

Agenda



Planning Committee

Date: Wednesday, 15 November 2017

Time: 10.00

Venue: Council Chambers,
Clydebank Town Hall, Dumbarton Road, Clydebank

Contact: Craig Stewart, Committee Officer
Tel: 01389 737251, craig.stewart@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Jim Brown
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Diane Docherty (Vice Chair)
Councillor Douglas McAllister
Councillor Marie McNair
Councillor John Mooney
Councillor Lawrence O'Neill

All other Councillors for information

Date of Issue: 3 November 2017

PLANNING COMMITTEE

WEDNESDAY, 15 NOVEMBER 2017

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF PREVIOUS MEETING 5 - 14

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 4 October 2017.

4 NOTE OF VISITATIONS 15

Submit, for information, Note of Visitations carried out on 2 October 2017.

5 PLANNING APPLICATIONS

Submit reports by the Strategic Lead – Regulatory in respect of the following planning applications:-

- (a) DC17/205 – Erection of 2.5 storey dwellinghouse and installation of associated driveway and access (Without complying with Condition 9 of Permission DC14/096 requiring upgrading of a road to adoptable standard) at land adjacent to Stirling Road, Glenpath, Dumbarton by Mr Nazir.

To follow

Note: Members are asked to note that the above is an appeal against non-determination and, accordingly, the Committee is requested to agree the Council's position on the application.

- (b) DC17/171 – Use of site for car wash, car sales and tyre sales at 90-92 North Street, Alexandria by Hemen Mohamadi.

17 - 24

6 DIRECTION ISSUED BY THE SCOTTISH MINISTERS 25 – 28
IN RESPECT OF PLANNING APPLICATION (DC17/177)
FOR THE ERECTION OF AN OPENING BRIDGE OVER
RIVER CLYDE AT DOCK STREET, CLYDEBANK B
RENFREWSHIRE CITY DEAL TEAM

Submit report by the Strategic Lead – Regulatory informing of a Direction requiring a planning application to be referred to Scottish Ministers for determination.

7 PLANNING APPEAL DECISIONS: 29 - 32

- **ERECTION OF GARAGE AND FORMATION OF DRIVEWAY, 115 DALGLEISH AVENUE, DUNTOCHER (DC16/249)**
- **NON COMPLIANCE WITH CONDITION 3 OF PERMISSION DC16/079 (DELETION OF REQUIREMENT TO PROVIDE PEDESTRIAN CROSSING) AND FORMATION OF TWO DISABLED PARKING SPACES, UNIT 2 BLEASDALE COURT, 2 SOUTH AVENUE, CLYDEBANK BUSINESS PARK (DC16/227)**

Submit report by the Strategic Lead – Regulatory informing of the outcomes of two planning appeals.

8 CONSULTATION: REPORT FOR ERECTION OF RETAIL 33 – 40
DEVELOPMENT AT BRAEHEAD, RENFREWSHIRE

Submit report by the Strategic Lead – Regulatory requesting consideration of the Council's response to a consultation received from Renfrewshire Council regarding a planning application for retail development at Braehead retail Park.

9. ANTONINE WALL HERITAGE LOTTERY FUND PLAYPARK 41 - 43
TENDER

Submit report by the Strategic Lead – Regulatory seeking approval to issue a tender, under the Scotland Excel Framework, in relation to the design and build of 5 playparks within the Antonine Wall Heritage Lottery Fund area.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 4 October 2017 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Jim Brown, Gail Casey, Karen Conaghan, Diane Docherty, Marie McNair and Lawrence O'Neill.

Attending: Peter Hissett, Strategic Lead – Regulatory; Peter Barry, Strategic Lead – Housing & Employability; Pamela Clifford, Planning & Building Standards Manager; Antony McGuinness, Team Leader – Forward Planning; James Hall, Policy Planning Officer; Bernard Darroch, Lead Planning Officer; John Walker, Engineering Assistant; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

Apologies: Apologies were intimated on behalf of Councillors Jim Finn and Douglas McAllister.

Councillor Diane Docherty in the Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 6 September 2017 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 4 September 2017, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

Reports were submitted by the Strategic Lead – Regulatory in respect of the following planning applications:-

Continued Application:-

- (a) **DC17/156 – Change to roof pitch and height of bungalow at housing development site at Singer Street and Second Avenue, Clydebank by West Dunbartonshire Council (amendment to DC15/238).**

The Planning & Building Standards Manager advised the Committee that the two objections received in respect of this application had subsequently been withdrawn. After discussion and having heard the Planning & Building Standards Manager and Strategic Lead – Housing & Employability in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto; and
- (2) that authority be delegated to the Planning & Building Standards Manager to issue the decision providing no further representations were received within the neighbour notification period (expires 4 October 2017).

New Application:-

- (b) **DC17/129 – New bottling hall building including delivery, Storage and dispatch areas, and associated administration and support facilities, external barrel storage area, delivery roads and parking for HGVs, additional staff parking, landscaping and SUDS drainage scheme, at Kilmalid, Stirling Road, Dumbarton by Chivas Brothers Ltd.**

Reference was made to the site visit in respect of this application. After discussion and having heard the Planning & Building Standards Manager and Lead Planning Officer in further explanation of the report and in answer to Members' questions, the Committee agreed to Grant full planning permission; subject to the conditions set out in Section 9 of the report, with a number of minor amendments, as detailed within Appendix 2 hereto.

CONSERVATION AREA APPRAISALS FOR HIGH DALMUIR, KNOXLAND SQUARE AND LUSSET ROAD/MOUNT PLEASANT DRIVE, OLD KILPATRICK CONSERVATION AREAS

A report was submitted by the Strategic Lead – Regulatory advising of the preparation of Conservation Area Appraisals for High Dalmuir, Knoxland Square and Lusset Road/Mount Pleasant Drive, Old Kilpatrick Conservation Areas and seeking approval to undertake public consultation on the Conservation Area Appraisals. The Policy Planning Officer gave a presentation on the Conservation Area Appraisals.

After discussion and having heard the Planning & Building Standards Manager and the Policy Planning Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to note the preparation of the Conservation Area Appraisals and the recommended changes to the Conservation Area boundaries as detailed in Section 4.3 and Appendix 2 of the report; and
- (2) that the Conservation Area Appraisals and the proposed boundary changes be published for public consultation, with the consultation period being extended from 8 weeks to 12 weeks.

The meeting closed at 10.50 a.m.

DRAFT

PLANNING COMMITTEE

NOTE OF VISITATION – 4 SEPTEMBER 2017

Present: Bailie Denis Agnew and Councillors Jim Brown, Diane Docherty, Jim Finn and Marie McNair.

Attending: Keith Bathgate, Development Management Team Leader.

Apologies: Provost William Hendrie and Councillors Jim Bolla, Gail Casey, Karen Conaghan, Ian Dickson, David McBride and Brian Walker.

SITE VISIT

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

DC17/156 – Change to roof pitch and height of bungalow at housing development site at Singer Street and Second Avenue, Clydebank by West Dunbartonshire Council (amendment to DC15/238).

DC17/156 – Change to roof pitch and height of bungalow at housing development site at Singer Street and Second Avenue, Clydebank by West Dunbartonshire Council (amendment to DC15/238).

Permission GRANTED subject to the following conditions:-

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site, including retaining walls, shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
3. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
4. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design and thereafter implemented as approved.
5. The development shall be constructed in accordance with the proposed ground levels as shown on drawing number(s) J3366-32 Rev E . Any alterations to these levels shall be agreed in writing with the Planning Authority.
6. A landscaping scheme for the amenity open space and boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
7. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Monday to Fridays: 0800-1800

Saturdays: 0800-1300

Sundays and public holidays: No working

8. Unless otherwise approved in writing, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
9. Prior to the occupation of any house within this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splays and all turning heads.
10. Prior to the occupation of the last dwelling house in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard.
11. Prior to the occupation of the development hereby approved the car parking spaces shown on the approved drawings P(--)201 Rev G/01 shall be constructed, surfaced and delineated on the site.
12. No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The scheme shall be implemented as approved.
13. Within one month of the date of this consent, full details of the proposed green roof and its future maintenance shall be submitted for the further approval of the Planning Authority, and implemented as approved.

DC17/129 – New bottling hall building including delivery, Storage and dispatch areas, and associated administration and support facilities, external barrel storage area, delivery roads and parking for HGVs, additional staff parking, landscaping and SUDS drainage scheme, at Kilmalid, Stirling Road, Dumbarton by Chivas Brothers Ltd.

Permission GRANTED subject to the following conditions:-

1. No development shall commence (unless otherwise agreed in writing with the Planning Authority) until such time as a scheme of landscape, ecological and habitat enhancements for all open space areas within the application boundary has been submitted to and approved in writing by the Planning Authority. The information submitted for approval shall include details of a timescale for the implementation of these works. Such enhancements shall include:

- Landscape enhancements including replacement tree planting within around the new northern access road, so as to minimise its impact upon the setting of Strathleven House and the associated designed landscape;
- Removal of invasive non-native plant species;
- Planting of the new SUDS basin, compensatory flood storage area and other areas of disturbed ground with a mix of native species;
- Planting along outside of new fenceline with native fruitbearing species which would benefit birds and bats;
- Retention of mature dense scrub areas which are not affected by the works, and leave at least 10m from river edge completely undisturbed;
- Scrub which requires to be removed to be formed and staked in place as “habitat piles” suitable for amphibians, small mammals, birds and insects; and
- Provision of bird nesting boxes and bat boxes at suitable locations throughout the site;

The approved scheme shall thereafter be implemented in accordance with the agreed timescales.

2. No trees other than those specifically marked for removal on the approved plans shall be lopped, topped, felled, lifted, removed or otherwise disturbed without prior written approval of the Planning Authority. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be maintained throughout construction works.
3. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds, and the presence of any bats shall be reported to the Planning Authority prior to any works affecting them taking place.
4. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site (unless otherwise agreed in writing with the Planning Authority) and shall be implemented prior to the occupation of the new building.
5. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant and approved by the Planning Authority prior to commencement of the watching

brief. The name of the archaeological organisation retained shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences on site.

6. No part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted to and approved in writing by the Planning Authority (in consultation with the Roads Authority and Transport Scotland). In particular, this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. Any agreed actions and measures shall be implemented at the same time of the occupation of the building.
7. Prior to the commencement of development on site (unless otherwise agreed in writing with the Planning Authority) the following details shall be submitted to and approved by the Planning Authority in consultation with the Roads Authority:
 - details of the location and surfacing of the proposed construction haulage road;
 - details of the measures to be taken to ensure that mud and other deleterious material from construction traffic is not deposited on the public road;
 - details of the location of a bus drop-off/pick-up facility for the proposed employee transport bus; and
 - details of the proposed provision of facilities to encourage cycling to work.

The development shall thereafter be implemented in accordance with the approved details.

8. The bottling hall shall not be brought into use until such time as the additional car parking spaces hereby approved have been constructed, delineated and made available for use.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order, no buildings, land raising, structures or hardstanding (other than those approved as part of this permission) shall be erected on any part of the site lying within the 200 year floodplain, without a specific grant of planning permission.
10. No development (other than investigative works) shall commence on the site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - (a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site);

- (b) An assessment of the potential risks (where applicable) to:
- human health;
 - property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - groundwater and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments
- (c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
11. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition 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.
12. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
13. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
14. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with

the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.

15. Prior to the commencement of development on site (unless otherwise agreed in writing with the Planning Authority), details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved in writing by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details prior to development.
16. The development shall be drained in accordance with the details set out in the approved drainage strategy, unless otherwise approved in writing by the Planning Authority.
17. The discharge channel for the SUDS pond shall not be formed until such time as details of a crossing point for the informal footpath along the River Leven have been submitted to and approved in writing by the Planning Authority. The discharge channel and footpath crossing point shall thereafter be constructed as approved.
18. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved prior to the new building becoming operational.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 2 OCTOBER 2017

- Present:** Bailie Denis Agnew and Councillors Karen Conaghan, Diane Docherty and Marie McNair.
- Attending:** Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Development Management Team Leader and Bernard Darroch, Lead Planning Officer.
- Apologies:** Councillors Jim Bollan, Ian Dickson, Caroline McAllister, David McBride, Lawrence O'Neill and Brian Walker.

SITE VISITS

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

- (1) DC17/156 – Change to roof pitch and height of bungalow at housing development site at Singer Street and Second Avenue, Clydebank by West Dunbartonshire Council (amendment to DC15/238).
- (2) DC17/129 – New bottling hall building including delivery, Storage and dispatch areas, and associated administration and support facilities, external barrel storage area, delivery roads and parking for HGVs, additional staff parking, landscaping and SUDS drainage scheme, at Kilmalid, Stirling Road, Dumbarton by Chivas Brothers Ltd.

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 15 November 2017

**DC17/112: Use of site for car wash, car sales and tyre sales at 90-92
North Street, Alexandria by Hemen Mohamadi**

1. REASON FOR REPORT

- 1.1** This report relates to an application which is subject to a significant body of objection. Under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** This application relates to a vacant yard located on North Street, Alexandria. The site extends to 0.35 hectares and is bounded by North Street, Lennox Street, Alexander Street and to the east is the Balloch to Glasgow railway line. The site is enclosed by a mixture of fencing and walls which are approximately 1.8 – 2m in height. In the south eastern part of the site, there is one building, with the remainder of the yard being uncovered. The site has been vacant since 2012 when it was last used by a resurfacing and civil engineering company.
- 3.2** Planning permission is sought to bring the yard back into use for car wash, car sales and tyre sales/fitting purposes. There would be no significant physical alterations to the yard. Within the yard, a car sales, car wash, valeting and customer parking areas are proposed. The applicant indicates that the predominant use on site would be as a car wash and valet business with the car/tyre sales being ancillary uses. The plans indicate that there would be space for the display of approximately 20 vehicles for sale. There would also be separate customer parking areas relating to car sales and the car wash. The existing building would be retained and used as an office and customer waiting area for all aspects of the business. The existing access on North Street would also be retained. Initially, the business would create four full time jobs with scope for the creation of an additional four posts depending on the success of the business. The applicant has agreed that the business hours would be as follows:

Car Sales:	7 days per week	9am – 6pm
Car Wash/Valet:	Monday to Saturday	9am – 6pm

4. CONSULTATIONS

- 4.1** Network Rail has no objection to the proposal subject to conditions relating to fencing and drainage.
- 4.2** The Health & Safety Executive have no objection to the proposal.
- 4.3** West Dunbartonshire Council Estates Section have no objection in principle to the proposed use although as the site is owned by the Council, they would not be intending to permit tyre sales on site as part of the lease agreement due to other similar businesses operating from nearby Council units.
- 4.4** West Dunbartonshire Council Roads Service has no objection to the proposal and recommends that there should be single access/egress onto North Street.
- 4.5** West Dunbartonshire Council Environmental Health has no objection to the proposal subject to conditions relating to lighting, noise, construction/operating hours, contaminated land and drainage.

5. REPRESENTATIONS

- 5.1** Three representations and a petition containing 31 signatures have been submitted, which object to the proposals. The petition has been submitted by the Central Alexandria Tenants and Residents Association and the grounds of objection are summarised as follows:
- There is already an abundance of similar businesses nearby and this proposal would result in an oversupply;
 - The proposed use is not compatible with nearby housing;
 - It will not result in the creation of high value jobs and is not associated with green technology;
 - It would not benefit the local economy and would compete with existing businesses;
 - It would detract from the environment, character and residential amenity of the surrounding area and not enhance a route which leads to the River Leven;
 - The site would be better used as a green space, allotment, cultural facility and/or environmental facility;
 - Additional traffic will lead to congestion;
 - It would result in noise, land, water and air pollution, affecting the health and wellbeing of residents;
 - The neighbour notification which was undertaken was misleading as it referred to the site address and did not refer to the site by its informal name;
 - The site is overgrown and the perimeter wall in a poor condition; and
 - The land use designation in the local plan should be revised.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site is located within Alexandria and under policy GD2 it is identified as a redevelopment opportunity with potential for industrial, business or residential uses. Proposals for development on this site should be compatible with the designated uses and surrounding land uses. The proposal would be a business use and there are already similar uses in the nearby vicinity. The proposal therefore complies with policy GD2.
- 6.2** Policies F2 and GD1 require all developments to ensure that there are suitable drainage measures in place and that any contaminated land issues are suitably addressed. These issues are discussed further in Section 7 below and it is considered that this is an acceptable form of use at this location.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.2** The site is located within an existing industrial and business area and policy GE2 states that development of appropriate uses within this area will be supported. Policy DS6 requires developments to include adequate drainage whilst policy DS7 requires any site contamination to be addressed. As discussed below, it is considered that the proposal would comply with these requirements.
- Principle of Development
- 7.3** The site was historically been used for various industrial and business purposes over an extended period, although it has been vacant for over 5 years. The proposed use is similar to other nearby uses which include a number of car garages and associated uses such as tyre sales, car sales and a car wash. The use of the site as a car wash with ancillary car sales is therefore considered to be an appropriate form of development at this location and will contribute to the local economy.

Visual Impact and Residential Amenity

7.4 In the five years that the site has been vacant there has been no maintenance undertaken. The existing boundary walls are still in place along with some temporary fencing. Bringing the site back into use will allow improvements to be made to its appearance and reduce any negative impacts associated with the current condition of the vacant site. The site is derelict and overgrown in parts and any use will result in site clearance and maintenance work being undertaken. In particular, there is an opportunity to improve the site entrance by replacing the temporary fencing and undertaking landscaping.

7.5 Due to the site's longstanding industrial use there are currently no restrictions on hours of operation. The previous use of the site was by a fencing contractor who undertook emergency repairs for Network Rail and other clients, and there were a number of noise complaints from local residents associated with activity and vehicle movements during the night. The current proposal seeks to minimise any disturbances by restricting operating hours from 9am – 6pm and not operating the car wash on Sundays. This will reduce any potential noise disturbance to surrounding residential properties, ensuring appropriate business hours are kept and help maintain the residential amenity of the area. The site also has a similar relationship to residential properties as other businesses on North Street which operate without causing any unacceptable noise or disturbance.

Road, Traffic Issues and Drainage

7.6 The nature of the use as a car wash will attract additional vehicles to the site and increase traffic on North Street and other nearby roads. However, any potential increase is unlikely to be significant and would not result in unacceptable congestion occurring or other traffic issues. The single access to the site on North Street will be retained and the Council's Roads Service are satisfied with both the access arrangements and the internal layout, including parking provision.

7.7 It is proposed to install new drainage around the car wash/valet area and a condition is proposed to ensure that suitable details are submitted which include sustainable urban drainage measures. A further condition is also recommended to ensure that any potential or unexpected contaminated land on site is addressed as part of the development.

Other Issues Raised by Objectors

7.8 The proposals will bring the site back into use creating an opportunity for improving the amenity of the site and surrounding area. Although it has been suggested that the site could be used as green space to improve the environment of the surrounding area, the site is designated for industrial/business use in both the adopted and proposed local plans and this application requires to be considered on its own merits. Allowing the site to remain vacant for a further period of time is more likely to have a more detrimental impact on the amenity of the surrounding area since it will fall further into disrepair and become overgrown.

8. CONCLUSION

- 8.1** The introduction of a new business to the local area represents an opportunity to enhance the site and contribute to the local area. The proposal is an acceptable use at this location and is similar to other nearby uses and their relationship to residential properties. The agreement of appropriate operating hours will prevent the site being used without any restrictions thus reducing the impact of the use on adjacent residential properties.

9. CONDITIONS

- 01. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented as approved.**
- 02. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site, shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved. These details shall include the new fencing at the site entrance and any repairs or alterations to the existing boundary wall.**
- 03. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 04. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design and shall thereafter be implemented as approved.**
- 05. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the use is operational. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.**
- 06. The permitted operating hours of the business on site are:**

Car/Tyre Sales:	7 days per week	9am – 6pm
Car Wash/Valet:	Monday to Saturday	9am – 6pm

07. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- | | |
|------------------------------|------------|
| Monday to Fridays: | 0800-1800 |
| Saturdays: | 0800-1300 |
| Sundays and public holidays: | No working |
08. Exact details and specifications of all proposed lighting to be installed on site shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and thereafter shall be implemented as approved.
09. Prior to the commencement of works, full details of the site access shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved prior to the use being operational.
10. 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, and work on the site shall cease. At this stage, if requested, a comprehensive contaminated land investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The scheme shall be implemented as approved.
11. Prior to the commencement of development on site, a 1.8m high trespass-proof fence shall be erected adjacent to Network Rail's boundary along the eastern edge of the site. Details of the fence shall be submitted for the written approval of the Planning Authority. Thereafter the fencing shall be erected in accordance with the approved details prior to the use commencing on site.
12. Prior to the use commencing on site, the parking shown on the approved plans shall be completed and available for use. Thereafter the parking shown on the approved plans shall be retained and made available for use at all times.

Peter Hessett
Strategic Lead - Regulatory
Date: 1st November 2017

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Aurora House, 3 Aurora Avenue, Queens Quay,
Clydebank, G81 1BF.

Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

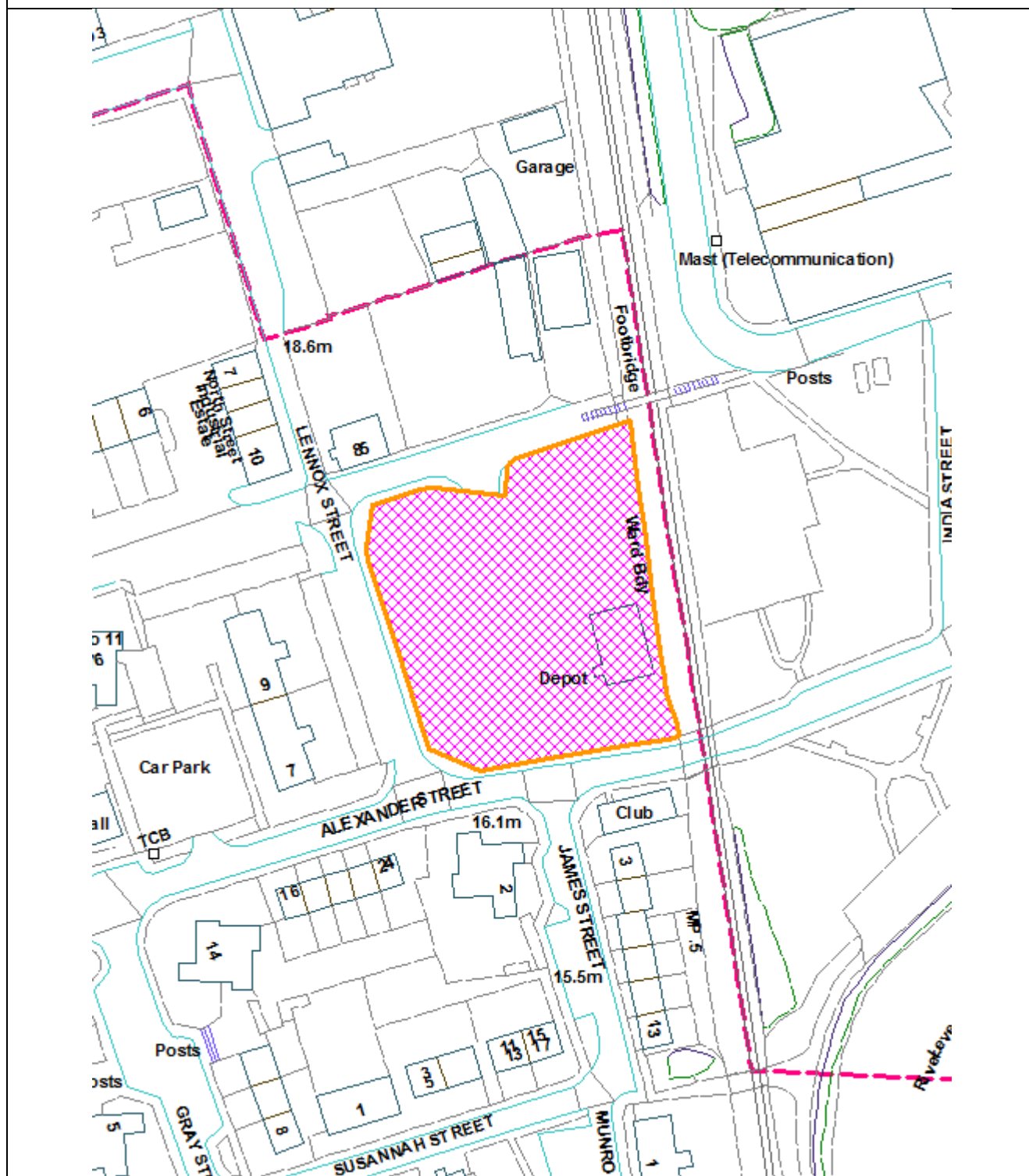
1. Application Forms and Plans
2. Representations
3. West Dunbartonshire Local Plan 2010
4. West Dunbartonshire Local Development Plan 2016

Wards affected: Ward 2 (Leven)

DC17/112

Use of site for car wash,
car sales and tyre sales

90 - 92 North Street
Alexandria
G83 0EB



WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 15 November 2017

Subject: Direction issued by the Scottish Ministers in respect of planning application (DC17/177) for the Erection of an Opening Bridge over River Clyde at Dock Street, Clydebank by Renfrewshire City Deal Team

1. Purpose

- 1.1** To inform the Committee of a Direction requiring a planning application to be referred to Scottish Ministers for determination.

2. Recommendation

- 2.1** That the Committee notes the contents of the report.

3. Background

- 3.1** A planning application was submitted for the erection of an opening bridge over the River Clyde on 5 July 2017 (Ref. DC17/177). The application site straddles three local authority boundaries (Glasgow City Council, Renfrewshire Council and West Dunbartonshire Council) and extends over the river to beyond its north and south banks. As a result three identical separate planning applications have been submitted to the three respective Councils. The proposal is part of the Glasgow and Clyde Valley City Deal Infrastructure Fund and seeks to construct 2km of new road carriageway (including a new opening bridge over the River Clyde), 0.8km of upgraded carriageway, 3.2km of new shared footway/ cycleway and 0.5km of new cycle links. The works within West Dunbartonshire include the landing of the bridge at Dock Street with associated upgrading and widening of Dock Street, a plant building off Dock Street, junction improvements on Glasgow Road, formation of new shared footway/cycle way to Yoker railway station and a new layby berth at Rothesay Dock.

4. Main Issues

- 4.1** Under Section 46 of the Town and Country Planning (Scotland) Act 1997 (as amended) Scottish Ministers may give directions requiring planning applications to be referred to them instead of being dealt with by planning authorities. A Direction has been issued by Scottish Ministers on 6 October 2017 requiring the above application (DC17/177) to be called in for determination by them. The Scottish Ministers have indicated that the Clyde Waterfront and Renfrew Riverside Project is a core component of the Glasgow City Region Deal and the Direction was issued in view of the proposals significance for the City Region Deal, which is highlighted in NPF3

as important in terms of employment and economic development. The Direction may be cited as the Town and Country Planning (DC17/177) (West Dunbartonshire Council) (Planning permission for the erection of opening bridge over the River Clyde, with new access road, upgrading and widening of Dock Street, junction improvements on Glasgow Road and formation of new shared footway/cycle way to Yoker railway station at Dock Street, Clydebank) Direction 2017.

A similar Direction has been issued in respect of the identical planning applications submitted to Glasgow City Council and Renfrewshire Council.

- 4.2** The Direction requires the application documentation including all consultation responses and representations to be submitted to the Directorate for Planning and Environmental Appeals (DPEA) for an examination by a reporter of all the evidence submitted. Notice has also been served by this Council on the applicant and those who have made representations, informing them that the application has been called-in by the Scottish Ministers.
- 4.3** At this stage a Reporter has not been appointed and the Reporter will subsequently determine the method of determination –written submissions, hearing or public inquiry. The Council is not required at this stage to give a view on the proposal. Once a Reporter has been appointed and the method of determination has been determined the views of the Council will be sought with a report being presented to a future Planning Committee.

5. People Implications

- 5.1** There are no people implications at this stage.

6. Financial Implications

- 6.1** There are no financial implications at this stage.

7. Risk Analysis

- 7.1** No risks have been identified at this stage.

8. Equalities Impact Assessment (EqIA)

- 8.1** An EIA is not required.

9. Consultation

- 9.1** No consultation is required.

10. Strategic Assessment

- 10.1** There are no strategic issues.

Peter Hessett
Strategic Lead Regulatory
Date: 26 October 2017

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Aurora House, 3 Aurora Avenue, Clydebank, G81 1BF.
0141 951 7938
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendices: none

Background Papers: 1. Letter and Direction from Scottish Ministers dated 6
October 2017

Wards Affected: Ward 6 (Waterfront)

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 15 November 2017

Subject: Planning Appeal Decisions:

- **Erection of garage and formation of driveway, 115 Dalgleish Avenue, Duntocher (DC16/249)**
- **Non Compliance with Condition 3 of permission DC16/079 (deletion of requirement to provide pedestrian crossing) and formation of two disabled parking spaces, Unit 2 Bleasdale Court, 2 South Avenue, Clydebank Business Park (DC16/227)**

1. Purpose

- 1.1** To inform the Committee of the outcomes of two planning appeals.

2. Recommendations

- 2.1** That the Committee notes the outcomes of these appeals and agrees to the issuing of a Breach of Condition Notice in terms of the non compliance with condition 3 of permission DC 16/079.

3. Background

115 Dalgleish Avenue (DC16/249)

- 3.1** An application for planning permission for the erection of a garage and formation of driveway at a '4-in-a-block' flat was refused by the Planning Committee on 31 May 2017 due to concerns that the formation of the driveway would result in a loss of amenity for neighbouring residents as it would exacerbate the existing parking problems in the street by resulting in a loss of on-street spaces available to all residents. The applicant owns a number of vehicles including taxis, and already had access to an existing triple-width driveway, and the Committee was concerned that the provision of another driveway would further reduce the opportunity for neighbouring residents to park on the street. An appeal against the refusal was determined by a Reporter from the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) by written submissions.

Unit 2 Bleasdale Court (DC16/227)

- 3.3** An application to change the use of an industrial unit to a children's soft play centre was approved by the Planning Committee on 4th July 2016 (DC16/079), subject to a condition requiring the applicant to provide an appropriate pedestrian crossing between the application site and an "overflow" car park on the opposite side of South Avenue. However the applicant was unable to reach agreement with a third party landowner whose land would be affected by the crossing, and additional parking spaces were formed in front of the play centre unit. The applicant therefore applied to

delete the requirement for a pedestrian crossing (i.e. condition 3 of the original permission), but the application was refused by the Planning Committee in May 2016 due to concerns about pedestrian safety. An appeal against the refusal was determined by a Reporter from the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) by written submissions.

4. Main Issues

115 Dalglish Avenue (DC16/249)

4.1 The Reporter noted that Dalglish Avenue is narrow, and that not only is parking only possible on one side of the street it is also impossible for cars to pass each other on the remaining carriageway. The Council's decision implied that the amenity of this residential area is characterised by the availability of on-street parking spaces and that the proposals would reduce the available spaces to such an extent as to affect the amenity of the area. However, the Council's Roads Service had supported the additional off-street spaces as it would reduce the demand for on-street spaces.

4.2 The Reporter was not persuaded that the loss of on-street parking spaces would be unacceptable because these would be replaced by off-street spaces and although the use of these would be limited to the applicant the likelihood is that these vehicles would otherwise be parked on the road. He further considered that the loss of on-street parking spaces for general use would also be off-set by the provision of an informal passing place which offers a benefit to other road users. Whilst noting the concerns of an objector that the proposal may prevent the formation of disabled parking bays should these become necessary, he did not consider this to outweigh the fact that the proposal complied with development plan policies and the requirements of the Roads Service.

4.3 Accordingly, the Reporter allowed the appeal and granted planning permission. However, he agreed with the Council's concern that the development should not be used in order to intensify the taxi operations at the site, and the permission was granted subject to conditions which limited commercial use of the garage/driveway as well as covering various technical matters.

Unit 2 Bleasdale Court (DC16/227)

4.4 The Reporter noted that the Council's reasoning for imposing Condition 3 on decision DC16/079 was that the car parking area at the front of the unit was deficient relative to the required parking standards, and that although the applicant had indicated an agreement with the owners of the car park to the east of South Avenue there was not currently an appropriate pedestrian route between that location and the application premises. He therefore considered that the determining issues in the appeal were:

- the adequacy of car parking provision at the unit; and

- pedestrian movement to and from the children's soft play centre and parking areas

- 4.5** In relation to the adequacy of car parking provision, the Reporter noted that the Council's parking standard requires 14 spaces, albeit that at certain times demand for parking may exceed this number. At the time of application DC16/079 the appellant had indicated that 12 existing spaces were available, but he had not provided a plan showing the delineation of these, and had failed to comply with Condition 2 of permission DC16/079 which required the submission of such a plan. However, during the course of the appeal the appellant confirmed to the Reporter that of these 12 spaces only 5 were in fact wholly dedicated to the application property and the other 7 were part of a communal parking area. Although the appellant had since provided a further 2 disabled parking spaces at the site (approved retrospectively under permission DC16/269), the Reporter considered that the appeal property has only 7 effective parking spaces, and therefore there is a shortfall of 7 spaces based on the parking standard of 14 spaces.
- 4.6** In terms of pedestrian movement, the Reporter considered that there was adequate pedestrian access to the site from Kilbowie Road by way of existing footpaths, but there is not a clear route to the 'overflow' car park. The appellant had suggested that the level of traffic on South Avenue did not justify provision of a formal pedestrian crossing, and the Reporter agreed that a controlled crossing would not be needed, but he considered that a more modest form of crossing such as a zebra crossing or a pedestrian island would be appropriate in the circumstances. Condition 3 does not specify the design of crossing to be used, and the Reporter considered it to be reasonable.
- 4.7** The Reporter therefore concluded that the condition was necessary in order to facilitate pedestrian access to the wider parking area, due to the dedicated parking at the site being insufficient to meet parking standards or peak demand. Whilst noting that the condition would require the completion of works not wholly within the control of the appellant, the Reporter considered that it was reasonable to employ a 'Grampian condition' in these circumstances. (A Grampian condition provides that the development will not commence until a specified result has been achieved, which need not necessarily be wholly within the applicant's control). Accordingly, he dismissed the appeal and refused planning permission.
- 4.8** As a result of the outcome of the appeal decision the Council will now issue a Breach of Condition Notice requiring the applicant to comply with the terms of the above condition.

5. People Implications

- 5.1** The issuing of a Breach of Condition Notice can be accommodated within existing Planning resources.

6. Financial Implications

6.1 The appeals were not subject to any claims for costs.

7. Risk Analysis

7.1 No risks have been identified.

8. Equalities Impact Assessment (EqIA)

8.1 An EqIA is not required.

9. Consultation

9.1 No consultation is required.

10. Strategic Assessment

10.1 There are no strategic issues.

Peter Hessett
Strategic Lead Regulatory
Date: 1st November 2017

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Aurora House, 3 Aurora Avenue, Clydebank, G81 1BF.
0141 951 7938
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendices: None.

Background Papers: 1. Appeal decision DC16/249
2. Appeal decision DC16/227

Wards Affected: Ward 4 (Kilpatrick)
Ward 6 (Clydebank Waterfront)

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 15 November 2017

Subject: Consultation: Proposal for erection of retail development at Braehead, Renfrewshire

1. Reason for report

- 1.1** To agree the Council's response to a consultation received from Renfrewshire Council regarding a planning application for retail development at Braehead Retail Park.

2. Recommendations

- 2.1** It is recommended that the Committee agree that this Council object to this planning application and submit Appendix 1 of this report as the Council's representation.

3. Background

- 3.1** On 13 October 2017, Renfrewshire Council consulted with West Dunbartonshire Council in respect of a planning application (17/0666/PP) submitted to it by Braehead Glasgow Ltd for *the Erection of (non-food) retail development comprising three units, sprinkler tank, sub-station and pump room, with associated parking, access, landscaping and public realm* at Kings Inch Drive / King's Inch Road (Braehead), Renfrew.

4. Main issues

- 4.1** The application site is within the Braehead Retail Park, on land predominantly in use as surface level car parking. The Braehead Retail Park contains retailers selling electrical goods and home goods such as Curry's/PC World, Next, Laura Ashley although it also contains a McDonald's restaurant and a Sainsbury's superstore. Vehicular access would be taken from the existing access roundabouts on Kings Inch Drive and through the existing car park.
- 4.2** The detailed planning application for Braehead Retail Park proposes the following:
- The erection of three retail units with 4,470sq.m of internal floorspace;
 - Unrestricted comparison (non-food) retail use, without the restrictive condition presently in force across most of the existing units at Braehead Retail Park.
- 4.3** Condition 5 of Planning Permission 99/02668/DC, which related to Planning Consent granted by Glasgow City Council on 2nd March 2000 for *"the erection*

of mixed development comprising shopping centre, leisure, high tech park, riverside park and associated car parking and landscaping” at Braehead Retail Park, restricted the retail warehouses to “the sale of Do-It-Yourself, furniture, carpets, electrical, gardening goods and accessories to the satisfaction of the Planning Authority”.

- 4.4** The units have also been designed to enable the installation of mezzanine floors, should the end occupiers require additional floor space. Installation of the mezzanine floors would lead to an increase in the floor space of the 3 units, which could potentially double the size of the floor space beyond the 4,700 sq.m proposed within the planning application of non-food goods. However, the potential mezzanine floors have not been included within the planning application as the applicant has advised that the size and number of any mezzanines is not available at this stage.
- 4.5** The applicant considers that the installation of mezzanines can be brought forward without requiring planning permission, primarily due to the fact that the sequential assessment undertaken, as part of the planning application, tested a scenario which included the proposed mezzanine floors within the units. The applicant considers that this assessment provides a robust appraisal of the impact of the mezzanine levels in relation to the sequential test. However, it is for Renfrewshire Council to determine if the applicant would require future planning permission for the mezzanine floor levels.
- 4.6** There is currently 36,000 sq.m net comparison goods floorspace (approx.) within the Retail Park, including the Sainsbury’s superstore (a figure which excludes the shopping centre). The current proposals for 3 retail units would increase the retail floor space within the retail park by 13% based on the 4,700 sq.m. This percentage does not include the additional capacity of the mezzanine floors.
- 4.7** This Council’s concerns are principally to the proposed additional unrestricted retail floor space and are set out in Appendix 1 of the report. The key points are:
- In applying the sequential approach, it is not accepted that there are no locations which could accommodate the proposal in part;
 - That the proposal for additional retail floorspace is not supported by Clydeplan and does not meet Policy 4 and the criteria within Diagram 10 of the Plan by way of the proposal’s impact on the wider network of Strategic Centres including Clydebank and Dumbarton; and
 - The retail impact of the expanded Braehead Retail Park on the vitality and viability of West Dunbartonshire’s town centres is not acceptable.
- 4.8** If Renfrewshire Council approve the Braehead application, it would have to be referred to the Scottish Ministers owing to an objection from a neighbouring authority.
- 4.9** Should Renfrewshire Council continue to restrict the proposed retail units to ‘bulky goods’ as defined in condition 5 of Planning Permission 99/02668/DC

then there is unlikely to be an adverse impact on the vitality and viability of Clydebank and Dumbarton town centres and it is recommended that this Council would, at that point, withdraw its objection to the planning application.

5. People Implications

5.1 None.

6. Financial Implications

6.1 None.

7. Risk Analysis

7.1 None.

8. Equalities Impact Assessment (EIA)

8.1 It is not considered that the report or recommendations raise any equalities issues.

9. Strategic Environmental Assessment

9.1 Not applicable.

10. Consultation

10.1 Not applicable.

11. Strategic Assessment

11.1 It is considered that the Council priority of improving economic growth and employability is threatened by the proposals to increase retail floorspace at Braehead Retail Park. This would result in a loss of expenditure and investment in West Dunbartonshire, reducing economic growth.

Peter Hisset
Strategic Lead - Regulatory
Date: 2nd November 2017

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
email: pamela.clifford@west-dunbarton.gov.uk
0141 951 7938

Antony McGuinness, Team Leader – Forward Planning,
email: antony.mcguinness@west-dunbarton.gov.uk
0141 951 7948

Appendices: 1) West Dunbartonshire Council response to planning application 17/0666/PP to Renfrewshire Council for retail development at Braehead, Renfrew

Background Papers: None

Wards Affected: All

Appendix 1

West Dunbartonshire Council response to Renfrewshire Council planning application 17/0666/PP for retail development at Braehead, Renfrew

West Dunbartonshire Council objects to planning application 17/0666/PP.

Scottish Planning Policy and Sequential Assessment

Scottish Planning Policy (SPP) requires the application of the town centre first principle and a sequential approach to be undertaken when planning for uses which generate significant footfall, including retail and commercial leisure uses, with town centres a preferred location to commercial centres.

Although Braehead is identified as a commercial centre in Clydeplan, that designation does not include the Retail Park. Braehead Retail Park is identified as a commercial centre within the Renfrewshire Local Development Plan (2014). It is therefore considered to be a less preferred location for new retail development than designated town centres.

The Planning and Retail Statement only considers towns within Renfrewshire in terms of its assessment of the proposals impact on the Network of Centres. It does not include an assessment on the vitality and viability of Clydebank and Dumbarton Town Centres within the Planning and Retail Statement which this proposal could have an adverse impact on.

The submitted Planning and Retail Statement, does, as part of the sequential assessment, consider sites within Clydebank and Dumbarton. The sites considered within Clydebank included the Playdrome Site, Kilbowie Retail Park, Roseberry Place, Queens Quay and several other sites. The sites considered within Dumbarton included Land north of Castle Street, Land at St James Retail Park, Reconfiguration/redevelopment of units within the Artizan Centre and several other sites.

The reasons for discounting some of the sites within Clydebank and Dumbarton are agreed; however, the Council does not agree with the reasons given for the Playdrome site, Clydebank and Castle Street, Dumbarton, which are considered to be within more sustainably accessible locations than Braehead Retail Park. These sites are also considered to be sequentially preferable to Braehead Retail Park, which is predominantly accessed by the private car.

However, the sequential assessment did not consider the large vacant BHS store or Dunnes Store within the Clydebank Shopping centre, which could have accommodated this proposed retail development. The sequential assessment is therefore is not comprehensive and should have included these units within its assessment to fully accord with the requirements of Clydeplan and SPP.

In summary, it is not agreed that there are no locations which could accommodate the development within West Dunbartonshire.

Clydeplan and impact on the Network of Strategic Centres

The Clyde Waterfront, which Braehead Retail Park forms part of, is identified as a key component of the Clydeplan's Spatial Development Strategy. Diagram 2 of the Plan sets out the forms of development in line with the strategy. Retail is not listed.

The West Dunbartonshire town centres of Clydebank and Dumbarton are recognised as part of the Network with challenges including retail offer (Clydebank) and retail offer and town centre vacancies (Dumbarton). It is contended that additional unrestricted retail floor space at Braehead Retail Park does not accord with the challenges set out for that centre in Clydeplan, but exacerbates the challenges identified for Clydebank and Dumbarton town centres.

Clydeplan, within Schedule 14, considers retail developments above 2,500 sqm to be significant and are likely to impact on the Vision and Spatial Strategy of the Plan where the development site is outwith the Strategic Network of Centres. The Braehead Strategic Centre does not include the Retail Park; therefore, the application requires to be assessed against Policy 4 and Diagram 10 of the plan.

Policy 4 of Clydeplan does not preclude development being located outwith the Network of Strategic Centres as long as the sequential approach within SPP is followed and that there is no detrimental impact on the network and town centres in terms of their role and function. The Proposal does not consider Clydebank and Dumbarton, which are within the Network of Strategic Centres, and the impact of further units at Braehead on the town centre's role and function. Furthermore, as detailed above, there are sites within Clydebank and Dumbarton which are sequentially preferable in terms of SPP and more sustainable, in terms of multi-modal transport, than Braehead Retail Park

Therefore, since the proposal has not undertaken an assessment on Clydebank and Dumbarton Town Centre's, as required by Policy 4 of Clydeplan, the proposal is considered to be contrary to this policy, as it will adversely impact on the vitality and viability of Clydebank and Dumbarton Town Centres and does not accord with the sequential test within SPP and Clydeplan.

Where a proposal is considered to be a departure from Clydeplan, it requires to be assessed against the criteria within Diagram 10 of the plan. The proposal has the potential to affect retail jobs within Clydebank and Dumbarton Town Centres and therefore, it is the Councils contention that the proposal fails to meet the third criteria which relates to the protection of jobs. It is also considered to be contrary to this criterion as the proposal won't lead to a creation of a significant number of net additional permanent jobs to the city region.

Furthermore, the proposal requires to meet a specific locational need. The Planning statement justifies Braehead Retail Park as the only suitable site; however, as detailed above, there are more sustainable and sequentially preferable sites within Clydebank and Dumbarton than Braehead Retail Park. Therefore, the proposal does not accord with the criteria within Diagram 10 and is therefore considered to be contrary to Clydeplan.

In summary, the Strategic Development Plan does not offer support for additional unrestricted retail development at Braehead Retail Park and the proposal runs counter to the Strategic Development Plan's support for Glasgow City Centre and the wider network of centres set out in Schedule 2.

Retail Capacity and Impact Assessment

It can be assumed that the submitted figures of the retail capacity and impact assessment will be favourable to the applicant's case.

However, the Planning and Retail Statement does not consider the impact of the proposals on the vitality and viability of Clydebank and Dumbarton Town Centres but does for the town centres within Renfrewshire. As Clydebank and Dumbarton are within the Network of Strategic Centres within Clydeplan, this should be addressed, as there are likely to be adverse impacts on the vitality and viability of these town centres from additional unrestricted retail development proposed within Braehead Retail Park.

Bulky Goods Condition

Condition 5 of Planning Permission 99/02668/DC, which related to Planning consent granted by Glasgow City Council on 2nd March 2000 for "the erection of mixed development comprising shopping centre, leisure, high tech park, riverside park and associated car parking and landscaping" at Braehead Retail Park, restricted the retail warehouses to "the sale of Do-It-Yourself, furniture, carpets, electrical, gardening goods and accessories to the satisfaction of the Planning Authority".

Should Renfrewshire Council continue to restrict the proposed retail units to 'bulky goods' as defined in condition 5 of Planning Permission 99/02668/DC then there is unlikely to be an adverse impact on the vitality and viability of Clydebank and Dumbarton town centres and this Council would, at that point, withdraw its objection to the planning application.

WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Lead – Regulatory****Planning Committee: 15 November 2017**

Subject: Antonine Wall Heritage Lottery Fund Playpark Tender**1. Purpose**

- 1.1** To seek approval to issue a tender, under the Scotland Excel Framework, in relation to the design and build of 5 playparks within the Antonine Wall Heritage Lottery Fund project area.

2. Recommendation

- 2.1** That the Committee approve the issue of the tender for the Playpark Design and Build contract.

3. Background

- 3.1** The Antonine Wall forms part of the Frontiers of the Roman Empire World Heritage Site. It runs from Old Kilpatrick in West Dunbartonshire to Bo'ness in the Falkirk Council area, passing through the Council areas of Glasgow, East Dunbartonshire and North Lanarkshire. These local authorities, in partnership with Historic Environment Scotland, are responsible for the management of the Antonine Wall World Heritage Site, which is guided by a Management Plan. This Council manages the project for the other partner authorities.
- 3.2** The October 2016 Planning Committee agreed to the submission of a Stage 1 bid to the Heritage Lottery Fund (HLF). The Stage 1 application to the Heritage Lottery Fund was approved in March 2017, with an HLF indicative award of £1.07m for the £1.6m project. This indicative sum has been reserved by HLF subject to a successful Stage 2 submission and included £97,000 of development funding which was awarded immediately to progress the project to Stage 2. A Project Manager was appointed in August 2017 and the Project Manager is being supported by a number of consultants to ensure the required information for the Stage 2 bid is produced.
- 3.3** As part of the development phase, consultants were required to be commissioned to undertake specific pieces of work in relation to the design and costing of Distance Slabs; 5 Play Parks throughout the project area; and a consultation and activity plan to be developed and costed.
- 4. Main Issues**
- 4.1** The project is currently in the development phase which will run until submission of the detailed Stage 2 bid for delivery phase funding, to be submitted by June 2018. The delivery phase will run from 2018/19 to 2020/21

subject to the Stage 2 application be approved by the Heritage Lottery Fund. A further report to Planning Committee seeking approval to submit a Stage 2 bid and associated tenders will be submitted in early 2018.

- 4.2** As part of the development stage, contracts were advertised through the Public Contracts Scotland Quick Quotes facility for the appointment of landscape architects, consultants and playpark designers as each contract was under the value of £50,000. No appointment was made on the playpark design contract, with market investigations highlighting the need for a full design and build tender process. The Council's Procurement Section has advised that the Council's Standing Orders require Committee approval for all contracts with an estimated value of more than £50,000. This contract has an initial value of £25,000 for the design phase and an overall anticipated design and build value of £875,000. The contract will be issued through the Scotland Excel Framework by the Council's Procurement section.
- 4.3** A playpark is proposed in each of the 5 Local Authority areas. In terms of West Dunbartonshire the playpark is proposed in Goldenhill Park although the exact location within the park is to be determined. Each of the identified playparks is on land in the ownership of the respective Councils.
- 4.4** Once the returned tenders have been evaluated, a report to the Tendering Committee will be required to award the contract for this tender.
- 4.5** The Antonine Wall Heritage Lottery Fund Project Manager will give a short presentation to Members on the project and its progress before consideration of this Report.

5. People Implications

- 5.1** There are no people implications.

6. Financial Implications

- 6.1** There are no financial implications as the initial value of £25,000 for the design phase has been set aside within the project budget. A break clause will be inserted into the tender should the project not achieve Stage 2 Delivery Funding for the project which will enable the Council to dissolve the contract with the approved tenderer.

7. Risk Analysis

- 7.1** The purpose of the project is to raise awareness of the Antonine Wall locally and amongst visitors, leading to social, cultural and economic benefits for West Dunbartonshire and the other Antonine Wall partner authority areas. If the project does not go ahead, there is a strong risk that the importance and full significance of the Antonine Wall will not be realised and there will be reputational damage.

8. Equalities Impact Assessment (EIA)

8.1 An equalities impact assessment screening has been undertaken. This concludes that the overall project is relevant to the duty to eliminate discrimination, promote equal opportunities and promote good relations, owing to the need to ensure that all sectors of the community are given the opportunity to be involved in the project. A full equalities impact assessment is being undertaken during the development phase of the project.

9. Strategic Environmental Assessment

9.1 The proposed Playparks are not considered to have significant environmental impacts requiring a Strategic Environmental Assessment.

10. Consultation

10.1 Partner and stakeholder consultation has helped shape the content of the bid. This included workshops in each of the local authority areas including one in Clydebank on 24 May 2016. A further period of consultation has commenced with events in Clydebank on 1 and 13 November 2017 and in Old Kilpatrick on 7 November 2017 which will help to inform the design of the Playparks in each of the Council areas.

11. Strategic Assessment

11.1 The Antonine Wall Heritage Lottery Fund projects are considered to align with the strategic priority of improving the wellbeing of communities.

Peter Hessett
Strategic Lead - Regulatory
Date: 01 November 2017

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
pamela.clifford@west-dunbarton.gov.uk
0141 951 7938

Antony McGuinness, Team Leader – Forward Planning,
antony.mcguinness@west-dunbarton.gov.uk
0141 951 7948

Appendices: None

Background Papers: Report to Planning Committee entitled 'Antonine Wall Heritage Lottery Fund bid' on 26 October 2016

Wards Affected: 4 – Kilpatrick
5 – Waterfront