulnerable to problem gambling and high interest lending and the corresponding impacts this has on health and wellbeing. Despite the reduction in pay day lenders and betting shops nationally, due to changes in regulation and access to online services, the number within the districts town centers has remained similar. The results of a citizen panel survey show that more of these uses in town centers is undesirable users of the town center. Restrictions of these uses will prevent further proliferation and access to them.			