

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 25 February 2015 at 2.04 p.m.

**Present:** Councillors Denis Agnew, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey, Patrick McGlinchey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning & Building Standards Manager; Raymond Walsh, Network Services Co-ordinator; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillor Gail Casey.

**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 at this point in the meeting.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 28 January 2015 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of Visitation carried out on 26 January 2015, a copy of which forms Appendix 1 hereto, was submitted and noted.

### **NEW STREET NAME FOR HOUSING DEVELOPMENT AT FORMER HILL STREET, DUMBARTON**

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval for the allocation of a street name to the housing development at the former Hill Street, Brucehill, Dumbarton.

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

Following discussion, the Committee agreed:-

- (1) that Hillstreet Square be approved as the new street name for the housing development at the former Hill Street, Brucehill, Dumbarton;
- (2) that the Street Naming Policy be amended to include consultation with tenants' and residents' organisations and be brought to a future meeting of the Committee for approval.

**DETERMINATION OF APPEAL AGAINST THE REFUSAL OF PLANNING APPLICATION DC14/167 FOR THE SUB-DIVISION OF EXISTING RETAIL UNIT AND CHANGE OF USE TO BETTING OFFICE AND INSTALLATION OF SHOPFRONT AT 18 BRITANNIA WAY, CLYDEBANK**

A report was submitted by the Executive Director of Infrastructure and Regeneration informing of the outcome of a planning appeal.

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

Following discussion, the Committee agreed:-

- (1) to note that the Convener advised that he was seeking a meeting with Alex Neill, Cabinet Secretary for Local Government and Councillor McColl indicated that he would also like to be involved; and
- (2) otherwise to note the outcome of the Appeal.

The meeting closed at 2.25 p.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 26 JANUARY 2015

- Present:** Councillor Jim Finn
- Attending:** Pamela Clifford Planning & Building Standards Manager and Lorna Ramsay, Planning Officer
- Apologies:** Councillors Gail Casey; John Mooney and Tommy Rainey

SITE VISIT

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

(a) Crosslet Road, Dumbarton

DC14/228 - Change of use to form car park by West Dunbartonshire Council.

(b) Former Keil School, Helenslee Road, Dumbarton

DC14/202 - Residential development of 24 flats (removal of Conditions 20 and 21 of permission DC12/275 which link construction of the last 12 flats to the completion repair, restoration and conversion of Helenslee House) and  
DC14/203 - Residential development of 13 houses (removal of Condition 21 of permission DC12/211 which links construction of the last 11 new-build houses within the wider Keil School site to the completion repair, restoration and conversion of Helenslee House by Bett Homes Limited).

(c) Dalmoak House, Renton Road, Dumbarton

DC14/037 & DC14/038 - Change of use from a care home to hotel and events centre (Planning Permission and Listed Building Consent) by Mr Nitin Satpute.

## WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 25 March 2015

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

#### **1.     REASON FOR REPORT**

- 1.1**   This application relates to a proposal which raises issues of local significance, and under the terms of the approved Scheme of Delegation it 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 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 in the countryside north of Dumbarton. The nearest settlement to the site is the Highdykes area of Bonhill, which is approximately 430m to the west, whilst Bellsmyre is just over 1km to the south, though there is intervening woodland between the site and both settlements. The site is immediately to the north of the Murroch Glen (a steep wooded valley containing the Murroch Burn), on land which rises to the north east 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 is drawn tightly around the proposed turbine and access track and therefore extends to only 0.41 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 560m access track;
- Construction of an electrical substation and underground cabling;
- Temporary construction infrastructure (e.g. crane hardstanding area and site compound).

- 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, 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 7.1m x 3m, and 3m in height. The colour of the substation is currently unspecified but it is anticipated that it would be either green or pale grey to minimise its visual impact. The substation would be connected to the turbine and the local electricity network by way of underground cabling. Such connection may require an application to the Scottish Government under Section 37 of the Electricity Act 1989.
- 3.5** Access to the site would be by way of the existing private lane leading to Highdykes Farm, which is itself accessed from Broomhill Crescent. The farm lane would be upgraded and a new 560m access track would be created between the farm lane and the proposed turbine. The new and upgraded tracks would be 5m wide and surfaced in hardcore, with appropriate passing places and areas to permit the turning of long vehicles. Tracks and hardstanding areas within the site, including the temporary site compound, would be drained in accordance with sustainable urban drainage system principals. No borrow pits are proposed as part of the development and material would be imported to construct the access track.

#### **4. CONSULTATIONS**

- 4.1** Scottish Natural Heritage (SNH), Historic Scotland, West Dunbartonshire Council Access Officer, the Royal Society for the Protection of Birds (RSPB), the Ministry of Defence, NATS En Route (NERL), the UK air traffic control service), Glasgow Airport, Inverclyde Council and BT Operate all have no objection to the proposal.
- 4.2** The Scottish Environmental Protection Agency (SEPA) has no objection to the proposal but recommends that their standing advice for small-scale wind energy developments is applied.
- 4.3** West Dunbartonshire Council Environmental Health Service has no objection to the proposal subject to conditions relating to construction noise, hours of construction and deliveries and noise.
- 4.4** The West of Scotland Archaeological Service has no objection to the application subject to a condition requiring implementation of a programme of archaeological works on the site prior to the commencement of development.

- 4.5** West Dunbartonshire Council Roads Service and Transport Scotland have no objections, but each makes various recommendations relating to procedures for abnormal load deliveries during construction.
- 4.6** Loch Lomond and The Trossachs National Park Authority has no objection to the proposal. The turbine would be 4km from the southern boundary of Loch Lomond and Trossachs National Park and 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. They consider that there would not be any significant adverse visual impacts from this development on the setting, special landscape qualities, landscape character or visual amenity of the National Park. Whilst not objecting to this proposal the Park Authority has commented that there is a risk of a precedent being set which may lead to pressure for larger scale wind energy development in the vicinity and that this could have a greater impact on the setting of the National Park.
- 4.7** The Civil Aviation Authority has no comment on the proposal, but has provided general guidance indicating that any structures of 91.4m (300ft) or more must be recorded on aeronautical charts and that in certain circumstances structures may also require to be lit. (In this case the turbine would be a maximum of 43m in height and is not likely to require illumination).

## **5. REPRESENTATIONS**

- 5.1** In total, 30 representations have been submitted in relation to this application. These comprise 1 expression of support, 28 objections, and 1 representation which do not express a view but requests that various matters are taken into account when determining the application. The objectors include Bonhill residents and the grounds for objection can be summarised as follows:

- Turbine would spoil the landscape of the immediate area and would also be visible from a significant distance;
- Turbine would visually dominate its setting of open grassland and trees, and would be an eyesore;
- Development would adversely impact upon appearance of greenbelt, National Park and Kilpatrick Hills Regional Scenic Area;
- Potential adverse impact on tourism in the National Park;
- Access track and underground cabling would scar the landscape;
- Development would have a detrimental impact on wildlife, including danger of blades to birds and bats;
- Adverse impact upon walking routes;
- Turbine would cause noise disturbance to nearby residents and lead to sleep disturbance, potentially impacting on health;
- Turbine will cause shadow-flicker;
- Construction would create dust in nearby residential areas;

- Construction and maintenance traffic would have to go through a quiet residential area, causing disturbance and danger;
- Turbine may affect local house prices;
- Other sites further from residential areas are more suitable for wind energy developments;
- Developer will be the sole beneficiary of the proposal;
- Benefits of proposal outweighed by negative impacts;
- Wind energy not a reliable energy source as turbines can only operate when there are suitable wind speeds; and
- This turbine would only generate a small amount of electricity and is not required in order for Scotland to meet its renewable energy targets

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

### West Dunbartonshire Local Plan (2010)

- 6.1** 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.
- 6.2** The site is approximately 200m from the edge of the Kilpatrick Hills Regional Scenic Area (RSA). Policy RSA1 states that the Council will conserve the high quality landscape of the Kilpatrick Hills as an important Scenic Area. There is a general presumption against proposals that would have an adverse impact on the landscape quality, character, visual amenity, or nature conservation value of the area.
- 6.3** 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
- 6.4** 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.
- 6.5** 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.

- 6.6** Policy SUS1 states that all development should seek to conserve and enhance environmental resources and ensure environmental impact is minimised.
- 6.7** 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 out with the Local Nature Conservation Site.
- 6.8** 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**

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

- 7.1** The emerging LDP identifies the Kilpatrick Hills as a 'Changing Place', where the strategy is to:

- protect and enhance landscape character
- protect and enhance habitats and geological features
- improve access to the Hills

In the Local Development Plan Examination Report, the Reporter has recommended that an additional element to the strategy be added being 'to protect and enhance the hills as an accessible recreational resource. The LDP recognises that the appearance of the Kilpatrick Hills will change over the lifetime of the Plan.

- 7.2** The site lies within the Green Belt. Policy DS2 restricts development outwith the urban area to certain specified uses, which include infrastructure which has a specific locational need. Any development within the countryside is required to be suitably located, designed and landscaped.
- 7.3** The site lies within the Kilpatrick Hills Local Landscape Area. Policy GN4 states that any development which would have an adverse impact on landscape character will not be permitted, and that development that could affect the Kilpatrick Hills will be required to protect and, where possible, enhance their special qualities. The special qualities are identified in a draft Statement of Importance which is considered below. In the Examination Report, the Reporter recommends that this policy be rephrased to state



‘Development proposals shall take into account the local landscape character of the area, and ensure that the integrity of this landscape character is maintained or enhanced.’

- 7.4** Policy DS5 states that renewable energy development will be supported where it:
- a) avoids significant adverse impact on the green network, particularly:
    - the habitat network and geo-diversity
    - landscape character
    - forestry and woodland
    - the water environment
    - the path network
  - b) avoids significant adverse impact on built heritage, particularly:
    - the Antonine Wall
    - scheduled monuments and other archaeology
    - listed buildings
    - conservation areas
    - gardens and designed landscapes
  - c) avoids adverse impact on aviation and defence interests;
  - d) avoids adverse impact on telecommunications and broadcasting interests
  - e) avoids adverse impact on communities and residential amenity;
  - f) for wind energy:
    - is outwith the areas of significant protection identified in the relevant spatial frameworks;
    - avoids adverse impact on the specified interests in the areas of potential constraint identified in the relevant spatial framework;
    - avoids significant adverse impact on the setting of and views to and from the Loch Lomond and the Trossachs National Park and Loch Lomond National Scenic Area;
  - g) accords with Supplementary Guidance.
- 7.5** Supplementary Guidance on renewable energy developments for the Kilpatrick Hills has not yet been produced and cannot be considered. With regard to the spatial frameworks set out in the Proposed Plan, the site is out with the area of significant protection and therefore the proposal is assessed against the above policy. It is however within an area of potential constraint owing to it being within a Local Landscape Area, and the Glasgow Airport consultation zone. Since the publication of the Proposed Plan a revised Scottish Planning Policy has been published which has changed how spatial frameworks for wind energy are to be prepared. For this reason, the Local Development Plan Examination Report has recommended that the spatial frameworks be removed from the Local Development Plan and included in Supplementary Guidance. These matters and other relevant matters referred to in the assessment criteria of Policy DS5 are assessed below. It is concluded that the proposal is consistent with all of the relevant policies contained in the proposed local plan.

### Scottish Planning Policy (SPP)

- 7.6** The SPP emphasises the importance of sustainable development and the need to tackle climate change, and indicates that the Scottish Government's commitment to increase the amount of electricity generated from renewable sources is a vital part of the response to climate change. It is stated that renewable energy generation will contribute to more secure and diverse energy supplies, and will support sustainable economic growth. Onshore wind is recognised as a main source of renewable energy supply.
- 7.7** SPP advises that planning authorities should support wind energy proposals in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. It states that the criteria for assessing wind turbines are likely to include:
- landscape and visual impacts;
  - effects on natural heritage and the historic environment;
  - contribution towards renewable energy generation targets;
  - effect on local and national economy and tourism/recreation interests;
  - benefits and disbenefits for communities;
  - aviation and telecommunications;
  - noise and shadow flicker; and
  - cumulative impact
- 7.8** The design and location of wind turbines should reflect the scale and character of the landscape and the location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised. If granting planning permission for renewable energy development, planning authorities should include provision for decommissioning of infrastructure and site restoration. Whilst the SPP recommends that local development plans identify areas of not more than 2km around settlements where wind farms should be discouraged, this guidance relates to wind farms as opposed to individual turbines, and the extent of such areas should be based on local landform and other features which restrict views out from the settlement.
- 7.9** The SPP also offers general policy on landscape and natural heritage issues. It recognises that landscapes and natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects are considered when deciding planning applications. It recognises that there may be occasions where the sensitivity of the site or the nature or scale of the proposed development is such that the development should not be permitted. The precautionary principle should be applied where the impacts on nationally or internationally significant landscape or natural heritage resources are uncertain and there is sound evidence for believing that significant irreversible damage would occur. The proposal is assessed against these issues below, and it is concluded that the proposal would accord with the SPP.

### Proposed Kilpatrick Hills Local Landscape Area – Draft Statement of Importance

- 7.10** A draft statement of importance has been prepared by the Council's Planning Service with assistance from Scottish Natural Heritage. The draft statement

of importance seeks to justify the identification of the proposed Kilpatrick Hills Local Landscape Area (LLA), and identifies the special qualities of the Kilpatrick Hills 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 LLA.

#### Site Selection and Design

**7.11** In terms of the operational requirements for wind turbine sites, the application site occupies a location which the applicant has established to have good wind speeds. Further operational advantages for the applicant include its proximity to a grid connection point (minimising the need for new cables or overhead lines), a sufficient site area to accommodate a turbine of viable generating capacity, and the availability of an existing access route reasonably close to the site (minimising the length of new access track required). In terms of impacts on the surrounding area, although the nearest settlement to the site (Bonhill) is located only 430m away, the site is well screened from it by high ground and trees.

**7.12** The design of the turbine and ancillary structures would follow current wind energy industry practice, and the turbine would be of the type widely used elsewhere. The applicant has indicated that they initially considered erecting three turbines on the site, but reduced this to one turbine in order to minimise the visual impact. The precise 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 National Park and Kilpatrick Hills are unavoidable. 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

**7.13** 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.

- 7.14** 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. 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.

#### Designated Landscapes

- 7. 15** Regional Scenic Areas (RSAs)/Local Landscape Areas (LLA) 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 RSA/LLA most affected by this proposal is the Kilpatrick Hills RSA/LLA, 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 RSA but within the LLA. Whilst the site is readily visible from a wide area within the RSA/LLA 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 out with the RSA/LLA 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 RSA/LLA is therefore considered to be acceptable. The turbine would be 4km from the southern boundary of Loch Lomond and Trossachs National Park and 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 is also confirmed by the National Park Authority in their consultation response. It is considered that there would not be any significant adverse visual impacts from this development on the setting, special landscape qualities, landscape character or visual amenity of the National Park.

#### Visual Impact

- 7.16** 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.

- 7.17** 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.
- 7.18** 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 43 m in height, it is smaller than other turbines which are available and which can exceed 100m in height. 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.

#### Residential Amenity

- 7.19** Whilst the SPP suggests buffer zones of up to 2km around settlements, that advice relates to multi-turbine wind farms and the 2km figure is a maximum which is intended to be varied according to local landform. In this case the proposed turbine would be located only 430m 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 which 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.

### Noise & Air Quality

- 7.20** 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.
- 7.21** 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 430m from the proposed turbine location. Hours of work could be limited by condition to avoid disturbance during the construction phase. 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

- 7.22** Once operational wind turbines 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 via the A82, then Stirling Road before finally accessing the site from Murroch Crescent and Broomhill Crescent. In order to use this route, temporary alterations to the road may be required. It is anticipated that construction would take place over a 4 month period. Traffic mitigation measures identified during the construction period would include the preparation of a Traffic Management Plan in consultation with the Council’s Roads Service. This would address escorted deliveries, appropriate signage and traffic control, temporary removal of street furniture, specified programming and timing of deliveries and restrictions on access routes for construction vehicles. Both Transport Scotland and the Council’s Roads Service have no objection to the proposal subject to conditions regarding the aforementioned issues. It is not ideal for HGVs or abnormal loads to travel through a residential area, however the construction activity would be for a relatively short period of time, and with suitable traffic management it should be possible to avoid any congestion or conflicts with pedestrians. This is proposed to be controlled through the imposition of a condition which would require additional information to be submitted including details of the number of delivery vehicles and the time of deliveries.

### Cumulative Impacts

- 7.23** 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

- 7.24** 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 Stage 1 Ecology Survey was undertaken and a report submitted in support of the application. No protected species were identified on the site. Due to the use of the land and the distance from water courses, it is unlikely that the development would result in the loss of any significant areas of habitat. It is not considered that the proposed development would have any significant impact upon ornithological interests, and the RSPB have no objection to the proposal. The impacts of the development upon designated sites, peat and soils, habitats, protected species and ornithology are all considered to be acceptable.

Hydrological & Hydrogeological Impact

- 7.25** The application site has no water courses within it, and it is not anticipated that the development would impact significantly upon any water course or local groundwater.

Historic Environment Impacts

- 7.26** 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. Historic Scotland have no objection to the application, however a programme of archaeological works on site would be required prior to the commencement of any development.

Renewable Energy Targets

- 7.27** Renewable energy currently provides around 40% of Scotland's national energy supply, but the Scottish Government's target is to generate the equivalent of 100% of energy demand from renewable sources by 2020. To meet this target, onshore wind energy generation would need to continue to grow. The Scottish Government's Specific Advice Sheet on Onshore Wind Farms indicates that there is a need for more wind turbine sites in order to satisfy national energy planning requirements, and across Scotland planning authorities are now having to consider applications for turbines in lower-lying and more populated areas, where design elements and cumulative impacts need to be managed.
- 7.28** A number of objectors have questioned the efficiency of wind turbines and the extent to which they contribute towards reducing carbon emissions. Such concerns are beyond what an individual planning authority can reasonably be expected to consider. The Scottish Government has access to high level expert advice on the effectiveness of wind energy, and planning authorities are obliged to give consideration to the resultant national energy policies, which support wind energy. The proposed turbine would be capable of contributing an output of approximately 250kW in support of Scotland's renewable energy commitment.

### Economic Impact

- 7.29** The proposed development would have minimal impact on the potential use of the surrounding land 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 by two people every three to six months. It is not considered that the proposed wind turbine would have any significant impact on tourism within West Dunbartonshire or neighbouring areas. It is therefore considered that the impact of the completed development upon the local economy would be positive, albeit not particularly significant.

### Aviation Safety

- 7.30** The Ministry of Defence (MOD), Civil Aviation Authority, NATS En Route plc (NERL) and Glasgow Airport have all been consulted in relation to any potential impacts on aviation. No objections have been raised in terms of airport safeguarding, and red obstacle lighting is unlikely to be required due to the height and location of the turbine.

### Electro-Magnetic Interference to Communications Systems

- 7.31** Telecommunications operators have been consulted to determine whether their systems would be affected by electro-magnetic radiation associated with electricity generation. Scottish Planning Policy highlights telecommunications interference as a material consideration in considering the acceptability of wind turbines. No impact on television reception is anticipated, as the shift from analogue to digital TV transmission has greatly reduced the risk of signal interference from turbines.

### Shadow Flicker

- 7.32** Government guidance advises that if adequate separation is provided between turbines and dwellings/roads “shadow flicker” should not be a problem. The closest dwellings in this case are 430m away and there are no nearby roads, so shadow flicker should not arise due to the distance and relationship between the wind turbine and closest residential area. The Council’s Environmental Health Service have raised no objection in this regard, although they nonetheless recommend a condition requiring the site operator to investigate any complaints and instigate appropriate mitigation measures in the event of shadow flicker occurring.

### Decommissioning

- 7.33** There is a requirement for decommissioning and site restoration and a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site will be required. Site restoration would be triggered by either the expiry of the permission or if the project ceases to operate for a specific period of time.

### Community Benefits

- 7.34** The applicant has indicated that he is willing to make a payment per megawatt of installed capacity to a local community organisation once the turbine is operational and this would be agreed with the Council through a legal agreement. Scottish Planning Policy states that a range of benefits are



often voluntarily provided by developers to communities in the vicinity of renewable energy developments and can include community trust funds. However, the prospect of financial benefit to a community is not a material consideration in the determination of planning applications.

## **8. CONCLUSION**

- 8.1** The proposed wind turbine complies with both the adopted and emerging local plans as well as relevant government guidance. 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 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. The legal agreement will ensure that a suitable financial bond is put in place to cover future restoration liabilities for the site and to address the community benefit contribution.

## **9. CONDITIONS**

- 1. The permission hereby granted is for a temporary period only and shall expire 25 years from the date of the permission.**
- 2. That on the earlier of the expiry of 25 years from the date of the permission, or the turbine ceasing to generate electricity for a period of 6 months, the turbine and ancillary equipment shall be removed from the site along with its associated hardstandings and the site restored to its original condition within 6 months.**
- 3. All external colours of the turbine and associated equipment cabinet shall be agreed with the Planning Authority prior to the commencement of works and shall be implemented as approved.**
- 4. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented. The statement shall include the following information:**
  - a) The intended turbine transportation route including swept path analysis, timings and methodology.**
  - b) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.**
  - c) Any alteration to the public road network.**
  - d) Details of the construction compound including staff car parking.**
  - e) Details of proposed signage during the delivery and construction period.**
  - f) Any necessary mitigation.**
  - g) Details of the type, weight, and number of delivery and construction vehicles.**

- h) Details of wheel washing facilities.**
  - i) A condition report based on a joint survey of the proposed route to ensure that all temporary alterations and any damage to the road network are made good.**
- 5. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.**
- 6. Prior to the commencement of development full details of the surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.**
- 7. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.**
- 8. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.**
- 9. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.**

10. Prior to any plant or machinery being used on site, it shall be enclosed with sound insulating materials in accordance with a scheme which shall be submitted for the written approval of the Planning Authority. Thereafter, the sound insulation measures shall be implemented as approved.
11. The level of noise emissions from the effects of the wind turbine (including the application of any tonal penalty) when calculated in accordance with a procedure agreed with the Planning Authority, shall not exceed the values set out in Table 1 and Table 2. Noise limits for dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in the tables below shall be those of the physically closest location listed in the tables unless otherwise agreed by the Planning Authority.

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

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

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

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

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

12. Prior to the installation of the turbine, the developer shall submit a report for approval by the Planning Authority which demonstrates compliance with the noise limits in Condition 12 above. The report shall be prepared in accordance with reference to the

**Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 and associated supplementary guidance notes.**

- 13. Prior to the installation of the turbine, the applicant shall provide written confirmation to the Planning Authority that the noise from turbine operation will be broad-band with no discernible tonal characteristics.**
- 14. Within 21 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority from the occupant of a dwelling, the wind turbine operator shall, at the wind turbine operator's expense, employ an independent consultant approved by the Planning Authority to assess the level of noise immissions from the wind turbine at the complainant's property following procedures to be agreed with the Planning Authority.**
- 15. The wind turbine operator shall provide to the Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information shall be provided within 2 months of the date of the written request of the Planning Authority unless otherwise extended in writing by the Planning Authority. The wind turbine operator shall take such remedial action as required by the Planning Authority.**
- 16. Wind speed, wind direction and power generation data shall be continuously logged and provided to the Planning Authority in a format to be agreed at its request and within 28 days of such a request. Such data shall be retained by the operator for a period of not less than 12 months.**
- 17. No development shall commence until details of a nominated person have been submitted in writing to the Planning Authority for the development who will act as a point of contact for local residents (in connection with conditions 12 - 17), together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with the Planning Authority in connection with any noise complaints made during the construction, operation and decommissioning of the wind turbines.**

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

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
Aurora House, 3 Aurora Avenue, Queens Quay,  
Clydebank, G81 1BF  
01419517938  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None.

**Background Papers:**

1. Application forms, plans and supporting documents;
2. Representations;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire LDP - Proposed Plan;
5. Scottish Planning Policy; and
6. Consultation Responses

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

# West Dunbartonshire Council

## Title : DC14/210 - Land to East of Broomhill Wood, Bonhill

Map No : HQ460

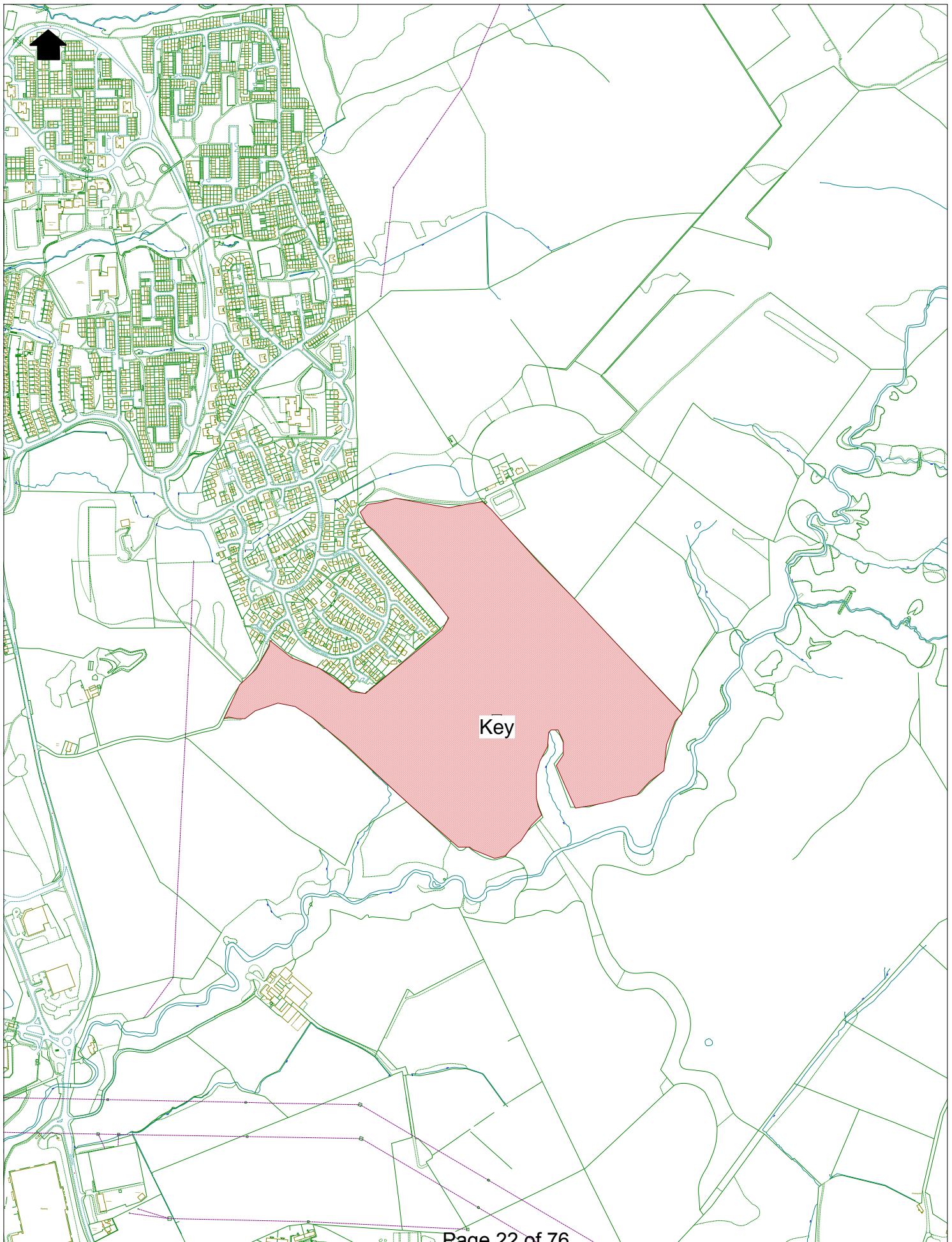
Map Ref : NS4078

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Scale : 1:10000

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## WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 25 March 2015

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**DC14/168:**            **Alteration to permitted extent of quarrying operations and consequential amendments to approved landscaping, tree protection and restoration schemes (amendment to condition numbers 22, 27, 28, 46 and 47 of Planning Permission DC02/187) at Dumbuckhill Quarry, Stirling Road, Dumbarton by Paterson's of Greenoakhill Ltd.**

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

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

#### **2. RECOMMENDATION**

- 2.1** That the Committee indicate that it is **minded to grant** planning permission, and delegate authority to the Planning & Building Standards Manager to issue the decision subject to:
- (a) the conditions set out in Section 9; and
  - (b) the conclusion of a suitable legal agreement (i) securing a financial bond to cover restoration liabilities for the quarry, and (ii) requiring that the quarry excavations comply with the plans approved under this consent rather than those of the previous permission

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

- 3.1** Dumbuckhill Quarry is a whinstone working quarry located on the eastern edge of Dumbarton, to the north west of Milton. Access to the site is by way of sliproads from the eastbound A82 (Stirling Road) which runs along the southern edge of the quarry boundary. The quarry property extends to approximately 30 hectares of hillside, although the actual extraction area is limited to approximately 11 hectares. The curved access road climbs to a level area containing the office and weighbridge (etc.) at the mouth of the extraction area, at a significantly higher level than the A82. At this level there are stockpiles of materials, silt settlement ponds and a plant compound. Due to the level differences, these areas are not readily visible from outwith the site. The actual excavation area is roughly oval in shape, extending back from the narrow quarry mouth and is characterised by high, steep rock faces. The external slopes of the quarry are heavily wooded, with part of the eastern slope being covered by a tree preservation order. Apart from the boundary with the road, the site is surrounded by grazing land. The quarry workings are approximately 300m away from the nearest houses at Milton and Dumbarton.

- 3.2** Dumbuckhill Quarry has been in operation since 1948, having been subject to various planning permissions over the years, but operations on the site are currently being undertaken in accordance with the planning permission DC02/187. That permission, which was granted on 5 April 2004, allowed an extension to the quarry area as well as consolidating all of the earlier consents. As approved, permission DC02/187 allowed the extraction of a further 5 million tonnes of hard rock, which it was estimated would take 20 years to quarry. Consequently, the permission was granted for a limited period of 20 years from the date of consent (i.e. until 5 April 2024). The permission was subject to a total of 51 conditions, which in addition to the duration of the permission covered the permitted area of working, hours of operation, noise, blasting, vibration, dust, road safety, method of working/extraction/soil stripping, drainage, trees, landscaping, stock piling, boundary treatments, waste, site restoration, annual update reports, signage, and lighting. A restoration bond was put in place to safeguard the restoration of the quarry upon cessation of workings.
- 3.3** The 2004 permission has been partially implemented, and at present the quarry occupies almost the whole of the permitted area, but is still some way from its permitted depth. Completion of the 2004 permission would involve a slight extension of workings to the east, and excavation of the quarry floor from its current level (72-88m AOD) down to 55m AOD. The quarry saw limited working for a period of time due to the recession and a change in ownership, and completion of the permitted workings would now be likely to take longer than the remaining 9 years of the permission.
- 3.4** However, rather than completing the previously consented workings, the applicant wishes to amend the permission to allow the quarry to be developed in a different manner. Due to the age of the quarry, some of the previous excavation was undertaken prior to current best practice being adopted, with the result that the quarry currently has a very steep eastern face with only a few narrow terraces. This makes the quarry difficult to work and potentially unstable, problems which would increase if the floor of the quarry is lowered to the permitted depth. The applicant therefore wishes to extend the extraction area outwards to the east, allowing the eastern face to be cut back into more regular terraces which would be easier and safer to work, and which upon the eventual cessation of quarrying would be much safer for the public than the existing sheer cliff face. This proposal would enlarge the consented area of the workings by 0.67ha by extending the quarry by up to 29m to the east and lowering the eastern ridge of the hill by up to 19m. A relatively prominent part of the previously consented area (near the southern end of the eastern face) would not now be worked and would instead be retained as woodland.
- 3.5** These proposed works would all be within the boundary of the existing permission DC02/187, but the extension of the eastern face of the quarry would be contrary to condition 22 of that permission which limited the extent of workings to the specific area shown on the approved plans. Additionally, the changes would conflict with the requirements of various other conditions which specify the permitted extent of tree works (condition 27), the



landscaping scheme (condition 28) and the restoration of the site (conditions 46 and 47). Accordingly, the current application has been submitted under Section 42 of the Town and Country Planning (Scotland) Act 1997, and seeks permission to develop the site otherwise than in accordance with the original conditions.

- 3.6** Extending the quarry to the east in addition to the previously approved excavation of the quarry floor would obviously increase the total amount of rock which could be extracted from the site. The applicant indicates that it is unlikely that all of these excavations could be completed by the time the current permission expires in 2024. The applicant could in the future submit an application to extend the duration of the quarrying permission, but they do not wish to make such an application at the present time. Therefore, in exchange for the proposed extension to the east of the quarry, the applicant is willing to forego their right to significant further excavation of the quarry floor. This would mean that rather than lowering the quarry floor to 55m AOD it would have a finished level of between 72.4m AOD and 88m AOD (i.e. essentially its current level), and that the amount of rock available for extraction would be reduced from 3.5 million tonnes under the current permission to 3.0 million tonnes as now proposed. Therefore, upon completion of works (or expiration of the permission in 2024), the new proposal would result in the quarry being wider but shallower than would have been the case if the existing permission had been completed. Any future application to extend the duration or depth of the quarry would be considered on its own merits.
- 3.7** The mineral reserves at the site would be extracted at an anticipated average rate of 250,000 tonnes per annum, subject to fluctuations in demand. There are currently no restrictions in place concerning the amount of material excavated on an annual basis or restrictions on vehicle movements to or from the site. No significant change in the level of vehicle movements is anticipated as a result of the proposal, and there would be no alterations to the site access.
- 3.8** Following removal of vegetation and soils within the new extraction area along the eastern ridge, the underlying rock would be extracted in a series of benches, working from the highest elevation of the quarry downwards towards the quarry floor. Any soils encountered would be stored within the quarry for eventual use in restoration of the site (although in practice there is very limited soil coverage at this location). At the end of the working life of the quarry, restoration works would be undertaken with the aim of creating an area of nature conservation interest through appropriate tree planting, landscaping, provision of grassland and natural regeneration. The quarry faces would be left to regenerate naturally. The quarry floor would be covered with soil before tree planting and grass seeding was undertaken. The upper bench along the eastern edge would be wide enough for tree planting which would soften the visual impact of the development and contribute towards the restoration of the site. Access into the landscaped former quarry floor would also be provided.

- 3.9** Prior to the submission of the application, a screening opinion was undertaken which concluded that the application would not require to be the subject of an environmental impact assessment (EIA). The application is supported by a planning statement, which included an extended phase 1 habitat survey, a landscape and visual impact assessment and details of potential restoration costs.

#### **4. CONSULTATIONS**

- 4.1** West Of Scotland Archaeology Service, West Dunbartonshire Council Roads Service, the Scottish Environmental Protection Agency, Transport Scotland, Historic Scotland, Scottish Natural Heritage and the Health & Safety Executive all have no objection to the proposal.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objection to the changes proposed, subject to various other conditions from the previous consent (DC02/187) remaining in place.

#### **5. REPRESENTATIONS**

- 5.1** Five representations have been received, including letters from Bowling and Milton Community Council, Silverton and Overtoun Community Council, and Clydebelt. All object to the proposal, and the reasons for objection are summarised as follows:
- Proposal is contrary to policies WC1 (Wider Countryside), RSA1 (Regional Scenic Area) and GD1 (Development Control) of the adopted local plan(WDLP) since any enlargement, reduction in ridge height or extension to the quarry will have adverse impacts upon amenity/character;
  - Proposed loss of trees would be contrary to policies E5 (Development Affecting Trees) and E7 (Woodland and Parkland Retention) of the WDLP;
  - Alterations would have a detrimental impact on the landscape and are therefore contrary to policy E9 (Landscape Character) of the WDLP;
  - Any alteration or lowering of the quarry walls would have a detrimental impact on nearby scheduled ancient monuments and archaeological sites;
  - Extension would be contrary to WDLP policy DC8 (Minerals), which presumes against extensions to quarries where there would be adverse landscape, environmental or heritage impacts;
  - Work may increase the risk of dangerous rock falls in the surrounding area;
  - Detrimental impact on residential amenity, in particular within Milton, as should the front and east wall be disturbed/removed local residents would be left unprotected from dust, noise and pollution; and
  - The Glasgow and Clyde Valley Joint Structure Plan 2006 identified the Kilpatrick Hills as a strategic environmental resource to be safeguarded and there is a presumption against development that would have an adverse effect on such a resource.

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

Glasgow and the Clyde Valley Strategic Development Plan (SDP) (2012)

- 6.1** The SDP states that the supply of aggregate minerals, including both hard rock and sand and gravel, are essential for sustainable economic growth and development of the wider city region. Strategy Support Measure 9 (Natural Resources Planning) states that low carbon economic growth requires that indigenous supplies of natural resources continue to be developed. In support of this, the SDP identifies broad areas of search for new mineral development sites, none of which is in West Dunbartonshire. However, the relevance of this is diminished by the fact that this application is for the extension of an existing quarry rather than a new one, and it is generally preferable to expand existing mineral workings in preference to developing completely new sites. The proposal is therefore considered to be in accordance with the spatial development strategy and with the assessment criteria contained in SDP Diagram 4.

West Dunbartonshire Local Plan 2010

- 6.2** The application site is located within the Green Belt, where policy GB1 states a general presumption against development other than that falling within certain specified criteria. These include there being a specific locational requirement and established need for a development, which cannot be accommodated on a suitable alternative site. Mineral workings obviously require being located out with settlements and where the minerals are present. Dumbuckhill Quarry is a long existing site that has been in operation since 1948 there is a specific locational requirement, and that it would therefore comply with policy GB1.
- 6.3** Policy DC8 (Minerals) states a presumption against new, extended and renewed mineral extraction operations where these are in or would adversely affect areas which have been identified as important for nature conservation, landscape conservation or built heritage. In other areas, applications for mineral workings will be considered on the basis of the need for the extracted material, the impact on the local environment, the amenity of local properties, sport and recreation interests, traffic generation and whether the site is capable of restoration and beneficial after use. These issues are discussed in Section 7, and it is considered that the proposal complies with policy DC8.
- 6.4** Part of the eastern slope of the application site is covered by a tree preservation order so Policies E4 (Tree Preservation Orders), E5 (Development Affecting Trees) and E7 (Woodland and Parkland Retention) are applicable. Policy E4 seeks to protect trees which are covered by tree preservation orders, and to require appropriate replacement planting in cases where felling of such trees is allowed. Policy E5 seeks to ensure that development proposals take into account existing trees and proposes measures to protect and minimise the impact of the development on the trees. Policy E7 presumes in favour of the retention of existing areas of woodland. The impact of the development on trees is assessed in Section 7 and it is considered that the proposal complies with these policies.
- 6.5** Policy E9 (Landscape Character) seeks to ensure that development within the Green Belt has particular regard to the landscape character and distinctiveness of the location. Proposals should positively contribute to

conservation or regeneration of these landscapes, and proposals which are detrimental to the landscape character will not generally be supported. In all cases, measures should be proposed to minimise any adverse impacts. Although the application site is located out with the Kilpatrick Hills Regional Scenic Area (and Policy RSA1 is therefore not directly applicable), it is important to ensure that there is no adverse impact on the setting of the Kilpatrick Hills in terms of landscape quality and character. The impact of the development on the landscape is assessed in Section 7 and it is considered that the proposal complies with Policy E9.

- 6.6** Policy GN1 requires that when assessing development, consideration be given to the impact on the green network, and states that development which is detrimental to the green network will be considered contrary to the Plan. Assessment of the impact of the development on the green network such as landscape, nature conservation and trees is provided in Section 7.

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

- West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan
- 7.1** The site is identified under Policy SD4 for the continuation of aggregate extraction and the proposal is consistent with this policy, however any expansion proposals are required to be accompanied by acceptable and fundable restoration and aftercare proposals whilst avoiding significant adverse impacts on the green network (habitat network, landscape, forestry and woodland, the water environment and the path network), built heritage and residential amenity and the operations of other businesses. The Local Development Plan Examination Report recommends that the word 'avoid' in this policy is replaced by 'minimise'
- 7.2** Policy GN4 states that development which would have a significant adverse impact on landscape character will not be permitted, and that development that could affect the Kilpatrick Hills will be required to protect and where possible, enhance the special qualities of these hills. The site is outwith the Kilpatrick Hills Local Landscape Area, but has an impact upon its setting. Policy GN5 states that development that would result in the loss of trees or woodland of importance will not be permitted unless clear justification can be given and appropriate replanting can be implemented.
- 7.3** Policy DS1 seeks to ensure that development is appropriate for the application site and that it will not have an unacceptable impact on the immediate or surrounding area. Policy DS2 states that development outwith the urban area will be restricted to opportunities identified by the Plan and infrastructure with a specific locational need. Dumbuckhill Quarry is identified by the Plan for aggregate extraction, which is considered to have a specific locational need. Policy DS2 also states that development in the green belt must be suitably located, designed and landscaped in order to minimise impact on its setting, and not undermine the purpose of the green belt at this location. These issues are discussed below, and it is considered that the proposal complies with all relevant policies.

#### Scottish Planning Policy (SPP)

- 7.4** SPP aims to ensure that within Scotland, there is an adequate and steady supply of minerals. This is essential to support sustainable economic growth as the minerals industry provides raw material for construction, manufacturing, agriculture and other sectors. Continuity of supply to meet demand depends on the availability of land with workable deposits having planning permission for extraction. Development plans and development management decisions should aim to minimise significant negative impacts from minerals extraction on the amenity of local communities, the natural heritage and historic environment and other economic sectors important to the local economy, and should encourage sensitive working practices during extraction. Proposals should address visual impact during the life of the site, the locational impact of operations, design, layout and phasing and the appropriate management of any extractive waste. Once mineral working has ceased, the land should be reinstated at the earliest opportunity. Planning authorities should encourage after-uses which add to the cultural, recreational or environmental assets of an area and restoration should be designed and implemented to the highest standards. Planning authorities should also ensure that consents are associated with an appropriate financial bond unless the operator can satisfactorily demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

#### Principle of Development

- 7.5** Dumbuckhill Quarry has been operating since 1948 and still has significant mineral reserves on site, with permission to operate until 2024. The expansion of existing quarries to meet demand for minerals/aggregate is generally preferable to a proliferation of new workings, and in this case the proposal would not significantly alter the total amount of rock which can be extracted at the site. Continuation of the quarrying operation is also consistent with development plan land use policies. Accordingly, the principle of a quarry of this nature and scale is already established. It is therefore considered that the main issues for the determination of this application are the extent to which the current proposal differs in its impacts from the previously approved scheme, whether or not these changes would be acceptable, and whether the relevant conditions ought to be removed or amended.

#### Changes to Operation of Quarry

- 7.6** The site is already a substantial quarry, and the proposed revisions to the extent of working relate to less than 3% of the land within the quarry boundary. As the quantity of rock allowed to be extracted would actually be reduced by the proposal, the impacts of the changes upon the overall operation of the quarry would be relatively minor. Whilst the alterations would simplify rock extraction for the applicant, the extraction rate is governed by demand for aggregate product, and the proposal should not significantly vary the rate of working compared to what the current permission allows. It is therefore unlikely that the proposal would significantly alter the overall character or wider impacts of the quarry operation.

### Visual Impact of the Development

- 7.7** The application has been accompanied by a Landscape and Visual Impact Assessment. The landscape and visual study made use of a number of panoramic photographs taken from 6 key locations around the site. Computer modelling techniques were then used to produce the same viewpoint of the existing situation, the consented position and the proposed scheme. It should be noted that whereas the hillside currently contains mature woodland, the images of the proposed development have deliberately excluded any landscaping proposals. Once established any new landscaping would soften the ridge and create a more natural landscape. The proposed revisions to the area of working are located along 410m of the eastern ridge of the quarry. Within this area the top of the quarry face would be extended outwards by up to a maximum of 29m, and the height of the ridge would be reduced by up to by up to 19m, with the greatest change being at the northern edge of the eastern ridge. Conversely, at the southern edge of the ridge an area which the current permission allows to be quarried would be retained and would be unaffected.
- 7.8** At present, when viewed from the east, Dumbuckhill Quarry itself is scarcely visible, but the tree covered outer face of its eastern ridge is readily visible on the horizon, with the line of the ridge currently being relatively even and horizontal. Although not readily apparent, this is a man-made horizon as the top of the original hill was quarried out many years ago. The current proposal would result in the eastern ridge being further reduced in height, with the new ridge being most noticeable from the east and south. Whilst quarrying operations were taking place along the ridge these would be visible from the east, but as the quarrying progressed down the face the top of the quarry would be subject to tree planting, whereupon the quarry would again not be readily visible from this direction. The new ridgeline would be more undulating than the current horizon, arguably creating a more natural land form. The working area of the quarry would largely be hidden from view from this direction, and it is considered that the lowering of the ridge height would have a relatively minor impact upon the character of the landscape at this location. As the eastern ridge is higher than the western ridge of the quarry, the top of the eastern face is visible from parts of Dumbarton when viewed from the west. Lowering of the eastern face would therefore serve to make the quarry less visible from this direction.
- 7.9** The proposal also involves the retention of an area of the existing ridge adjacent to the mouth of the quarry, at the south east corner of the working, which currently has permission to be removed. At present there are few locations from which it is possible to look directly into the quarry workings, because of the relatively narrow quarry mouth. The removal of the high ground adjacent to the quarry mouth would have the effect of widening the opening, and thus potentially making the quarry itself more prominent within the landscape. The applicant therefore proposes not to work this part of the site in order to mitigate against the overall visual impact of the development. It is considered that this would be a significant benefit of the proposal, which would help to reduce the visual impact of the quarry within the landscape. Overall, it is considered that the changes to the land form resulting from the

proposal would be beneficial, relative to the potential landform which would arise from completion of the previous permission.

#### Impact on Amenity

- 7.10** The working area would be extended towards Milton by a maximum of 29m, but this distance is unlikely to significantly alter the quarry's impact upon on the residential amenity of Milton in terms of noise, dust, safety or general disturbance. The quarry has been in operation for a significant period of time and the impacts on residential amenity were assessed as part of permission DC02/187, and it is considered that these safeguards should be carried forward in any new permission. Subject to these conditions remaining in effect, the Environmental Health Service has no objection to the proposal.

#### Natural Environment

- 7.11** A phase one habitat survey was undertaken in support of the planning application. This did not identify any protected species that would be affected by the proposal, and only two trees (both located out with the extension area), were identified as having potential for roosting bats. However, the report concluded that a breeding bird survey should be undertaken prior to removal of any trees. Whilst not directly relevant to the current application, the report also recommended that a reptile survey be undertaken on the north western area of the quarry prior and in the area of grassland at the southern end of the quarry before any further extraction takes place in these areas under the current permission.
- 7.12** The hillside beyond the eastern edge of the quarry contains woodland which is partially covered by a tree preservation order. As part of the phase one habitat survey, a survey of the trees on site was undertaken. The majority of the eastern hillside consists of broad leaved woodland, although tree coverage is relatively sparse in places. The lower parts of the slope tend to have more mature trees, which are potentially remnants of ancient woodland, whilst at the top of the slope where the gradient is steeper and the ground more rocky, the trees are mainly young Sycamores. The majority of the trees which would be removed are these young Sycamore trees, which are of lower ecological and landscape value than the larger and more diverse trees further down the hillside. The part of the site which is identified as ancient woodland would not be affected by the proposal, and the retention of these more valuable trees and the additional replanting is considered to outweigh the loss of the small trees along the eastern ridge.

#### Duration of Consent

- 7.13** The applicant does not currently wish to extend the duration of the permission for the quarrying operations, and therefore any permission should be limited to the same expiry date as the earlier permission (i.e. 2024). At that date, the quarrying would have to cease unless a separate permission to extend the duration of extraction had been granted. Any such application would require being determined on its own merits. The current planning permission (DC02/187) for the site would be subject to a requirement for a Review of Minerals Permission (ROMP) in 2019, however should the current planning application be granted a ROMP application would not be needed. However,

in view of the limited length of time which would remain until the consent expired it is considered that this would be acceptable.

- 7.14** One of the main reasons for the application is to improve safety at the quarry by stabilising the uppermost faces and widening the benches along the eastern face of the quarry. Under the existing permission, upon cessation of quarrying the eastern sides of the quarry faces were to be left as very tall, sheer faces. Whilst historically quarries were commonly left in such condition, this arrangement presents obvious hazards to any persons or animals in terms of the consequences of falling from such a height, as well as the greater risk of rock falls. Instead it is now good practice to leave quarries as a series of shorter terraces, which are more stable and from which it is not possible to fall a great distance. The applicant states that the geotechnical design of the proposed faces and benches has been developed in accordance with the Quarries Regulations, and the Health and Safety Executive have confirmed that they are satisfied with the proposals. The proposal would therefore have the significant benefit of improving the safety of the quarry upon the cessation of quarrying operations, and would make it easier to allow public access to the site, including the viewpoint at the top of the hillside which is potentially an attractive walking destination.

#### Restoration Arrangements

- 7.15** The existing permission DC02/176 was subject to a restoration scheme, along with a restoration bond intended to guarantee funding for restoration in the event of the quarry operator ceasing to trade. A review of the existing restoration scheme and bond was carried out in 2014 by external consultants, Parsons Brinckerhoff, on behalf of the Council. The review made a number of recommendations of good practice for restoration of quarries. Whereas the previous scheme included a significant amount of soil importation and tree planting around the site, the report recommended allowing a more natural regeneration of the quarry faces as well as the retention/enhancement of existing trees on the site. The review recommended the encouragement of self-seeded growth on quarry faces by using controlled blasting to reduce the face angles of the benches, and using a 30cm topsoil and a 70cm site-based granular material from quarry overburden as a sub-base rather than importing large quantities of subsoil to the upper parts of the quarry to establish the mixed deciduous woodland and acid grassland. The review also recommend that rather than waiting for the quarry to close before beginning restoration work, early restoration could take place on areas which are no longer required for quarrying operations (e.g. example, the north-east and north-west edges of the quarry) and suggested that natural regeneration methods be trialled on the site to determine their success.
- 7.16** The applicant has taken account of these recommendations in their amended restoration scheme. In addition to the retention of the trees on the southern/eastern slope, the restoration proposals would include natural regeneration of the quarry faces, provision of a maintenance track, formation of a seasonal water collection pond, subsoil being laid over the quarry floor up to a depth of 1.5m and the undertaking of tree and grassland planting. The revisions to the eastern ridge would also allow planting to be undertaken



along a 5m wide bench on the upper level as part of the site restoration which once established, would soften the horizontal ridge when looking west. Once completed, the site restoration aims to have created an area of nature conservation interest focused on acidic grassland, heathland and semi natural mixed woodland of locally common species. The proposed site restoration details are considered to be acceptable, and preferable to the scheme approved as part of the earlier consent. It is recommended that a suitable restoration bond be put in place to guarantee that the cost of the restoration are fully covered in the event of the quarry operator going out of business in the future.

#### Technical Issues

- 7.17** The quarry currently has permission to operate subject to conditions which seek to control and mitigate the impacts of the quarry and these would remain. Although the proposal would result in the working area within the quarry being revised, this would not impact significantly upon the operation of the quarry. There are no known archaeological features on the site which would be affected by the proposal and there have been no objections from West of Scotland Archaeology Service or Historic Scotland. Whilst there were previously instances of rocks rolling down the outer face of the quarry under its previous owner, this was addressed by the Health and Safety Executive and measures to prevent a reoccurrence were put in place. There have also been no objections from any other technical consultees, and the impacts upon drainage, archaeology, noise, natural habitat, tree removal, operational safety, access and the water environment are all considered to be acceptable.

### **8. CONCLUSION**

- 8.1** The use of this site as a quarry has long been established and the existing consolidated permission for the site permits quarrying activities to continue on site until 2024. The current proposal will reduce the total volume of material allowed to be excavated from the site and will not extend the lifespan of the quarry. The impact of the proposal on the environment and amenity of the surrounding area is acceptable and no technical issues have been raised. Although there will be alterations made to the landscape in terms of the horizon line around the eastern side of the quarry, the impact of these alterations on the landscape are considered acceptable. Overall, the proposal complies with the relevant policies contained in both the adopted and proposed local plans, and would have the benefit of improving safety at the quarry in the long term. Subject to perpetuation of the previous conditions to safeguard residential amenity within Milton and Dumbarton, and to agreeing a suitable financial bond for restoration works, the proposal is considered acceptable.

### **9. CONDITIONS**

- 1. This development hereby permitted shall enure for a period until 5 April 2024 only. At the end of the period of permission, all quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.**

- 2. The normal daytime operating hours for the quarry are to be 0700 hours to 1900 hours Monday to Friday, 0700 hours to 1200 hours (noon) on Saturday and not at all on Sundays or Public Holidays and no heavy goods vehicles shall arrive at or leave the site and no operations, including the loading and transportation of minerals or operation of quarry plant shall take place outside these hours. Permission to operate outside these hours must be agreed in writing with the Planning Authority prior to such operations taking place.**
- 3. Noise attributable to the operators at Dumbuckhill Quarry shall not exceed the daytime limits of 50dBL Aeq 1 hour at Milton House, 49dBL Aeq 1 hour at Lennox Road, 55dBL Aeq 1 hour at Third Avenue and 53dBL Aeq 1 hour at Barnhill Road, Milton, as specified in Aggregate Industries written statement (which formed part of planning consent DC02/187).**
- 4. A request for the relaxation of the noise limits identified in condition 3 above shall be submitted in writing a minimum of 14 days prior to the commencement of the operations requiring the relaxation and must include time periods and noise limits for the temporary relaxation, all for the consideration and written approval of the Planning Authority.**
- 5. The applicant shall undertake a noise monitoring programme at the locations as described in condition 3 and the frequency and times of such monitoring must be agreed with the Planning Authority and the results of which submitted in writing to the Planning Authority on a frequency to be agreed with the Planning Authority. For the avoidance of doubt, the noise monitoring shall be carried out in accordance with the methods specified in PAN50: Annex A – The Control of Noise at Surface Mineral Working and in so far as is reasonably practical, the operation shall ensure that the best practice methodologies set out in PAN50 are adopted.**
- 6. At a time to be agreed in writing with the Planning Authority, the operator shall construct a temporary 2m high barrier along the south eastern edge of the 148m bench level with the barrier having a minimum surface mass of 15kg/m<sup>2</sup> and the exact design, position, length and time in place to be agreed in writing with the Planning Authority prior to operations starting at this locality within the site.**
- 7. Blasting operations shall be carried out at regular times between 10.00 and 16.00 Monday to Friday with no blasting permitted at weekends or on public holidays and the quarry operator shall endeavour to ensure that so far as is practicable, blasting should be carried out between 10.00 and 13.00.**

- 8. No blasting shall be carried out during temperature inversion and blasting shall be avoided under weather conditions which are likely to direct or focus the blast air overpressure towards noise sensitive properties.**
- 9. Blasting shall only carried out after suitable audible and visual warnings have been given and that, prior to the commencement of operations within the additional minerals extraction area, the occupiers of all noise sensitive properties as identified in condition 3, shall be notified in writing of the nature of the warnings.**
- 10. Blasting shall be carried out using the best practicable means available to ensure that the resultant noise, vibration and air overpressure are minimised in accordance with best practice methodologies.**
- 11. Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6mm/s for 95% of all blasts over any 12 months and no individual blasts shall exceed a peak particle velocity of 12 mm/s with the measurement to be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building.**
- 12. Notwithstanding the requirements of condition 11 above, if as a result of any emergency situation or need to ensure safe quarry practices, blasting is required to take place outside the specified hours, the times and reason for such an event shall be notified in writing to West Dunbartonshire Council's Environmental Health Section within two days of the occurrence.**
- 13. The Environmental Health Section of West Dunbartonshire Council shall be given a minimum of 48 hours telephone notification before every blast at the quarry.**
- 14. Prior to excavation works taking place within the additional minerals extraction area, the applicant shall submit for the written approval of the Planning Authority, a list of properties considered to be vibration sensitive at which the monitoring of blasts shall be carried out.**
- 15. The quarry operators shall carry out vibration monitoring and shall forward the written results of the monitoring to the Environmental Health Section of West Dunbartonshire Council on a quarterly basis.**
- 16. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere and the dust mitigation measures as listed in table 16**

of the application statement shall be implemented and shall be done in a method which ensure that best practice methodologies are adopted.

17. Visual assessments of dust emissions from all plant and operations shall be made at least once per day during operations and remedial actions taken.
18. The wheel cleaning facilities already in use on the site must continue to be used by every vehicle entering/leaving the operations area and shall be maintained in operation throughout the life of the quarry.
19. The paved area of road within the site shall be swept/washed where required in order to ensure that no debris from the quarry is carried onto the public highway.
20. The methods of working within the quarry shall continue to be as described within the documents approved as part of the previous planning permission DC02/187 and any changes to the operating procedures or methods shall be submitted to and approved in writing by the Planning Authority and shall be implemented as approved.
21. The extent of the quarrying operations area and the depth of extraction shall be as outlined on Drawing No. M12.177(a).D.005 Rev. A. No other areas of the site may be extracted, and the permitted depths must not be exceeded. Where these details differ from the extent/depth of working permitted by the previous permission DC02/187, then the details approved as part of this current permission DC14/168 shall apply.
22. The gradient of the quarry floor shall be maintained at 1:250 and in such a manner as to ensure that throughout the life of the quarry, all internal water run-off is directed out of the excavation area towards the settlement ponds to ensure that no flooding takes place within the quarry area.
23. The operator of the quarry shall grade all benches and work areas to drain towards the quarry floor and ultimately towards the silt ponds and no water run-off shall be directed out of the quarry area unless it is within the current discharge process as consented by SEPA.
24. The operator of the quarry shall continue to control water run-off from the site according to the Discharge Consent and the conditions contained therein, as issued by SEPA and shall inform the Planning Authority in writing of any changes or updates in the Discharge Consent (or its equivalent) and its conditions.

25. The operator of the quarry shall continue to carry out the crushing, grading and screening of the minerals on the site according to the Certificate of Authorisation of a Prescribed Process as issued by SEPA and shall inform the Planning Authority in writing of any changes or updates in the Certificate (or its equivalent) and its conditions.
26. The existing trees covered by the Tree Preservation Order and located to the east of the revised quarry area shall be removed in accordance with the new extraction area shown on Drawing No. M12.177(a).D.005 Rev. A. Any trees located out with the new extraction area shown on Drawing No. M12.177(a).D.005 Rev. A shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Planning Authority and details of what protection measures will be taken shall be submitted to and approved in writing by the Planning Authority and implemented as approved.
27. The area along the eastern, southern and northern boundaries and up to the lip of the quarry, as outlined on Drawing No. M12.177(a).D.005 Rev. A shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Planning Authority before work commences within the new extraction area. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
- (a) completion of the scheme during the planting season next following the completion of all blasting along the uppermost level along the eastern boundary, or such other date as may be agreed in writing with the Planning Authority; and
  - (b) the maintenance of the landscaped areas for a period of five year or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
28. Any topsoil and subsoils to be removed from the revised minerals extraction area must be stored on site as described in the applicant's written submission and must be retained on site for eventual reuse as part of the restoration works as described in conditions 45 and 46, all to the satisfaction of the Planning Authority.

- 29. No extraction or quarrying operations shall be carried out within the additional minerals extraction area until all topsoil and subsoil is fully stripped to the full available depth and the stripping of such soils shall only take place when they are dry.**
- 30. If it becomes necessary to relocate any of the existing or new soil storage mounds within the site then such soils cannot be relocated until the Planning Authority give written approval of the new storage locations and methods of storage.**
- 31. If it becomes necessary to relocate the mineral stock piles from the location indicated in the applicant's submission, then such relocation cannot take place until the Planning Authority give written approval of the new storage locations and methods of storage.**
- 32. Within three months of the date of the consent, the applicant must submit details of the proposed new traffic signage at the approach, access and egress to the site for the written approval of the Planning Authority.**
- 33. In the interests of clarity, it should be noted that this consent represents a consolidating approval for the whole of the area and supersedes the previous quarry consents, namely VL407, VL1858, DB261, DB2026 and DC02/187.**
- 34. Details of all boundary walls and fences for the full extent of the application site shall be submitted to and approved in writing by the Planning Authority and implemented as approved.**
- 35. In the event that any waste products are produced on the site, the operator of the quarry must obtain the relevant license and details of any waste products and the license shall be submitted to the Planning Authority as soon as they are identified or received.**
- 36. Notwithstanding the terms of Class 56 of Schedule 1 of the Town and Country Planning (General Permitted Development)(Scotland) Order 2011, the further written consent of the Planning Authority shall be required in respect of any further buildings, plant or machinery that may be required in connection with the development hereby permitted.**
- 37. No later than 6 months after the permanent cessation of quarrying or the date set by condition 1 above (whichever is the sooner), all buildings, plant, machinery and areas of hardstanding including the internal access roads shall be removed and the ground reinstated in accordance with the conditions of this permission in relation to restoration.**

- 38. Except as may otherwise be agreed in writing with the Planning Authority, at the expiry of twelve months from the date of this planning permission, and thereafter at twelve monthly intervals, the applicant shall submit a plan to a scale of not less than 1:2500 indicating the progress of quarrying operations. The plan will indicate the current position of the extraction areas, the extent of spoil disposal and any landscaping works that have been implemented.**
- 39. For the duration of this permission and up to the completion of all aftercare works warning signs shall be erected and maintained by the operator next to all publicly accessible areas within or adjacent to the quarry, details of the locations of these signs shall be made known to the Planning Authority.**
- 40. No rubbish or other waste materials shall be burned on site at any time, and the operator shall be responsible for immediately extinguishing any sporadic burning which may occur.**
- 41. No waste materials other than inert materials approved as part of the restoration plan shall be imported to the quarry for the purposes of recycling.**
- 42. No materials shall be imported to the site for the purposes of storage, crushing, screening, processing, manufacturing or onward transportation.**
- 43. Any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipe.**
- 44. All artificial lighting units installed at the quarry shall be so sited and shielded to be incapable of direct sight from any residential property outside the quarry boundary.**
- 45. Within 6 months of the date of this consent, a revised restoration masterplan for the whole of the quarry area and including details of the restoration or replanting of dilapidated features such as boundary hedges and drystone dykes, as well as details showing how recreational access and links to the local path network, would be achieved, along with details of aftercare and afteruse, must be submitted to and approved in writing by the Planning Authority. This revised restoration masterplan shall reflect the recommendations contained in the Parsons Brinckerhoff (Restoration Bond Review Dumbuckhill Quarry) report dated June 2014.**

46. As part of the revised restoration masterplan as described in condition 45 above, a detailed restoration scheme for the upper bench levels shall be submitted to and approved in writing by the Planning Authority and shall include details of restoration works to add rock and soil to reprofile blast faces and trees and other planting to assist natural regeneration, all in order to replicate the appropriate key characteristics of the surrounding landscape.
47. The restoration scheme approved under the terms of condition 45 above shall be implemented and the works completed within 12 months of the completion of all quarrying operations or the date stated in condition 1 above, whichever is sooner.
48. In the event that during the life of this permission mineral extraction ceases for a continuous period in excess of two years or the use is discontinued for a like period, then unless as may otherwise be agreed in writing with the Planning Authority within 12 months of either event occurring, a revised restoration scheme that modifies and updates that required by condition 45 above, shall be submitted for the written approval of the Planning Authority, including any modifications as may be required, detailing the steps to be taken to restore the site.
49. Within 12 months of being approved, any revised restoration scheme that may have been required under the terms of condition 48 above shall be implemented and the works completed.
50. The approved aftercare scheme shall be implemented following cessation of mineral extraction and in accordance with the approved timetable as required by condition 45 above, unless as may otherwise be agreed in writing with the Planning Authority.
51. Prior to the commencement of works within the new extraction area as shown on Drawing No. M12.177(a).D.005 Rev. A, a breeding bird survey and a reptile survey shall be undertaken and the findings submitted for the written approval of the Planning Authority and any actions arising from the survey shall be implemented within a timescale agreed with the Planning Authority.

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 12 March 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
Aurora House, 3 Aurora Avenue, Queens Quay,  
Clydebank, G81 1BF  
01419517938  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Representations;
5. Planning Permission DC02/187
6. Consultation responses; and
7. Scottish Planning Policy.

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

# West Dunbartonshire Council

Title : DC14/168 -Quarry, Stirling Road, Dumbarton

Map No : HQ461

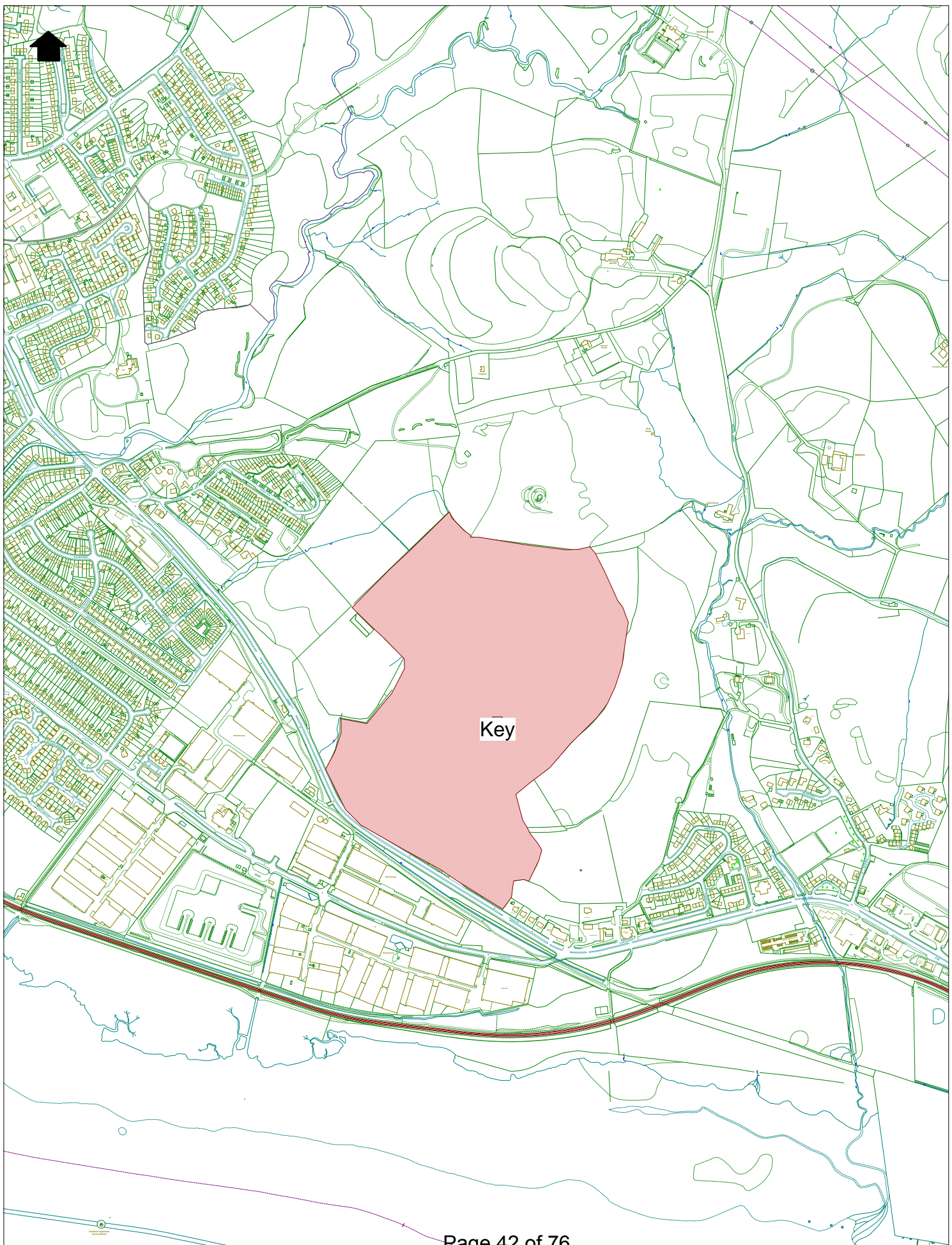
Map Ref : NS4274

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## **WEST DUNBARTONSHIRE COUNCIL**

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

**Planning Committee: 25 March 2015**

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**DC14/255:           Erection of secondary school and associated works at  
Howatshaws Road, Dumbarton, by West Dunbartonshire  
Council.**

#### **1.     REASON FOR REPORT**

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

#### **2.     RECOMMENDATION**

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

#### **3.     DEVELOPMENT DETAILS**

- 3.1**   The application relates to the site of the former high rise flats and to neighbouring open space on the northern edge of Bellsmyre. The site extends to almost 6 hectares and comprises two areas of ground on either side of Howatshaws Roads. The main part of the site, on the north side of the road, contains four blocks of high flats which are currently in the process of being demolished, along with an adjoining area of landscaping to the west. This land is on a hillside which rises to the north away from the road. It borders agricultural land on the hillside to the north, an area of open land (with planning permission for a mountain bike trail) and a vacant primary school (with permission for redevelopment as a new primary education/childcare shared campus) to the east. The second area of land consists of an existing sports pitch on the opposite side of Howatshaws Road. This borders housing to the south and another area of open space containing a bicycle “pump park”, play area and amenity space to the west. The application site wraps around the Cutty Sark Centre, which is a local community facility fronting the north side of Howatshaws Road.
- 3.2**   It is proposed to redevelop the site as a replacement campus for Our Lady and St Patrick’s R.C. Secondary School, which would relocate to the site from Cardross Road. The new school buildings would be located to the north west of the Cutty Sark Centre, and would comprise a predominantly three-storey classroom block positioned at roughly 45° to the street and an assembly/dining hall, and a smaller block containing the gymnasiums positioned behind the Cutty Sark Centre. The two blocks would be linked by the administrative accommodation including the main entrance. Although much of the school building would be located to the rear of the Cutty Sark Centre, it would be a significantly larger building and would be constructed at

a higher ground level. The building would be of a contemporary design with the use of a limited palette of materials, including a mixture of stone cladding, exposed concrete, aluminium cladding, facing block, glazing and an aluminium standing seam roof. It would feature very shallow (almost flat) roof pitches with a maximum height of approximately 13m, although there would also be some underbuilding at the western end of the site. The main elevation would be visually broken up at regular intervals by use of contrasting materials and areas of glazing. The main elevation would also include the main entrance which would be readily identifiable and located in a prominent location.

- 3.3** The main vehicular and pedestrian access to the site would be located to the south east of the Cutty Sark Centre. This would provide access to the main school car park which would be positioned along the north side of Howatshaws Road and would contain 126 parking and 9 drop-off spaces. A second smaller parking area containing 16 parking and 5 drop-off spaces along with the bus drop-off area and service vehicle bay would be formed at the western end of the site. Of these, 9 of the spaces would be intended for use by residents of flats to the west of the site to offset loss of on-street parking. There would also be a secondary pedestrian access into the new school from this end of the site. An existing bus stop lay-by on Howatshaws Road would be relocated slightly to the south to move it away from the new access. Access to the neighbouring open space/mountain bike trail would be maintained along the south eastern boundary of the site.
- 3.4** In addition to the entrance plaza and playground areas around the building, three small games courts and a large all-weather synthetic playing pitch would be formed to the north (rear) of the main car park. The existing grass football pitch on the south side of Howatshaws Road would be replaced by an all-weather synthetic football pitch of similar dimensions. Both pitches would be floodlit and enclosed by 6m high ball stop fencing. All of the outdoor sports pitches would be available for hire by the wider community outwith school hours. On the highest part of the site, bordering the hillside to the north, a contemplative garden and a naturally landscaped area would be provided. In order to address the level changes of up to 24m throughout the site, material will require to be excavated from site and a series of retaining structures formed on the eastern part of the site.
- 3.5** The application is accompanied by a Flood Risk Assessment, Transport Assessment Scoping Report, Design and Access Statement, an Ecological Appraisal, a Site Investigation Report, a Tree Survey, a Pre-application Consultation Report and an Acoustic Report, which address the various technical issues.
- 3.6** The application as submitted also included an additional area of open space/grazing land to the north east of the high flats, which was shown within the site boundary on the basis that it might be used for the storage of material during construction. However, the applicant has confirmed that this land will not now be needed, and it has been deleted from the site boundary. Due to the demolition of the buildings on site, site clearance work is currently being

undertaken and it is likely that at the same time there will be alterations to ground levels in preparation for the site being developed.

#### **4. CONSULTATIONS**

- 4.1** Sportscotland has no objection to the proposal subject to conditions regarding the synthetic pitch surface and the date when the pitches will become operational. They also welcome community use of the facilities. However, whilst Sportscotland are not a statutory consultee in respect of the indoor sports facilities, they have commented that the proposed indoor facilities are smaller than their guidance recommended minimum for a school of this size.
- 4.2** West Dunbartonshire Council Roads Service has no objection to the proposal subject to conditions relating to sight lines, traffic calming, and provision of a pedestrian crossing, levels/gradients, retaining walls, drainage and provision of a school travel plan.
- 4.3** West Dunbartonshire Council Environmental Health has no objection to the proposal subject to conditions relating to contaminated land, dust, floodlighting, and provision of a grease trap and restricting the hours of use of the sports pitches in order to minimise disturbance at nearby residential properties. In order to permit use of the sports pitch in the school grounds for evening community lets it is necessary for a 2m high acoustic barrier to be erected. Due to the proximity of residential properties to the existing sports pitch located to the south of Howatshaws Road, it is necessary to restrict the hours of use for community lets and to assess the use of this pitch for a 12 month trial period. At the end of this trial period, a review will be undertaken to ascertain if there are any issues which would require the permitted hours of use to be altered.
- 4.4** Glasgow Airport has no objection to the proposal subject to a condition requiring the submission and implementation of a Bird Hazard Management Plan.
- 4.5** West Dunbartonshire Council Estates Section, the West of Scotland Archaeology Service and the Scottish Environment Protection Agency all have no objection to the proposal.

#### **5. REPRESENTATIONS**

- 5.1** Two representations have been submitted, which both object to the proposal. The reasons for objection are summarised as follows:
- The application site is the wrong location for a new secondary school;
  - Roads safety concerns as the site is next to a busy road;
  - Health concerns about proximity of school to electricity pylons;
  - A school at this location would detract from the amenity of the area;
  - School will impact on property prices in the surrounding area;
  - Proposed drop off zone too close to residential properties and will cause noise disturbance and disruption;

- The application does not make reference to the children's play area or how it will be replaced; and
- Plans do not show access to the mountain bike trail from Tay Place.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The former high flats site is primarily identified as an Existing Residential Area, where Policy H5 aims to safeguard and enhance the residential character and amenity. When considering a development proposal for a non-residential use, consideration will be given to uses which are ancillary or complementary to the residential area and would not result in a significant loss of amenity to the surrounding properties. Locating a school within a residential area is appropriate, and the proposal complies with this policy.
- 6.2** The existing football pitch and the grass area at the west end of the site are identified as Open Space, where Policy R1 indicates a presumption against development which would adversely affect the use, character or amenity of areas of functional and valued open space. The existing football pitch within the site is to be retained and upgraded. The area of open space at the west of the site serves largely as amenity landscaping, although it also contains a play area associated with the former high flats. Although this land would be redeveloped new landscaping will be provided associated with the school and there is a recently built play area on the opposite side of Howatshaws Road which is closer to the remaining housing and which is not affected by the proposed development. Within the vicinity of the site there is currently adequate open space provision. Since there will be no loss of open space within the development site and an improvement in leisure facilities, the proposal complies with this policy.
- 6.3** Policy GD1 is a general policy which applies to all development, and which states that all new development is expected to be of a high standard of design and to respect the character and amenity of the area in which it is to be located. Policy T4 is also applicable and states that sites should be well integrated into walking, cycling and public transport routes. The proposal is considered to be in accordance with these policies.

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

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

- 7.1** The land use allocations in the WDLDP are similar to those of the adopted local plan, except that the boundary of the Existing Neighbourhood designation is drawn more tightly around the former high flats, and a greater proportion of the site is therefore designated as Open Space. The relevant policies are as follows:
- BC3 states that development that would significantly harm the residential amenity, character or appearance of Existing Neighbourhoods will not be permitted;

- GN1 states that development which would result in the loss of Open Space will not be permitted unless an open space of equal or enhanced value is provided within the development;
- DS1 requires all development to contribute towards creating successful places and refers to the six qualities of a successful place which are: distinctive, adaptable, resource-efficient, easy to get to /move around, safe and pleasant, and welcoming;
- DS3 requires significant travel generating uses to be located within 400m of the public transport network and where relevant, measures to ensure accessibility by active travel or sustainable means should be employed.

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

#### Scottish Planning Policy (SPP) – Playing Fields

- 7.2** The SPP indicates that playing fields are an important resource for sport and should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing fields strategy in consultation with Sportscotland, as part of their wider open space strategies. For many sports and recreation developments, locations within or close to residential areas will be the most appropriate location and advice will be available from Sportscotland in this regard. In this case, Sportscotland has confirmed that they are satisfied with the pitch provision for the proposed school. In addition, they are pleased to note that the facilities are intended to be available for community lets which would benefit the wider community. Whilst Sportscotland has commented that the indoor facilities do not comply with their recommended standard, in practice this standard is set at a very ambitious level which none of the recent school developments within West Dunbartonshire has met.

#### Location

- 7.3** Whilst the site is on the edge of the town, and is therefore less accessible than would be the case for a more central location, there are obviously few available sites around the town centre which would be large enough to accommodate a major secondary school and its associated playing fields. The Council's Education Service considered a number of alternative sites within Dumbarton and the Vale of Leven for the replacement Our Lady & St Patrick's High School (OLSP) as well as the use of the existing site. Following public consultation the Education Committee concluded that redevelopment of the existing school site could not be achieved without major disruption to the education of pupils and decided to reject the more central Posties Park site due to lack of public support. The Bellsmyre site was therefore selected as the preferred site, as it was judged to be the most suitable of the other options which were considered.
- 7.4** The site is on the edge of a residential part of the town, albeit that much of the site is bordered by farmland and open space. The site was originally occupied by four blocks of high rise flats, which were somewhat detached from the rest of the housing in Bellsmyre, and the redevelopment of the site

as a school would not erode the residential character of the wider area. The construction of a school on this site would fit well with adjoining land uses, which include the site for the new co-located Aitkenbar/St Peter's primary schools and early education centre, and the Cutty Sark community centre. Although the site has not been designated for educational purposes, the proposal is consistent with the land use policies of the existing and emerging development plans. It is considered that the principle of redeveloping the site as a new secondary school is acceptable, and that the provision of significantly improved school facilities for children in the West Dunbartonshire Council area is to be welcomed.

#### Design, Layout and Materials

- 7.5** The layout of the site and the positioning of the building within it have been influenced by the location of the Cutty Sark Centre and the challenging ground levels on site. The proposed building would be of contemporary design, comprising a linear 3 storey building with a single wing to the east. The building would be set back sufficiently from Howatshaws Road to ensure that its height and size will not unduly dominate the street, and the new building would in any event be significantly lower in height than the previous flats. The main entrance of the secondary school would be positioned centrally, facing onto Howatshaws Road in order to create a readily identifiable feature entrance. Whilst the location of the existing Cutty Sark Centre breaks the site frontage onto Howatshaws Roads, the scale of the new school and ground levels on site would ensure that it had sufficient prominence for a building of such importance. Although the building would be positioned at an angle to Howatshaws Road, it is considered to be an improvement over the layout of the high flats, which bore little relationship to the street scene at this location.
- 7.6** Most of the elevations of the building would be finished in a mixture of dark metal cladding, stone cladding and facing block, although the front elevation of the main block in particular would also have an extensive amount of glazing. The upper floors would be finished in metal cladding whilst the ground floor would be finished in a mixture of facing block and stone cladding. Added visual interest would be provided by the louvres positioned around the building, whilst the school name would be located prominently adjacent to the main entrance. The use of this palette of materials would help to enhance architectural features and create a visually interesting building. Glazing has been used in the design to make the most of natural light and ventilation whilst the glass type will reduce solar transmissions and assist with temperature control. Overall, the proposed building is considered to be of an attractive modern design which would enhance the appearance of the street.

#### Impact on Residential Property

- 7.7** There is clearly no objection to the principle of siting of a secondary school within a residential area, but it is recognised that the development would bring large numbers of people into the area and that this would have some impact upon residents living close to the school and on streets leading to it. However, the potential impact of a development on property prices is not a material consideration. Schools are by their nature busy locations which



generate a lot of pedestrian movement and traffic at either end of the school day. They also give rise to localised noise from children playing outdoors at intervals / lunchtime, and noise arising from the use of the outdoor sports facilities.

- 7.8** In this case the proposed school building, playground and most of its sports pitches would be well separated from residential properties. The buildings would have no impact on neighbouring residents in terms of overshadowing or overlooking, and it is unlikely that playground noise would have a significant impact on residential properties. Noise arising from school use of playing fields is normally at an acceptable level during the school day, and use by schools outwith normal school hours is fairly limited. However, it is proposed that in addition to use by the school itself, all of the outdoor sports facilities would be available for hire to other groups and organisations outwith school hours. In order to mitigate for any noise created through use of the pitch within the school grounds, it will be necessary to erect a 2m high acoustic fence along the southern boundary of the pitch and wrap around each side of the pitch for a length of 10m. The proposed hours of use for community lets of the sport pitch within the school grounds are:

Monday to Friday	6pm to 10pm
Saturday	10am to 5pm
Sunday	10am to 5pm

In addition, it is accepted that the pitch may be used for coaching sessions and other similar sports related activities throughout the school holidays during daytime hours and in accordance with the aforementioned hours for community lets.

- 7.9** Experience at other schools has shown that community use of school pitches in the evening and at weekends can sometimes give rise to noise complaints from residents. Whilst most of the proposed sports facilities in this site would be well separated from housing, the proposal includes upgrading of the existing grass football pitch on the south side of Howatshaws Road into a floodlit all-weather synthetic pitch, and this pitch borders housing at Merkins Avenue and Barwood Hill. The existing grass pitch is currently available for community use without any time restrictions, and therefore it is considered reasonable to allow community lets to continue. However, the addition of floodlighting would make it possible for use longer into the evening than is currently the case. The use of this pitch by the school is acceptable and it is not necessary to restrict when it can be used by the school. It is therefore proposed to trial community lets on this pitch for a period of twelve months in order to ascertain if there is any unacceptable disturbance at nearby residential properties. At the end of the twelve month trial period, an update report will be submitted to the Planning Committee which will recommend whether it is acceptable for community lets to continue and advise whether the permitted hours for community lets remain unchanged or require to be revised. The hours of use for community lets to be trialled on this pitch are as:

Monday to Friday	6pm to 8pm
Saturday	10am to 5pm
Sunday	10am to 5pm

- 7.10** As per the pitch within the school grounds, it is accepted that the pitch may be used for coaching sessions and other similar sports related activities throughout the school holidays during daytime hours and in accordance with the aforementioned hours for community lets.

#### Traffic and Parking

- 7.11** As the school has a wide catchment area a high proportion of pupils will travel to and from the site by way of school contract buses. The transportation assessment (TA) estimates that 63% of pupils live more than 2 miles away from of the new school site, and will qualify for free travel. This is a similar proportion to the existing OLSP site. Whereas the current school is served by eight contract buses, the proposed school would require a ninth bus for pupils from Helensburgh and Cardross (who currently travel by train). Of the balance of 37% of pupils, the TA estimates that 30% will walk to school and 7% will arrive by car. However, a travel survey at the current school showed that a proportion of pupils who live within the 2 mile radius chose travel to school by local service bus, and this seems likely to continue. The majority of staff are expected to travel to school by car, and as the site is further from a railway station than the existing OLSP site it is likely that the proportion travelling by car may increase slightly. Overall, it can be assumed that a slightly higher proportion of pupils and staff may travel to the new school by car, but the increase would not be significant with the large majority of pupil journeys continuing to be by bus.
- 7.12** Howatshaws Road is already a regular bus route, and whilst the school would result in increased car and bus movements the local road infrastructure is capable of accommodating this. The proposed vehicular access arrangements, level and location of car parking and the position of the drop off facility are acceptable and comply with the Council's standards and the Roads Service has no objection to the proposal.

#### Technical Issues

- 7.13** A phase 1 habitat survey was undertaken on site which concluded that there were no badgers, bats or protected bird species present on site. However, since there will be tree felling on site, it will be the responsibility of the contractor to check that there are no bats or nesting birds present whilst this is undertaken. A condition has been attached to address this matter.
- 7.14** A flood risk assessment was undertaken which concluded that the site was at low risk of being affected by flooding. A site investigation was also undertaken and a report submitted which identified that there was a small area of ground within the site which contained some contamination. In order to ensure that this contamination is addressed, suitable conditions can be attached to ensure that the site is suitable for its intended use.

#### Pre-Application Consultation

- 7.15** As the application constitutes a major development, pre-application consultation was required to be carried out prior to submission of the application. A stakeholder consultation exercise was undertaken and a public event was held in the Cutty Sark Centre. A statutory notice was published in the local press advertising the public event and submission of the proposal of application notice. The feedback from the public event was generally supportive of the provision of a new school and there were no significant issues raised although the turnout at the public event was relatively low.

## **8. CONCLUSION**

- 8.1** The proposal would contribute to providing high quality secondary school education for the Dumbarton area and contribute to improving the amenity and regeneration of Bellsmyre. The proposed new building has been designed and positioned to provide an enhanced civic presence within the local community, and the building is considered to be of a quality modern design. The impact upon nearby residents is considered to be acceptable subject to suitable hours of operation and noise mitigation relating to community use of the sports pitches. Access/parking arrangements are also considered to be appropriate.

## **9. CONDITIONS**

- 1. 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.**
- 2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.**
- 3. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the foul and surface water drainage system have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved prior to the occupation of the new school. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design.**
- 4. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing**

by the Planning Authority. These shall thereafter be implemented as approved.

5. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of all ground surfaces including play surfaces, social space, roads and pathways have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
6. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the design and location of all bin stores, walls and fences (including retaining walls), acoustic fencing and ball stop fencing to be erected on site have been submitted to and approved in writing by the Planning Authority. These shall be implemented within a timescale to be agreed by the Planning Authority.
7. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and height of any sprinkler tanks have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the school.
8. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and siting of all external lighting have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
9. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and location of all external furniture, including cycle shelters have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
10. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of all external signage have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the occupation of the new school.
11. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the

**Planning Authority) shall commence until such time as final landscaping details to include the number, siting and type of trees, shrubs and plant species have been submitted to and approved in writing by the Planning Authority. Planting shall thereafter be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the school. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.**

- 12. Other than use by the school itself, the outdoor sports pitch within the school grounds shall only be available for community use once a 2m high acoustic fence has been erected (to be located along the length of the southern boundary of the pitch and wrap around 10m at either end of the pitch) and between the following hours:**

- 6pm to 10pm Mondays to Fridays;**
- 10am to 5pm on Saturdays; and**
- 10am to 5pm on Sundays.**

**In addition, it is permitted for this pitch to be used throughout school holidays for coaching sessions or similar organised sports activities during the daytime and also subject to the above aforementioned hours.**

- 13. Other than use by the school itself, the outdoor sports pitch located outwith the school grounds and to the south of Howatshaws Road, shall only be available for community use for a twelve month trial period from the date that it becomes operational. At the end of this twelve month period, a review of the operation of this pitch shall be undertaken and the permitted hours of use may either be maintained, revised or reduced based on the findings of the review. The permitted hours of use of this pitch for community lets are:**

- 6pm to 8pm Mondays to Fridays;**
- 10am to 5pm on Saturdays; and**
- 10am to 5pm on Sundays.**

**In addition, it is permitted for this pitch to be used throughout school holidays for coaching sessions or similar organised sports activities during the daytime and the above aforementioned hours.**

- 14. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the floodlights, including their exact location, design and lighting specification 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.

15. The floodlights around the sports pitch located to the south of Howatshaws Road shall not be used after 8pm (Monday to Friday) or 5pm (Saturday and Sunday).
16. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the specification and surface of the synthetic grass pitches have been submitted to and approved in writing by the Planning Authority. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitch and appropriate drainage. The pitches shall be designed and constructed by a specialist pitch contractor. The synthetic grass pitches shall be operational no later than one year after the opening of the new school.
17. Prior to the occupation of the school, a School Travel Plan and Workplace Travel Plan shall be submitted to and approved by Planning Authority, and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.
18. Prior to the occupation of the school traffic calming measures and a pedestrian crossing shall be provided on Howatshaws Road. Details of these measures shall be submitted to and agreed with the Planning Authority prior to the commencement of development on site (other than such preliminary works as may first be agreed in writing with the Planning Authority).
19. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the sightlines of the new junctions onto Howatshaws Road have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the school being brought into use and maintained thereafter.
20. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of an adequate sized grease trap have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the school being brought into use and maintained as approved.

- 21. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.**
- 22. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.**
- 23. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying 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.**
- 24. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.**
- 25. Prior to the occupation of the school, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the management of any**

flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’. The Bird Hazard Management Plan shall be implemented on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan shall take place unless first submitted to and approved by the Planning Authority in consultation with Glasgow Airport.

26. The developer shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the construction phase, and shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction or any other vehicles. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the measures to be implemented have been submitted to and approved by the Planning Authority, and these shall thereafter be implemented as approved.
27. Prior to the undertaking of any tree works, the trees shall be checked for the presence of bat roosts and breeding birds. Tree work shall thereafter be undertaken to avoid any impact upon roosting bats or breeding birds.
28. The development shall be completed in accordance with the finished floor levels and ground levels shown on the approved plans unless otherwise approved in writing by the Planning Authority.

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

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
Aurora House, 3 Aurora Avenue, Queens Quay,  
Clydebank, G81 1BF  
01419517938  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)



**Appendix:** None

**Background Papers:**

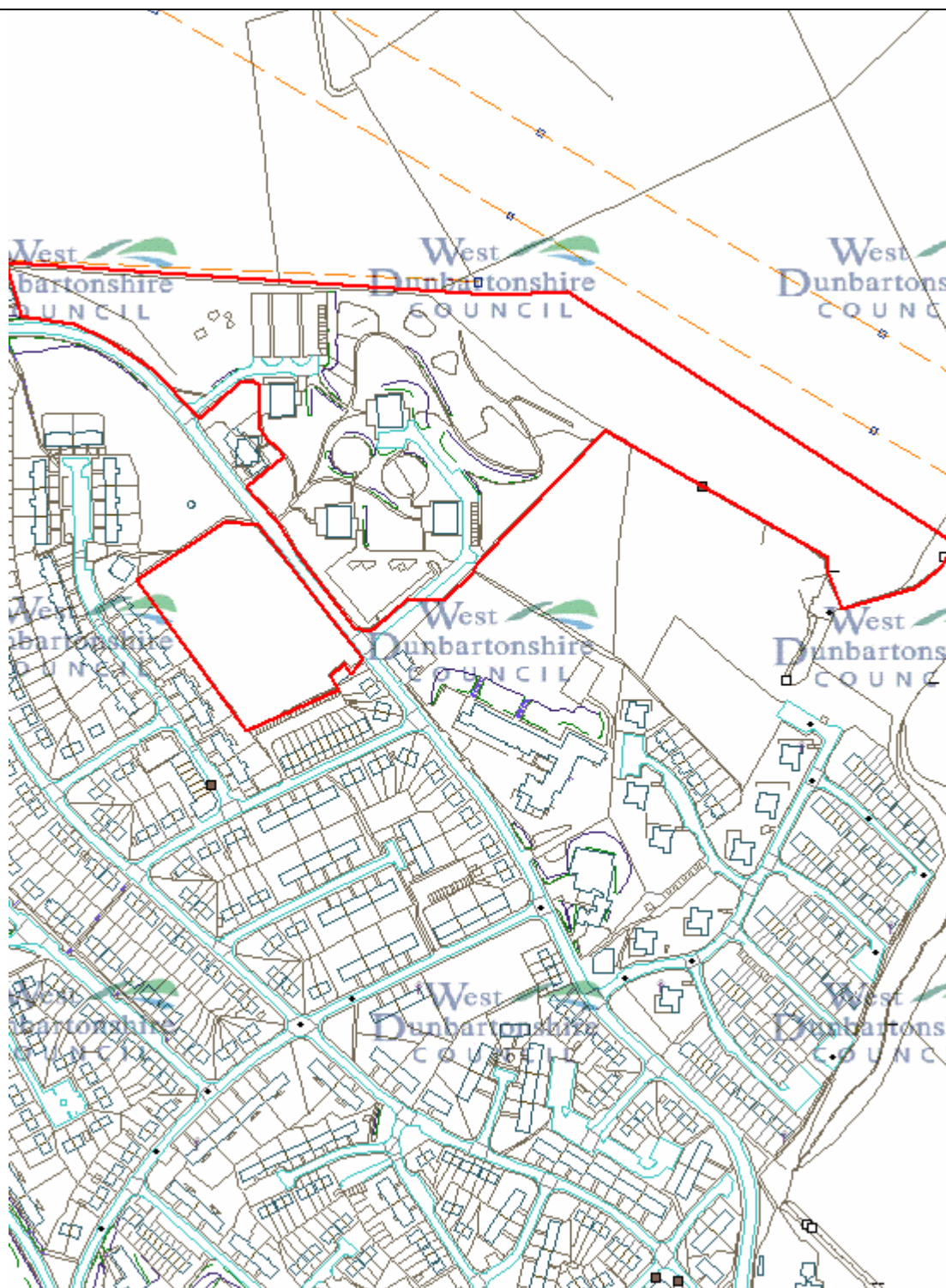
1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Representations;
5. Consultation responses; and
6. Scottish Planning Policy.

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

**DC14/255**

**Erection of secondary  
school and associated  
works**

**High School Development Site  
Howatshaws Road  
Dumbarton**



## **WEST DUNBARTONSHIRE COUNCIL**

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

**Planning Committee: 25 March 2015**

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**DC14/251: Change of use of retail unit to public house/restaurant including installation of new shopfront, rear beer garden area and ancillary mechanical plant at 18 Britannia Way, Clydebank by Witcomb Project Management Ltd.**

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

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

#### **2. RECOMMENDATION**

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

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

- 3.1** The application relates to the majority of the existing Harry Corry interior furnishing shop situated on the eastern side of the Clyde Shopping Centre in Clydebank Town Centre. This is part of a small row of shops which are not part of the enclosed shopping mall but have external frontages onto the shopping centre car park. It is currently bordered to the north and south by a McDonald's restaurant and a Domino's Pizza takeaway. However a small part of the existing unit adjoining the pizza shop is excluded from the current application (permission having recently been granted at appeal to subdivide that part of the floorspace for use as a betting shop). The application site has a floorspace of around 730m<sup>2</sup>, whereas the subdivided area measures 90m<sup>2</sup>. The premises front a large car park which is surrounded by a mixture of other retail and commercial uses. The rear of the unit backs onto a service yard area for part of the Shopping Centre.
- 3.2** It is proposed to change the use from retail to a public house/restaurant along with ancillary works. The unit would contain a large bar/dining area along with kitchen, toilets and storage areas. A new shopfront would be created, consisting of several full length glass panels windows/doors, above which would be a leaded glass clerestory. The new frontage would be recessed from the existing building line to allow a small external area for some tables and chairs. This area would contain four tables and sixteen chairs, and would be separated from the pavement by 1.1 metre high glass panels. The applicant has advised that the front area would be non-smoking and is intended for 'al fresco' eating.

- 3.3** An area at the rear of the building which is presently a hard surfaced area adjacent to the shopping centre service yard would be changed into a 'Beer Garden' area. This would be enclosed by a new 1.8 metre brick wall to screen it from the service area, and would include a small covered smoking shelter. The application also covers proposed mechanical plant on the roof, associated with chillers and air conditioning within the unit.
- 3.4** The applicant has indicated that the intended occupier of the unit is J.D. Wetherspoon, a large pub/restaurant chain. It is anticipated that the facility would employ 15 full time and 35 part time staff.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Estates Service has no objection to the proposal.
- 4.2** West Dunbartonshire Council Roads Services has no objection to the proposal but have indicated that the applicant will require a Stopping Up Order for the section of road where the beer garden is to be located at the rear of the site.

#### **5. REPRESENTATIONS**

- 5.1** Two representations have been received from Clydebank residents, one in support and one opposed to the proposal. The representation of support welcomes all new businesses to the town centre in order to keep up with competing locations, while the objection refers to the loss of existing jobs should the Harry Corry shop close and to a lack of need for an additional pub/restaurant in the town.

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

##### West Dunbartonshire Local Plan 2010

- 6.1** The site lies within the defined Clydebank Town Centre, which Policy RET1 indicates to be the preferred location for retail and commercial leisure activities. This confirms that town centres are the most suitable location for activities such as bars/restaurants, and the proposal is therefore consistent with that policy. Policy RET5 supports non-retail uses within town centres where these contribute to vitality and viability and comply with other relevant policies.
- 6.2** The site is also within the defined Clydebank Retail Core, where Policy RET6 seeks to protect and enhance retail and commercial function by encouraging new and improved retail floorspace. There is a presumption against the change of use of existing ground floor retail units to non-retail uses, and such applications will only be supported where it can be satisfactorily be demonstrated that the change would reinforce and revitalise the centre and would not adversely affect the character or amenity of the area. In this case the proposal involves a change of use of an existing ground floor retail unit in the retail core to a non-retail use, and it therefore conflicts with the

presumption against such changes in Policy RET6 and is contrary to the adopted local plan. This is discussed more fully in Section 7 below.

- 6.3** Policy DC2 Shop Front Design and Security requires that new shop fronts on existing buildings is designed in accordance with the Council's Shop Front Design Guide for commercial frontages. Proposals should be in keeping with the character of the building and be appropriate to the surrounding area. It is considered that the proposed alterations to the shopfront would comply with this policy and with the design guide.

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

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

- 7.1** The site remains within the defined Town Centre and the defined Core Retail Area in the emerging LDP. Clydebank Town Centre is designated as a "Changing Place" and the Plan's strategy for the town centre includes supporting the evening economy and leisure offer. Changes of use from retail within the retail core must be assessed against Policy SC2 which does not presume against non-retail uses, but states that proposals for change of use of ground floor Class 1 uses within core retail areas will be assessed in terms of:

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

These issues are discussed below, and it is considered that the proposal would comply with Policy SC2.

- 7.2** Policy SC3 states that proposals for non-retail uses will be supported within town centres where these comply with Policy SC2, encourage visits to the town centre and are appropriate to the town centre's role and function. The proposal is considered to be in accordance with this policy.

### Scottish Planning Policy(SPP)

- 7.3** The SPP states that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into the town centre. The planning system should encourage a mix of uses to support vibrancy, vitality and viability throughout the day and into the evening. The SPP recognises that there can be concerns about the number or clustering of some non-retail uses, and indicates that where a town centre strategy identifies a need for constraint of particular uses in the interests of character,

amenity or well-being of communities, local development plans should include policies to prevent clustering or overprovision.

#### Principle of Pub/Restaurant Use

- 7.4** Public houses and restaurants are recognised town centre uses, and the town centre is considered to be the optimal location for such activities. The business model of the likely operator relies heavily on daytime food sales, and it is considered that a facility such as this would contribute positively towards the vitality and viability of the town centre. The application site is one of a small number of units which are “external” to the Clyde Shopping Centre, having frontages facing onto its car park rather than into the enclosed mall. The need for evening access limits the number of units within the Clyde Shopping Centre which are suitable for food/drink uses, so it is inevitable that such uses locate within this external part of the centre. At present, these units contain the following existing and consented uses:

- Retail: 4 (Argos, Asda, Glamour Hairdressing, Harry Corry)
- Food/Drink: 4 (Dominos, Little Frankies, McDonalds, Singapore Buffet)
- Assembly/Leisure: 1 (Empire Cinema)
- Vacant/Betting Shop: 1 (permission for subdivided section of Harry Corry unit to become Betfred)

The other business which fronts this car park is McMonagle’s fish and chip restaurant, which is detached from the shopping centre. There is therefore a small cluster of food and drink uses in this part of the Town Centre, and most of the businesses here (including the 24-hour Asda supermarket and the cinema) trade well into the evening. However, this cluster of food/drink and evening uses is considered to be appropriate and complementary to the retail function of the town centre.

- 7.5** As regards the public house element of the proposed use, there are no existing public houses within the designated Town Centre/Retail Core of Clydebank, and although there are numerous public houses located elsewhere within the town centre or on its periphery it is not considered that the proposal would give rise to any undue concentration. Concerns about the impact of the proposed use upon the viability of competing pubs and restaurants are a commercial matter and are not a material planning consideration. It is therefore considered that the site is within the most appropriate part of the shopping centre for such a use, and that it would not give rise to any loss of amenity. Whilst it is accepted that any public house/restaurant use has potential to give rise to additional noise and disturbance in the evening, in this case the location is remote from housing and already has significant evening activity.

#### Core Frontage Policies

- 7.6** The proposal is contrary to Policy RET6 of the adopted local plan, which presumes against the loss of retail floorspace within the defined Retail Core. The proposed use will draw people to the town centre and increase footfall. Under the circumstances it is considered that a departure from Policy RET6 would be appropriate for the reasons discussed in this section.

**7.7** The equivalent policy in the emerging LDP (Policy SC2) does not presume against changes of use, provided that the individual proposal satisfies a number of criteria. In this case, the proposed change of use would comply with these criteria because:

- a) The unit is a relatively small part of the overall retail floorspace in the centre, and other vacant floorspace is available for new retailers, so the proposal would not result in any significant reduction in the retail offer of the Retail Core or wider Town Centre;
- b) Whilst there is a cluster of food/drink units located around this part of the shopping centre car park, this is considered to be an appropriate location for such uses, which complement each other and the adjoining cinema without impacting upon any residential properties. The proposal would not result in an undue concentration of public house uses, as there are currently no such uses within the Clyde Shopping Centre;
- c) The proposal would contribute towards the vitality and viability of the shopping centre as the proposed pub/restaurant would enhance the town centre's overall offer, and would attract new footfall;
- d) No suitable alternative sites have been identified for the use. The Radnor Park Hotel on Kilbowie Road was considered but it is well removed from the town centre. The Clydebanks Co-op building was also considered, but it is also within the Retail Core, and the applicant considered that its conversion would be too expensive and its location to be less suitable.
- e) The unit has been marketed for approximately 2 years. It was initially advertised primarily for Class 1 retail use, with the agents actively approaching various possible operators. However, the unit received no interest from retail operators in that time period and the applicant has therefore sought suitable alternative uses.

Accordingly, the proposed change of use is considered to be in compliance with Policy SC2 of the emerging local development plan.

#### External Alterations and Outdoor Seating

**7.8** The proposed new shopfront would feature extensive glazing, and whilst it would be recessed slightly behind a narrow covered seating area the appearance of the shopfront is considered to be in compliance with the Council's adopted Shop Front Design Guide. The small external seating at the front of the building would provide additional activity fronting the car park and would not impact upon any residential property. The larger beer garden at the back of the site would be accessed through a new glazed rear elevation, but it would be surrounded by the rear service areas of commercial premises and would not be visible from any public area. The plant to be installed on the roof would also not be visible from public areas. Overall, it is considered that the external changes are acceptable in terms of their appearance and impacts upon surrounding uses.

#### Parking

**7.9** The applicant has submitted an assessment of parking demand in support of the application. This compares the likely trip generation and parking

requirements for the existing and proposed uses, and concludes that the proposed use is likely to generate less traffic during the weekday daytimes, but will generate more trips in the evening. On Saturdays, trips and parking through the daytime would be similar to the existing use, but much higher in the evening. Peak trip generation for the pub/restaurant would be likely to be between 7pm and 8pm, i.e. well after the majority of the shopping centre has closed for the day. As restaurant customers would be expected to stay longer than shoppers the Saturday daytime parking demand for the restaurant would be slightly higher than that of a shop, and as this is already the busiest period for the shopping centre car park. Therefore the proposal may slightly increase the parking shortfall which can arise at times of peak demand. However, the impact of the proposal on parking and trip generation is overall relatively insignificant in the context of the shopping centre, and the Roads Service has no objection to the proposal.

### **Employment**

- 7.10** One of the representations referred to potential loss of jobs from the existing retail unit. Whilst any such losses are regrettable, the proposed public house/restaurant is itself expected to provide 15 full time and 35 part time jobs. It is understood that the current retail business is only continuing to trade at this site due to a short term agreement with the shopping centre owner, and this cannot be expected to continue indefinitely.

## **8. CONCLUSION**

- 8.1** The proposed use is appropriate for a town centre location, and the application site is within a group of food/drink, leisure and evening uses which it would complement. Whilst the unit has remained in retail use as a result of a short term agreement between the tenant and landowner, it has been marketed for retail use for 2 years without success. The proposal is consistent with Policy SC2 of the emerging local development plan which provides a more detailed and up-to-date consideration of this issue than the adopted plan, it is considered that compliance with Policy SC2 is sufficient to justify the departure from RET6. The unit is remote from any residential uses so there would be no impact upon amenity, and the proposed alterations to the shopfront are acceptable.

## **9. CONDITIONS**

- 1. Prior to the commencement of the development full details of the design of the roller shutters to be used shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.**
- 2. Notwithstanding the submitted plans details of the shopfront and boundary wall shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented as approved.**



**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 6 March 2015**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Housing, Environmental and Economic Development,  
Aurora House, 3 Aurora Avenue, Queens Quay,  
Clydebank, G81 1BF  
01419517938  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** None

**Background Papers:**

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

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

# West Dunbartonshire Council

Title : DC14/251 - 18 Britannia Way, Clydebank

Map No : HQ459

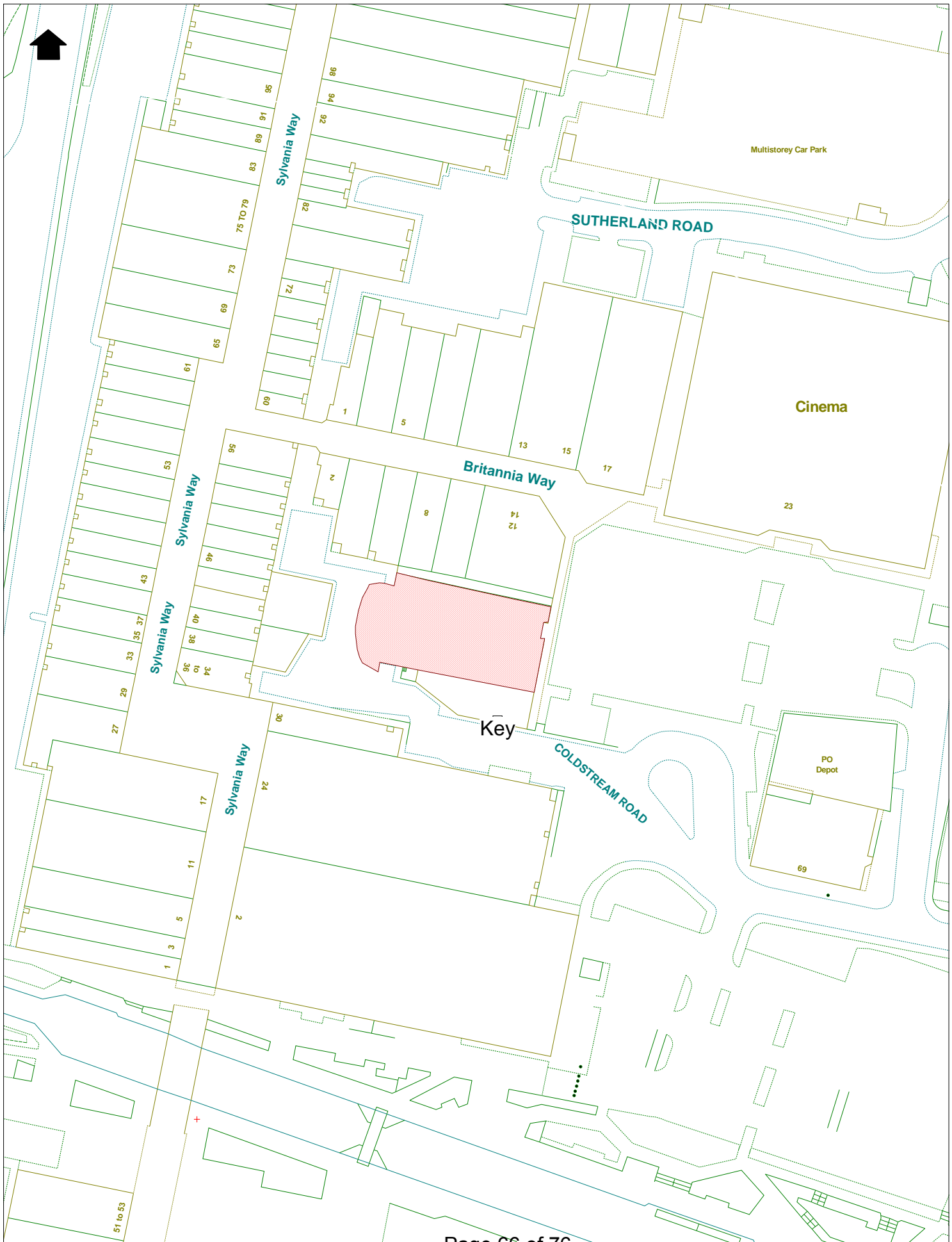
Map Ref : NS4970SE

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## **WEST DUNBARTONSHIRE COUNCIL**

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

**Planning Committee: 25 March 2015**

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**Subject: 'Clydeplan' Strategic Development Plan Main Issues Report**

#### **1. Purpose**

- 1.1** To advise the Committee of the publication of the Glasgow and the Clyde Valley Strategic Development Plan (hereafter referred to as "Clydeplan") Main Issues Report and to agree the Council's response to the document.

#### **2. Recommendations**

- 2.1** It is recommended that the Committee agree the response to the Clydeplan Main Issues Report set out in Appendix 1.

#### **3. Background**

- 3.1** The current Strategic Development Plan for the Glasgow and the Clyde Valley city-region was approved in May 2012. Regulations require that the proposed version of the replacement Plan is submitted to the Scottish Ministers by May 2016, thus the process of preparing the new Plan is now underway. The first formal stage in this process is the publication of the Main Issues Report.
- 3.2** To assist with raising awareness and the profile of the Glasgow and the Clyde Valley Strategic Development Plan, the Joint Committee of the Strategic Development Plan Authority recently agreed to rebrand the Plan 'Clydeplan'.

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

- 4.1** The Main Issues Report sets out a series of questions relating to the proposed content of Clydeplan. The Council's response to these questions is set out in Appendix 1, with a brief summary of the issues and proposed response set out below.

##### Vision and Spatial Development Strategy

- 4.2** The following vision for the Glasgow city-region for 2035 is proposed:

"Glasgow and the Clyde Valley will be a compact city region attracting and retaining investment and improving the quality of life for people through the creation of a place which maximises its economic, social and environmental assets ensuring it fulfils its potential as Scotland's foremost city region."

- 4.3** The proposed Spatial Development Strategy for Clydeplan inherits its key components from the existing Strategic Development Plan. These are:

- Clyde Waterfront
- Glasgow City Centre
- Clyde Gateway
- Ravenscraig/Motherwell/Wishaw
- Green Network
- Strategic Centres
- Strategic Economic Investment Locations
- Strategic Freight Transport Hubs

- 4.4** The proposed Council response supports the Vision and Spatial Development Strategy as set out in the Main Issues Report. The Vision is reflective of the National Planning Framework, Scottish Planning Policy and the Scottish Government's Strategic Objectives. The Spatial Development Strategy is rightly continued from the existing Strategic Development Plan, as it is a long term, 20+ year strategy focussing on strategic regeneration, growth and environmental priorities.

#### Strategic Economic Investment Locations & Freight Transport Hubs

- 4.5** Twenty identified Strategic Economic Investment Locations are carried forward, including Clydebank Riverside and Lomondgate, and an additional three sites at Pacific Quay Glasgow for the creative and digital sector, South Glasgow University Hospital for the life sciences sector, and 'Biocity Scotland' in Newhouse, North Lanarkshire, also for the life sciences sector.
- 4.6** It is also proposed to carry forward the 5 existing Strategic Freight Transport Hubs (none of which are in West Dunbartonshire), and add to this list Burnbrae in Linwood and King George V Dock in Govan
- 4.7** The continued identification of the existing Strategic Economic Investment Locations, and in particular Lomondgate and Clydebank Riverside, the Strategic Freight Hubs, and the identification of additional locations for these designations are supported.

#### The Visitor Economy

- 4.8** For the visitor economy it is proposed that the Forth and Clyde Canal and River Clyde are specifically recognised in Clydeplan. The Council response supports this proposal and suggests that Clydeplan should also recognise the Antonine Wall as a cross-boundary heritage asset with considerable visitor potential.

#### Network of Strategic Centres

- 4.9** The existing Strategic Development Plan identifies a network of 23 Strategic Centres, including Clydebank and Dumbarton. It is proposed that this network is retained and the Main Issues Report asks if there are specific actions the Strategic Development Plan should promote to support the roles and functions of the network of Strategic Centres.

- 4.10** The Council response supports the continued identification of the current network of strategic centres. It requests that Clydeplan adopts a stronger framework for the consideration of retail development that would have a cross-boundary impact. The response welcomes that the Main Issues Report recognises that the town centre status of Braehead is subject to legal challenge and that the Proposed Clydeplan will reflect the outcome of the legal proceedings.

#### Housing

- 4.11** A Housing Needs and Demand Assessment has been undertaken to provide the evidence base for the Clydeplan housing strategy. Three growth options have been investigated as part of this: sustained growth – which is based upon the National Registrar for Scotland’s principal projection of households and predicts an additional 95,100 houses in the Clydeplan area in the period 2012-2029; a high migration scenario, which predicts an additional 107,400 houses; and a low migration scenario which predicts an additional 42,400 houses. Based on economic modeling, it is proposed that the housing strategy for Clydeplan is based upon the sustained growth scenario, which sits in between the low and high migration scenarios. The Council response supports this.
- 4.12** Housing Supply Targets are the policy view on the number of new houses to be delivered. These are based on the household growth scenarios discussed above, but take account of local economic, social and environmental factors. The Main Issues Report does not set out Housing Supply Targets for the Clydeplan area, but asks what level of generosity should be applied to these once they are derived. Scottish Planning Policy states that a generosity allowance of 10-20% must be applied. The proposed Council response suggests that the generosity allowance should be set at 10% across both private and affordable rented sectors. Whilst there is sufficient housing land within Glasgow and the Clyde Valley, and particularly West Dunbartonshire, to meet the emerging housing land requirement, setting the generosity allowance higher than 10% could require the release of additional housing land at the expense of the development of brownfield sites, and the regeneration and renewal agenda.

#### Onshore Wind

- 4.13** The Main Issues Report proposes that a spatial framework be developed for onshore wind energy developments as required by Scottish Planning Policy but taking account of the landscape capacity study undertaken for the area. The Council response cautions that Scottish Planning Policy is quite clear about what considerations are to be included in spatial frameworks. This does not include landscape capacity work, but the landscape capacity work undertaken for the city-region area should feature as a consideration in the Strategic Development Plan.

### Green Infrastructure

- 4.14** Analysis has been undertaken, by integrating habitat, access, greenspace quality, health and wellbeing, and vacant and derelict land data, to identify Strategic Delivery Areas for the green network. Within West Dunbartonshire these are Dumbarton, Bowling and Clydebank. The Council response supports their identification.

### Supporting Sustainable Travel

- 4.15** The Main Issues Report asks if there are any strategic road and public transport network projects/gaps that should be prioritised for investment in support of Clydeplan's Vision and Spatial Development Strategy. More specifically, it asks if support should be given to measures to improve cross-city rail connections and public transport corridors. The Council response makes reference to the Exxon site, which incorporates a new road, Fastlink, and enhancements to the Kilbowie Roundabout. It offers support for cross-city rail connections and for priority to be given to public transport corridors.

### Placemaking

- 4.16** The Main Issues Report asks how an approach to placemaking for the city-region in terms of the six qualities of a successful place can be most appropriately expressed in Clydeplan. The Council response supports the Clydeplan vision making reference to the creation of 'place', and calls for Clydeplan to make explicit the need for the spatial priority projects identified through the spatial strategy, to fully embrace the six qualities of successful place.

### Climate Change Adaptation

- 4.17** The Main Issues Report asks how Clydeplan can best pursue its contribution to climate change adaptation and facilitates a joint approach to the issue. The Council response states that Clydeplan should stress the equal importance of Climate Change Adaptation and Climate Change Mitigation by highlighting that change to some degree is going to happen. SuDS is frequently mentioned as a key scheme but consideration must also be given to mitigation methods of other forms of flooding, such as fluvial and tidal that affect the Clydeplan area.

## **5. People Implications**

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

## **6. Financial Implications**

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

## **7. Risk Analysis**

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

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

**8.1** An Equalities Impact Assessment of the Main Issues Report has been undertaken by the Strategic Development Planning Authority.

## **9. Consultation**

**9.1** The Strategic Development Planning Authority has consulted widely on the Main Issues Report document. Within the Council, the views of Economic Development, Roads and Transportation, Asset Management and Community Planning were sought during the preparation of this report.

## **10. Strategic Assessment**

**10.1** The Proposed Plan covers a wide range of topics and is considered to contribute to the Council's strategic priorities and in particular towards:

- Economic growth and employability.
- Local housing and sustainable infrastructure.

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 12 March 2015**

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<b>Person to Contact</b>	Alan Williamson, Team Leader – Forward Planning, Housing, Environmental and Economic Development Aurora House, 3 Aurora Avenue, Queens Quay, Clydebank, G81 1BF Email: <a href="mailto:alan.williamson@west-dunbarton.gov.uk">alan.williamson@west-dunbarton.gov.uk</a> 01419517498
<b>Appendices:</b>	Appendix 1 - West Dunbartonshire Council response to Clydeplan Main Issues Report
<b>Background Papers:</b>	Clydeplan Strategic Development Plan Main Issues Report
<b>Wards Affected:</b>	All

**Clydeplan Main Issues Report – Response from West Dunbartonshire Council**

**Vision**

The vision is supported. It accords and supports the National Planning Framework and contributes towards the Scottish Government's Strategic Objectives. It maintains a focus on regeneration, economic growth and sustainability.

**Spatial Development Strategy**

It is appropriate to maintain the Spatial Development Strategy that was set out in the first Strategic Development Plan. This was a long term strategy focussing on strategic regeneration, growth and environmental priorities and it is appropriate to continue with it.

**Strategic Economic Investment Locations**

West Dunbartonshire Council supports the continued identification of the 20 SEILs identified in the current SDP, including those within West Dunbartonshire – Clydebank Riverside and Lomondgate. Additionally, the Council supports the inclusion of the additional three SEILs suggested at Pacific Quay, South Glasgow University Hospital and Newhouse. This will allow for continued support for the Scottish Government's key economic sectors.

**Strategic Freight Hubs**

The preferred option to include a further three locations as additional Strategic Freight Hubs to the current list of Hubs is supported.

**The Visitor Economy**

Clydeplan should recognise the Forth and Clyde Canal and the River Clyde in support of the visitor economy. The Antonine Wall is the only cross-boundary World Heritage Site within the Clydeplan area. The Antonine Wall Management Plan for 2014-2019 seeks to sensitively promote greater visitors numbers to the line of the Wall and associated visitor attractions. It would be appropriate for Clydeplan to recognise this cross-boundary world heritage asset.



## **Network of Strategic Centres**

West Dunbartonshire Council supports the continued identification of the strategic centres identified in the current SDP, including those within West Dunbartonshire - Clydebank and Dumbarton.

Clydeplan needs to have a stronger town centre focus than the current SDP. The impact of large scale retail development is a cross-boundary issue, and it would be appropriate for Clydeplan to set a stronger framework to recognise this. Large scale retail development in one authority can cause operator displacement and disinvestment in another, creating the town centre regeneration priorities of the future. Whilst, the principle role of Glasgow City Centre in the network should continue to be recognised by Clydeplan, consideration of the impact of new retail development on other strategic centres should be a stronger component of the new Plan. The Plan should support the principles set out in SPP including the promotion of town centre first for significant footfall generators.

The Main Issues Report outlines the current position of Braehead as a town centre in the Renfrewshire Local Development Plan. It also acknowledges that a legal challenge has been lodged and that Clydeplan will reflect the outcome of the challenge as it relates to the status of Braehead. West Dunbartonshire Council supports Clydeplan's position to reflect the outcome of the challenge as it progresses.

## **Housing Need and Demand Scenario Options**

West Dunbartonshire Council supports the Sustained Growth scenario as the preferred option for Clydeplan. The implications of the three core scenarios included in the Main Issues Report, plus other background scenarios, were discussed in detail by the Housing Market Partnership as part of the Housing Need and Demand Assessment process. The eight authorities agreed the sustained growth scenario was the most appropriate scenario to support and reflect the steady economic recovery anticipated in the city region by Oxford Economics.

## **Housing Supply Targets**

The approach to setting Housing Supply targets should ensure all Clydeplan authorities consider the same factors and evidence in setting them, albeit with the flexibility to come to different conclusions. It should be recognised that the sum of the individual Housing Supply Targets could be higher or lower than the overall Adjusted Housing Estimates for the Glasgow and the Clyde Valley area.

## **Housing Supply Target Generosity**

Scottish Planning Policy states the level of generosity should relate to local circumstances. Because of the significant supply of regeneration opportunities across the GCV area, it is argued that the lowest level of 10% is appropriate in order to retain the focus on renewal and regeneration.

The rationale for providing generosity is to provide greater flexibility in terms of the effectiveness of the land supply and this seems most relevant for the private sector. However, difficulties could also occur in the delivery of particular sites for social rented or below market rent housing, and so generosity should be applied to that tenure at the same level, unless there is a strong justification to vary it. In terms of local authorities, again it would be simpler if the level of generosity was agreed and applied across all authorities. However, if a particular authority felt there were local circumstances which provided robust evidence to support a different level of generosity in their area then this should be examined.

## **Housing Land Requirement**

It is anticipated that the existing housing land supply should be sufficient to address future housing requirements across all tenures. The final position will be clear when the Housing Supply Targets are set and the level of generosity applied to get the final Housing Land Requirement.

## **Delivery of Housing**

The key role for Clydeplan is the identification of Housing Supply Targets and the Housing Land Requirements and ensuring that the projected effective housing land supply is robust.

## **Onshore Wind**

West Dunbartonshire Council supports the proposed approach to onshore wind infrastructure. The Council does, however, have some concerns over the mechanics of the intention to develop a spatial framework in line with SPP, whilst at the same time taking account of the landscape capacity study that has been prepared. The Council is of the view that the landscape capacity study is an important piece of work and should be appropriately integrated into the SDP policy approach. Given that the SPP spatial framework requirements do not include consideration of landscape sensitivities it is important that the SDP puts in place a framework to allow landscape to be fully assessed, alongside the spatial framework.

It is noted that paragraph 4.2.8 of the MIR indicates that the application of the landscape study will be a consideration for LDPs and Development Management. Whilst this is fully accepted, the Council is of the view that the

findings of the study should also inform the SDP itself, given that the study was carried out on a region-wide basis and presents a strategic view of the sensitivity and capacity of the landscape of the study area, including cross-boundary cumulative issues. This view is consistent with SPP, which requires that SDPs 'consider where there is strategic capacity for wind farms, considering cross-boundary constraints and opportunities'. It would seem therefore inappropriate, for the interpretation of the landscape study, an important document in identifying cross-boundary constraints and opportunities, to be left entirely to LDPs and Development Management.

With specific reference to West Dunbartonshire, it is noted that the Landscape Capacity Study draws attention to the special values of the Kilpatrick Hills, which alongside the Campsie Fells and Kilsyth Hills provide an important northern backdrop to the setting of the wider Clyde basin. The Capacity Study concludes that the hills are generally not suitable for large scale wind turbines and this is reflected in the MIR Background Report 9, Wind Energy Development in Glasgow and the Clyde Valley. The Council is of the view that conclusions such as this, which are of a strategic nature given the significant extent of the upland landscape they apply to, should be integrated into the SDP policy framework for onshore wind. Such strategic conclusions can then be further refined through the LDP process.

### **Green Network Priorities**

West Dunbartonshire Council supports the preferred option, which makes better use of new and updated data sources.

In specific relation to the West Dunbartonshire Green Network Opportunities, the Council supports redefined/renamed Green Network Opportunities, focussing now on Dumbarton, Bowling and Clydebank.

It is important that the SDP embraces the 'Integrating green infrastructure approach', as developed by the Glasgow and Clyde Valley Green Network Partnership. The SDP should make clear that to achieve a sustainable approach to development, the design approach must consider green infrastructure on the same level of importance as 'grey infrastructure' i.e. waste, water, energy and transport. This integrated approach is of particular importance in the Green Network Delivery Areas, where the inclusion of green infrastructure as a fundamental part of the design process will be crucial to creating sustainable places.

## **Strategic Transport Network**

West Dunbartonshire Council supports reference in the Plan to the City Deal projects, including the transport infrastructure associated with the development of the Exxon site in Bowling. The Council also notes the reference to Fastlink and remain supportive of it being extended to West Dunbartonshire. The Council has also identified enhancements to the Kilbowie Roundabout and approach roads as a strategic priority.

## **Cross City Connections**

West Dunbartonshire Council agrees that Clydeplan should give support to measures to deliver cross-city rail connections as set out in paragraph 4.4.7 of the Clydeplan MIR.

## **Public Transport Corridors**

Priority should be given to all public transport corridors.

## **Placemaking**

It is noted that placemaking is included as a key element within the proposed vision for Clydeplan, as set out in the MIR. This is fully supported by WDC and is considered to help put in place a greater emphasis on placemaking than is currently expressed in the SDP1 vision.

In order to further ensure that the SDP helps deliver successful places, it is suggested that the Plan makes explicit the need for the spatial priority projects identified through the spatial strategy, to fully embrace the 6 qualities of successful place. Given the scale and importance of the spatial priority projects, such as the Clyde Waterfront which includes significant brownfield redevelopment opportunity sites, it is essential that the strategic policy framework provided by the SDP sets an overarching objective of ensuring that when developed, these sites become successful, sustainable places. This would then set the standard, for more detailed sites-specific masterplans to take on board.

## **Climate Change Adaptation**

Clydeplan can firstly stress the equal importance of Climate Change Adaptation alongside Climate Change Mitigation by highlighting that change to some degree is going to happen. SUDs is frequently mentioned as a key scheme but consideration must also be given to mitigation methods of other forms of flooding such as tidal and fluvial that affect the wider Clydeplan area.