

area and the overall integrity of the area would not be compromised; or any significant adverse effects are clearly outweighed by social or economic benefits of national importance. In this instance the Natura 2000 site is the Inner Clyde SPA and it is concluded that the proposal will not adversely affect the qualifying interest of the SPA and will comply with this policy.

- 6.10** Policies F1 states that the Council will resist development that is likely to increase the risk of flooding or are located in a functional flood plain. Policy F2 requires inclusion of sustainable urban drainage. Policy F3 states that the Council will use the standards of flood protection set out in Scottish Planning Policy. The proposal includes a Flood Risk Assessment and the recommendations set out comply with these policies.
- 6.11** Within the boundary of the application site, an area of land is allocated for development of a leisure centre in Schedule PS3 of the Plan. However, the centre is now being developed on an alternative adjacent site and this is no longer relevant, although it is intended that alternative leisure uses will locate on the Queens Quay site.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Strategic Development Plan – Proposed Plan (January 2016)

- 7.1** The proposed replacement Strategic Development Plan (Clydeplan) was published in January 2016, with the consultation period ending on 29 February. The Proposed Plan is scheduled to be submitted to the Scottish Ministers in May 2016. On approval by the Scottish Government it will supersede the existing SDP.
- 7.2** The Spatial Development Strategy continues to identify the Clyde Waterfront as a key component. Indicative forms of development in line with the Spatial Development Strategy for the Clyde Waterfront include: economic activity, housing, visitor economy, fixed and green infrastructure, culture, leisure, education, health and active travel and public transport. Diagram 11 sets out criteria for the assessment of development proposals of a strategic scale. This cross-refers to the Plan’s Vision, Spatial Development Strategy and Placemaking Policy, the joint strategic commitment to Glasgow City Centre and the other policies of the Plan. Collectively, the key issues for assessment emerging from the proposed Strategic Development Plan are: the principle of redevelopment; creation of a quality place; the impact on the network of centres, and particularly Clydebank town centre and Glasgow city centre; the impact on the Clydebank Riverside SEIL; green network enhancement, including access networks; and protection of the water environment/ avoidance of flood risk. Redevelopment of this strategic site is supported by the emerging strategic development plan.

West Dunbartonshire Local Development Plan (LDP) Proposed Plan

- 7.3** “Our Changing Place” section of the Plan sets out the Council’s strategy for Queens Quay as:
- predominantly housing development;

- support for other uses including business and industry, public services, leisure, cafes, hotels, education, and retail;
- green network enhancements; and
- reservation of Fastlink route if required.

The section further outlines that large scale retail development is not supported. However, the Council recognises that in the current market conditions, an impetus is required to kick start regeneration of Queens Quay. It further outlines that any future proposals for the site must be based upon a comprehensive masterplan and be supported by evidence of a funding model demonstrating how the development of the entire site is to be achieved. Additionally, proposals for the site should be in line with the principles of the Design Guidelines for Clydebank. Through “Our Changing Place” the emerging LDP supports the housing-led redevelopment of the site and has support for the mix of proposed uses subject to assessment against other policies in the plan.

7.4 Design and layout considerations are set out in Policy DS1 which outlines that all development will be expected to contribute towards creating successful places by having regard to the relevant criteria of six qualities – distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, welcoming. Policy BC2 reserves the sites in schedule 2.4 in the LDP for housing development. It will be supported subject to consideration of the supplementary guidance ‘Residential Development: Principles for Good Design’. The schedule identifies opportunities with indicative capacities for 968 private units and 120 affordable units for Queens Quay. Policy BH3 states that development that would affect the special interest, character or setting of a listed building will not be permitted and that appropriate enhancement of listed buildings will be supported. Policy GN2 requires development to follow the Integrating Green Infrastructure approach to design by incorporating SUDs, open space, paths and habitat enhancements at a level proportionate to the scale of development. The Council’s supplementary guidance ‘Our Green Network’ requires to be considered. Policy GE4 supports new tourist accommodation and supporting infrastructure in appropriate locations which avoid adverse impact on the green network and built heritage. Policy GE5 presumes against development that would adversely impact on the operations of Glasgow Airport or would be adversely affected by aircraft noise. The framework and the accompanying design and access statement are considered to comply with these policy requirements.

7.5 In respect of retail activities, Policy SC1 states that proposals for retail development which are not in the network of centres will not be supported if: there is a suitable opportunity in a sequentially preferred location; there would be an unacceptable impact on a centre which is sequentially preferred; or the proposed site is not accessible by public transport. The Queens Quay site is in an edge-of-centre location and the outcome of the sequential approach is discussed in paragraphs 7.25-7.26 below. Whilst there is a sequentially preferable site the proposed retail element is not considered to have an adverse impact on Clydebank town centre.

7.6 Policy DS3 requires significant travel generating uses to be located within 400 metres of the public transport network and Policy SD1 outlines that development should avoid adversely affecting the road network by:

- Complying with Roads Development Guidelines and relevant parking standards;
- Avoiding unacceptable congestion; and
- Providing or contributing to improvements to the transport network that are necessary as a result of the development.

The site is within 400m of existing bus services on Dumbarton Road and the proposal will not adversely affect the road network.

7.7 Under Policy GN3 protection is given to the Inner Clyde SPA and SSSI whereby development that adversely affects the integrity of sites designated for nature conservation or harms protected species will not be permitted except in specific circumstances. It is considered that the proposal will not adversely affect the qualifying interest of the SPA and will comply with this policy. This is discussed in paragraph 7.38 below.

7.8 Policy DS6 states that development will not be supported on the functional flood plain or, with regard to the Scottish Planning Policy Flood Risk Framework, where it would have a significant probability of being affected by flooding or increasing the probability of flooding elsewhere. Development should include SUDS and arrangements for long-term maintenance and Policy GN6 seeks to protect and improve the water environment by requiring SUDS. The proposal includes a Flood Risk Assessment and the recommendations set out comply with this policy.

7.9 Policy DS4 states, development that would exacerbate existing air quality problems, introduce new sources of air pollution that would impact on sensitive receptors, or introduce sensitive receptors close to areas with air quality problems, will not be permitted unless adequate mitigation measures are included. The proposal includes an Air Quality report which confirms the development would have a negligible impact on air quality in compliance with this policy.

Scottish Planning Policy(SPP)

7.10 This sets out principle policies on sustainability and placemaking which are overarching and should be applied to all development. There is a presumption in favour of proposals which contribute towards sustainable development, and this proposal is a regeneration priority for Clydebank which would deliver some of these objectives in terms of supporting flexible business opportunities, maintaining a high-quality environment and passing on a sustainable legacy for future generations. The placemaking principle seeks to create high quality places and the Queens Quay site will do this through a design-led approach to masterplanning the site. The detailed provisions of SPP are reflected in the policies of the existing and emerging development plans and the proposal would therefore comply with the terms of SPP.

Supplementary Guidance: “Residential Development: Principles for Good Design”

- 7.11** This guidance requires all development proposals to recognise the importance of the local context, be design-led, promote the six qualities of good design and be accompanied by the appropriate supporting documents. The guidance also provides a checklist for achieving high quality building design, layouts, open spaces and streetscape and will be used to assess planning applications for residential developments as they come forward. As the proposal is for planning permission in principle it does not cover this level of detail, but the framework embodies the principles of the guidance with a design-led approach which relates to the local context, and a design and access statement which promotes the six qualities of good design throughout.

Supplementary Guidance: “Our Green Network”

- 7.12** Policy GN2 of the LDP requires open space to be provided in accordance with the requirements set out in “Our Green Network”. This document advocates a green infrastructure approach to development and seeks to ensure that new developments provide and enhance green network opportunities. In terms of open space provision on sites, the guidance looks at three standards: accessibility, quality and quantity and these determine what level of provision would be required for sites. The Queens Quay site is a flagship site in terms of the green network offer in Clydebank and provides opportunities for waterfront access from the town centre, and to enhance existing cycling and walking routes along the River Clyde as part of a long-standing aspiration for a walkway along the river from Glasgow to Erskine Bridge and beyond. The framework includes these elements.
- 7.13** “Our Green Network” also seeks to ensure that residential developments have sufficient open space and play areas. The framework has identified a number of pocket parks which will serve the residential areas as they are built, and these are considered to be sufficient in terms of quantity and accessibility. In respect of quality, the design and access statement sets out design intents/principles for the pocket parks and it will be for the detailed applications to interpret these intents into high quality spaces. The application for the first phase will include details of the landscape strategy including the linear and pocket parks.
- 7.14** In respect of green infrastructure, the framework proposes a “whole site” approach whereby surface water management will be incorporated in the street design for the spine road and there are green connections to the linear park which will also serve as a flood prevention measure. Further details would form part of subsequent applications. Overall, the proposal is therefore considered to be in compliance with the guidance set out in “Our Green Network” supplementary guidance.

Supplementary Guidance: Design Guidelines for Clydebank

- 7.15** The ‘Clydebank Design Guidelines’ document was approved in 2001 and it sets out the design principles to be promoted for the wider Riverside Area. The indicative framework does not fully comply with the Clydebank Design Guidelines in terms of layout of the East Yard but it does promote perimeter

blocks with parking and service areas enclosed in central courtyards. It also identifies the visual lines to the Titan Crane from the corner of Cart Street junction and Alexander Street. The layout of the West Yard proposes a grid pattern similar to that advocated in the design guide but it does not include a public square area at the rear of the existing Town Hall. However, the submitted framework does encourage clustering of civic and public uses around the Town Hall and establishes the importance of Hall Street extending down into the site as a proper street. The framework has therefore taken the design guidelines into account and promotes similar broad design principles.

Principle of the Development

- 7.16** The site has been allocated for redevelopment for over a decade, in successive development plans. Outline planning permission for a mixed use development incorporating housing, leisure, business, retail, restaurants, bars, a college, museum, student accommodation, roads and car parking was approved in July 2005 (DC02/283) and was subsequently subject to further permissions varying the conditions and renewing the permission (DC07/334 and DC10/084). The latter application was granted in July 2011 for a further three year period, but all of these earlier consents have now lapsed. Some elements of the original masterplan which was approved under permission DC02/283 have however been built on site under separate detailed consents, including the Titan Crane visitor centre and also the Clydebank Enterprise and Learning District (i.e. the college, Titan Enterprise Building, Aurora House and associated parking) which no longer forms part of the application boundary. There is therefore longstanding support for a high quality mixed-use development on the site in terms of the policies of the adopted and emerging development plan. The current proposal builds on the previous partially implemented masterplan.

Framework Principles

- 7.17** The proposal is accompanied by a site layout and a design and access statement which combine to set out the development principles for the site. Together they form a framework which will guide future development so that high quality design can be achieved across the site. The key development principles are embodied in the:
- connections;
 - built form;
 - public realm; and
 - landscape strategy.
- 7.18** The proposed street network consists of a hierarchy of connections, within which each street has its own defined function, which include the creation of links within the site, down to the river and basin, and out onto existing streets. Whilst forming a traditional grid pattern, there is also an aspiration that new streets will be tree-lined, some with shared surfacing and others part-pedestrianised, and they are to be designed with “Designing Streets” principles where attractive residential streets will be created with a priority on pedestrian and cyclist movements. In addition to movement, the streets are intended to provide visual connections to the river and Titan Crane, as a positive change for the site which in the past has always formed a barrier

between the town centre and the river. Within the street hierarchy there are different functions and characters: most streets in the West Yard area are intended to be residential in nature, providing access to internal courtyard parking and a setting for domestic properties; streets in the East Yard and around the basin area will have more pedestrian areas, civic space, pocket parks, and some limited visitor parking provision and servicing access.

- 7.19** Some key principles for the anticipated built form are identified in the framework, although the interpretation of these principles will be submitted in applications for approval of matters specified in conditions. For all plots there is a desire for a traditional urban grid pattern, with perimeter-block buildings and footprints which closely follow the line of the streets in order to frame these public spaces. Key corners are expected to have prominent “feature buildings”, for example, at the head of the basin, on the corners along Dumbarton/Glasgow Road, and adjacent to the Crane. The expected density of development will vary across the site, but there is an emphasis on higher densities along the river and around the basin stepping down elsewhere along the river frontage. There are opportunities for lower density 2/3 storey housing within the centre of the West Yard and the framework seeks flexibility in defining the exact boundaries of these areas in order to meet market demand.
- 7.20** The overall density of development is expected to be significant less than was proposed at the time of the previous applications, which had envisaged a relatively high-density development. Permission DC07/334 allowed up to 1650 dwellings, but to accommodate such a number the development would have had to be comprised overwhelmingly of flats, probably including many relatively small 2-bed units, and by the time that permission was renewed by decision DC10/084 it was already recognised that such a number was not realistic. As a result of changed economic circumstances the demand for flats is currently suppressed, so the present application anticipates a higher proportion of family houses, with the total number of dwellings being between 800 and 1056 units, and the transportation assessment is based upon the latter figure. It is anticipated that there will be opportunities for affordable housing on the site and it is recommended that a community/affordable housing strategy is provided for the site. Whilst the site is clearly one which requires an urban form of development, it is considered that the current density intentions are both more achievable than the earlier proposals and would also allow a better mix of house types, sizes and tenures to create a more vibrant community.
- 7.21** The delivery of high quality public realm is an important aspiration for the site, in particular around the basin which forms a natural centrepiece for the site. The A-listed Titan Crane and quay structures provide an opportunity to create a robust environment with the character of a dockside. The framework sets out an intention to re-surface the deck structure around the basin whilst retaining original features wherever possible, and to create a generous new public space at the head of the basin. This area will connect with the new streets Titan Boulevard and Titan View, which are to be high quality streets with tree planting, shared surfacing and pedestrian priority. The public realm

will not only connect the basin area with the town centre via these new streets, but will also connect to the existing public realm along the river front of the college campus. These proposals are to be welcomed as they should encourage increased footfall down into the site and along the river front.

- 7.22** The landscape strategy in the design and access statement takes a whole-site approach and the framework sets out the location and function of green and open spaces. These spaces include a linear park along the West Yard waterfront and pocket parks, landscaped areas and green streets within the site, with each open space fulfilling multiple functions including amenity, movement, drainage and biodiversity. Setting out the landscape strategy at this stage ensures that: there is sufficient open space for the mix of uses; it is spread evenly across the site and not fragmented; it can be effectively linked; and the function can be established at the outset. This should assist future developers and make clear the broad requirements for the site. Design guidance is provided for each element of the green network which sets the standards for provision and defines the character of that space, for example, some pocket parks will provide an amenity for residents, whilst other parks will provide for visitors to the Titan Crane, riverside walkway and other uses.
- 7.23** As part of assessment and testing of the principles of the framework and design and access statement, a series of internal focus groups were held with other services within the Council and discussions were also held with managers of WD Leisure Trust, and Libraries and Culture who have interests in property immediately adjoining the site (new leisure centre, Clydebank Library and the Titan Crane). Discussion was also had with representatives of the Scottish Government's Planning and Architecture Division and Architecture & Design Scotland (A&DS). Their feedback and comments have been fed into the framework and design and access statement. Overall, it is considered that the proposals would provide for a high quality of urban design within this important regeneration site for the Clydebank area.

Retail Assessment and the Impact on the Network of Centres

- 7.24** Permission is sought for retail development, including a 2,500m² foodstore as well as smaller units. Both the adopted and emerging development plans set out assessment criteria for convenience retail development of this scale. The main retail policy considerations as set out by the development plans are: (1) the sequential approach; (2) the impact on existing centres; (3) the availability of expenditure to support proposed development; and (4) addressing any retail offer deficiencies.
- 7.25** In terms of the sequential approach, Queens Quay is an edge-of-centre location, and both Clydebank town centre and the existing edge-of-centre commercial centres at Clyde and Kilbowie retail parks are preferable sites for significant new retail development. Within the town centre the Playdrome site is identified in the existing and emerging development plans as an 8,000m² superstore opportunity. It is expected to become available for redevelopment from 2017 once the new leisure centre on Aurora Avenue opens. However, proposals for the previously envisaged scale of foodstore development on the Playdrome site have not occurred, and the site is to be re-marketed as being

suitable for a range of town centre uses, including retail. The site will therefore be available for retail development of the scale proposed on Queens Quay within the same timescale, and is therefore considered to be a viable sequentially preferable location.

7.26 In addition to the Playdrome, the retail statement considers four other sequentially preferable opportunities. However, none of these is considered to be available or suitable for the following reasons:

- Co-operative building, Sylvania Way South – the former department store is currently under-occupied, but relocation of the Council’s One-Stop-Shop will take up the currently vacant space within this building. Other ground floor space is already in retail use;
- Council offices, Rosebery Place – The Council’s preferred use for this site is residential, as identified in the Local Development Plan;
- Clyde Retail Park – there are currently vacant units available, but the retail park has a non-food focus and a condition restricting food sales;
- Kilbowie Retail Park – currently no vacant units available.

7.27 In respect of retail capacity and impact, the applicant has provided a retail statement, from which the following figures are derived. The retail statement identifies a catchment area which covers much of Clydebank and extends eastwards into Glasgow. It is estimated that there will be £119.29m of convenience (grocery) expenditure available in the catchment at 2018. Based on company average turnovers, convenience stores in the catchment area will have a turnover of £88.72m in 2018. However, the applicant’s assessment estimates that these stores will actually be drawing £68.98m from the catchment in 2018, with £50.31m being spent outwith the catchment. This indicates that there is a surplus of expenditure available within the catchment and also a quantitative deficiency to be addressed, which is discussed further below. The applicant has taken the planning permission for the proposed new Tesco store at South Street in Glasgow into consideration as, if developed, it is likely to have an impact on trading within the proposed store’s catchment area. The cumulative impact of both stores is predicted to have the following impacts on stores within the catchment area:

Store (Clydebank unless stated)	Company average turnover (£m)	Actual turnover (estimated)	Diversion to South Street store (£m)	Diversion to QQ store	Cumulative impact on actual turnover (%)
Asda	65.86	61.73	1.79	1.79	5.8
Aldi	4.81	2.14	0.24	0.06	14
Lidl	2.86	2.42	0.24	0.06	12.4
Iceland	2.79	4.18	0.36	0.12	11.5
Costcutter	2.16	1.10	0.06	0.00	5.5
Farmfoods (Glasgow Rd)	2.52	0.76	0.12	0.06	23.7
Farmfoods (Sylvania)	2.52	0.37	0.00	0.00	0

Way)					
Local stores	1.01	4.49	0.60	0.12	16
Lidl (Yoker)	2.86	0.89	0.12	0.00	13.5
Local stores (Yoker)	0.30	1.57	0.18	0.06	15.3
Other local stores	1.01	12.88	0.48	0.84	10.2

In terms of planning policy, it is the impact on town centre stores that is the significant consideration. Cumulative impact on town centre stores are estimated to be 5.8% on Asda and 11.5% on Iceland. It is concluded that this level of impact will not have an unacceptable impact on the town centre. There are higher levels of impact on stores within the sequentially preferred Clyde and Kilbowie retail parks (10% on Aldi and 12.4% on Lidl), but again this is not considered to be an unacceptable level of impact on these edge-of-centre locations.

7.28 In respect of retail offer (qualitative) deficiencies, it has long been recognised that the foodstore offer in Clydebank is less than what would normally be expected for a town of its size. The Playdrome superstore opportunity was an attempt to address that issue but market changes have led to that opportunity not being realised. The foodstore proposed for Queens Quay is significantly smaller than the Playdrome opportunity but will nonetheless contribute to the foodstore offer in Clydebank, and in particular will offer a convenient store for the new residential area being developed on Queens Quay.

7.29 Overall, it is considered that retail development forms an acceptable element of the wider mixed-use development of Queens Quay. The impact of the proposed foodstore on Clydebank town centre is not considered to be unacceptable, and it will address some long recognised deficiencies in the convenience offer in the Clydebank catchment area. There is a sequentially preferable location available within Clydebank town centre (the Playdrome site), but there is development plan support for retail development at Queens Quay and it also forms one element of a wider mixed use development of the site. However, both the adopted local plan and emerging local development plan seek to control the nature of retail development at Queens Quay. The adopted plan states that the retail opportunity at Queens Quay should not be considered as 'significant', with significant defined in the Plan as over 1,000m² convenience or over 2,000m² comparison. The emerging local development plan states that 'large scale' retail development will not be supported at Queens Quay. 'Large scale' is not defined, but Table 5 does use 1,000m² as a threshold for the assessment of retail proposals. So, whilst the retail element proposed at Queens Quay is considered to enhance the overall proposals for the area, as well as support the overall development viability, in order to ensure compliance with the development plan a condition limiting retail development to 3,000m² in total and allowing no individual unit to exceed 1,000m² is considered appropriate.

Impact on Clydebank Riverside Strategic Economic Investment Location

- 7.30** The framework includes Class 4 uses, but it is not clear what level of Class 4 development will be included or whether it will include the key sectors identified for the Clydebank Riverside SEIL, namely business and financial services and life sciences. However, the Clydebank Riverside SEIL extends beyond the proposed development site to include areas zoned for industry and business where such uses could locate. There is therefore no concern about the impact of this development on the Clydebank Riverside SEIL, and there is found to be no conflict with the development plan in this regard.

Traffic and Parking

- 7.31** It is not currently anticipated that significant vehicular access will occur via Hall Street, Bruce Street or directly from Glasgow Road, although these streets will form important pedestrian routes into the site and must have an appropriate street character. Instead, the Transportation Assessment indicates that all significant vehicular access will be by way of Cart Street and Cable Depot Road. In order to accommodate the traffic from the development, significant realignment of the east end of Cable Depot Road and its junction with Dumbarton Road are proposed, with a new signal-controlled junction being installed on the former Boilermakers' Social Club site. This would replace the current substandard junction and address the drainage problems which occur on this part of Cable Depot Road, whilst providing capacity for this significant development and accommodating future redevelopment of other vacant sites off Cable Depot Road. At the other end of the site, the Cart Street/Argyll Road/Glasgow Road junction is proposed to be remodelled with localised carriageway widening and revised 'walk with traffic' pedestrian crossing/signal timings to address capacity shortfalls with the existing junction design. All other existing road junctions within the wider area are predicted to cope with the additional traffic arising from the development without the need for alterations.
- 7.32** In their consultation response Glasgow City Council have highlighted the proposed North Clydeside Development Route (NCDR) and the fact that although the additional traffic likely to be generated by the proposal, it is not in itself likely to significantly increase traffic levels, the proposal is one of a number of sites which would add traffic to the A814 corridor. They have therefore requested that a developer contribution towards the NCDR should be considered. The NCDR is a proposed new road planned by Glasgow City Council to help reduce the environmental impact of traffic movements through Yoker (where the A814 is single carriageway and subject to congestion at peak times). The proposal is to provide an alternative distributor road link between Dock Street and Burnham Road which would bypass the main street through Yoker. In addition, the potential need for the NCDR is currently being investigated by Renfrewshire Council as part of their City Deal proposal to build a new bridge between Renfrew and Yoker. The status of the NCDR is being reviewed as part of the LDP process by Glasgow City Council, and GCC acknowledge that they are not yet in a position to deliver the NCDR. Under these circumstances, it is considered that it would not be reasonable to require a contribution towards the NCDR given the limited impact of the

Queens Quay development on the A814 and the ongoing uncertainty which surrounds the NCDR project.

- 7.33** Parking is to be provided through an internal courtyard arrangement for each development parcel, with the specific parking numbers dependent on the use and the requirements of the Council's adopted parking standards. In addition, there is a need to have some limited parking around the base of the Crane and some additional parking elsewhere on the site to cater for users of the riverside walkway and a condition is proposed to ensure these details form part of the overall development. There have been discussions about designing on-street parking into the spine road but the developers are not keen to provide this, instead wishing to accentuate the green features of the road. Some of the potential commercial uses will have significant parking requirements which may be challenging to provide wholly within the blocks, but this provision will need to be within the design principles set out in the Framework and the policy document Designing Streets.

Pedestrians, Cycling and Public Transport

- 7.34** The proposed development site is located in close proximity to Clydebank town centre and to well established pedestrian and cycle routes that link it to the wider area. The development proposal will include new linkages with those existing so that pedestrian movement into and around the site is encouraged. This would include priority pedestrian routes such as the proposed Titan Boulevard which will provide a direct route from the centre of the site and the proposed health quarter to the town centre via Alexander Street. Within the site, the various development parcels will be connected to the riverside and basin walkway. The final detail of internal site links would be a matter for individual site design, but the framework illustrates the grid that can be provided connecting the various development parcels. Cyclists will be able to use all of the new pedestrian accesses and a number of footway links will be provided as shared foot/cyclist paths including: the riverside walkway; the path on the north side of Alisa Road which would offer a connection towards the national cycle network at the east end of the site; a path adjacent to the main spine road; and one path leading from the main spine road at the west end of the site along the newly aligned Cable Depot Road to Dumbarton Road. A condition is proposed requiring that each dwelling have a secure bicycle storage facility in order to encourage cycling.
- 7.35** On completion, the site has potential to contain a significant residential population as well as high footfall generating uses such as the proposed health centre. It is therefore important to ensure that it is readily accessible by public transport. The site is within walking distance of existing bus stops on Dumbarton Road and both Clydebank railway station and the Chalmers Street bus interchange area. However given the scale of the development and the anticipated inclusion of a new health centre, which would attract trips from all over the Clydebank area, it would be desirable to encourage the provision of bus services within the site itself. Discussions have taken place with SPT and with several local bus operators to explore the infrastructural requirements needed to enable the provision of bus services into the site. The spine road through the site should be constructed to a standard suitable for bus services

and other provisions such as a turning facility and layover space for buses should be considered as part of a Sustainable Transport Strategy for the site. The spine road route could also be capable of serving as part of the Clyde Fastlink bus corridor should this ever be extended to Clydebank. It is important that the site is accessible for future bus services given the nature of uses and scale of development. In order to facilitate this the developer has agreed to make a financial contribution of £50,000 towards this, which will be secured through a legal agreement. Green Travel Plans for all development parcels will require to be submitted detailing how reliance on the car can be reduced through the encouragement of walking, cycling and public transport use.

- 7.36** The Clydebank Town Centre Design Charrette took place in February 2015 and the report which emerged sets out recommendations for future action on issues including how the Queens Quay site can best assist with the redevelopment of Clydebank town centre. In particular, the report sets out how connections between the Queens Quay site and the town centre can be developed by extending new and existing north-south routes and developing a mixture of uses at Queens Quay which complements the town centre (and vice versa). The framework for the current application addresses these issues, in particular, by seeking to maximise connections with Alexander Street, Hume Street and Argyll Road which lead to the town centre, and in identifying a range of complementary uses around the basin and eastern part of the site. It is therefore considered that the proposal is consistent with the recommendations arising from the charrette.

Ecology and Habitats Regulations Appraisal

- 7.37** The site itself does not support any sites designated for nature conservation at a local or national level but the Inner Clyde Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site are directly south of the site boundary. The proposal could affect the qualifying interest of the Inner Clyde SPA (overwintering redshank interest) which is of European importance and there is a requirement under the Conservation (Natural Habitats, &c.) Regulations 1994, as amended, for the Council to consider the effect of the proposal on the SPA before it can be consented. This process is commonly known as the Habitats Regulations Appraisal (HRA).
- 7.38** An HRA report has been submitted which considers the impact of the project alone and cumulatively on the integrity of the Inner Clyde SPA. It assesses the proposal against the conservation objectives of the site which are to “avoid deterioration of the habitats of the qualifying species, thus ensuring that the integrity of the site is maintained”. SNH have confirmed that the proposal is likely to have a significant effect on non-breeding redshank of the Inner Clyde SPA, because the development falls within 300m of the SPA boundary and activities within this distance could potentially disturb the birds. An HRA is therefore required to be carried out. They advise that provided the proposal is in accordance with the mitigation outlined in the HRA report then it will not adversely affect the integrity of the qualifying interest and have raised no objection.

- 7.39** RSPB take a different position: they do not consider the information submitted enables the Council to conclude beyond reasonable scientific doubt that there will not be an adverse effect on the integrity of the SPA and they have requested additional bird monitoring pre and post-construction be carried out on an annual basis. It should be noted that it is for local authorities to carry out the habitat regulation appraisal and come to a conclusion on whether the integrity of the qualifying interest will be adversely affected. Taking the consultation responses from both SNH and RSPB into account and the reports submitted by the applicant, it is considered that sufficient information has been made available to reach a decision. The proposal will not adversely affect the integrity of the qualifying interest of the SPA and the mitigation measures proposed by SNH will form conditions of any permission granted.
- 7.40** The Inner Clyde Site of Special Scientific Interest (SSSI) is notified for its non-breeding (wintering) cormorant, oystercatcher, red-breasted merganser, redshank, goldeneye, eider and red-throated diver populations, as well as saltmarsh habitat. The Environmental Statement includes an assessment on its ecological features and finds that the main potential impact is disturbance from construction activities. Species such as red-throated diver, eider and red-breasted merganser are rarely recorded in the River Clyde, occurring in highest densities far to the west at Greenock and Ardmore Point. The probability of disturbance to these species is unlikely. The other qualifying interests, redshank, goldeneye, cormorant, curlew and oystercatcher, are present in the vicinity of the proposed development but the mitigation measures recommended would reduce any potential disturbance to these species and a condition is proposed requiring a Construction Environment Management Plan.
- 7.41** A habitat survey and otter survey were carried out which identifies the broad habitat types within the site boundary and includes a search for suitable habitat for, and evidence of, otter adjacent to the river. A total of eight habitat types were identified within the site, mainly scrub and grassland habitats which support a large number of invertebrates. There was no evidence of otters. The redevelopment of the site would lead to a loss of these habitats which are typical of brownfield sites which have lain inactive, but new improved habitats will be created on the site within the linear park and green infrastructure which will provide opportunities to increase biodiversity on the site.

Flooding and Drainage

- 7.42** The Environmental Statement assesses the potential likely impacts of the proposed development on surface water hydrology, water quality, water resources and flood risk. It is supported by a Flood Risk Assessment (FRA) and a Drainage Impact Assessment (DIA) for the site. The key issues for consideration are the potential effects on river water quality (including management of sediment and contaminants during construction), and the management of flood risk at the site.
- 7.43** The River Clyde is classified as 'transitional water' as it is influenced by both tidal and fluvial flows. Other water bodies close to the site include the River

Cart, which flows into the Clyde from the south approximately 430m upstream of the development site. Given that the application site extends for over 1km along the boundary with the Clyde, and the fact that it has been used for heavy industrial purposes in the past, there is potential for contaminated soils and sediments to wash into the water environment during construction work if not properly mitigated. The applicant has therefore proposed mitigation measures in line with best practice advice and with SEPA's guidelines. Subject to compliance with these mitigation measures there should be no significant impact on the water environment arising from the construction activities, and this matter can be addressed by a condition.

- 7.44** In respect of flood risk, the main risk of flooding arises from tidal inundation and wave overtopping from the River Clyde (as might arise from an exceptionally high river level combined with an exceptionally high tide). The ground level necessary to safeguard against a 1-in-200 year flood event (including allowance for climate change) is 5.1m AOD. The proposal would include raising those parts of the site which are currently below that level to at least 5.1m AOD, with the exception of a narrow strip of land on the bank of the river and low-lying areas to the west which are not intended for development and will be retained as part of the linear park. As the flood risk is primarily tidal, SEPA have no objection to the landraising and no need for compensatory storage has been identified. As an additional flood protection measure, finished floor levels across the entire site would be at least 5.7m AOD to provide a 600mm freeboard. These levels are acceptable to Road Services, acting as Flood Authority, and can be controlled by conditions.
- 7.45** The existing overtopping levels along the bank of the river vary along the boundary but are lower than the predicted 200 year water level of 5.1m AOD. Therefore although waves approaching the site would break as they hit the quay wall, they would be able to flow onto the lower part of the site. To mitigate this, the low-lying areas will be raised and the undeveloped strip along the banks will be profiled to protect the development from potential wave action. This would result in a series of 2 to 4 steps, raising the land to 5.7m AOD before it tapers down to 5.1m AOD within the site.
- 7.46** Whilst national guidance indicates that 1-in-200 year flood protection is sufficient for residential development, certain highly sensitive uses such as the potential care home and health centre are subject to a requirement for 1-in-1000 year levels. The area proposed for these uses is not affected by wave action and the predicted 1000 year level is slightly lower than the rest of the site at 5.05m AOD. Road Services recommend that a higher level of 5.1m AOD be established for the health quarter and this matter can be addressed by condition.
- 7.47** Across the site it is proposed that a single level of SUDS treatment will capture and treat surface water which will then be conveyed to outfalls to the River Clyde. Phase 1 works will provide details of SUDS within the carriageway of the roads. Further drainage will be provided within each development parcel and will form part of applications for matters specified in

conditions. These principles proposed would comply with the requirements of SEPA and the local plan policies on integrating green infrastructure.

Site Investigation

- 7.48** The Environmental Statement has assessed the impact of the proposed development on geology, soils and hydrogeology including the potential for existing and historic ground contamination to be encountered, and for contamination to occur during and after the construction phase of the development. This is supported by a Phase one site investigation assessment which found that the site is underlain by made ground with no geological or geomorphological features which are protected or considered worthy of protection. Therefore effects on geological and geomorphological features and soil resources are non-significant. There is some contamination on the site consistent with its former shipyard use and Environmental Health have recommended that a site-wide strategy be employed to assess the water and gas environments prior to any buildings constructed on the site. This allows a comprehensive assessment to be made whilst works are ongoing to install the road and green infrastructure. Any applications for matters specified in conditions for each development parcel will require carrying out further site investigation and submitting remediation strategies.

Noise Assessment

- 7.49** The Environmental Statement looked at potential noise from road traffic, air traffic and new and existing plant and concluded that both road and air traffic noise will require some windows of residential properties to be of closed window construction, with acoustic screening measures possibly required at Cart Street. These mitigation measures will reduce the adverse noise impact to acceptable levels. The uses in the mixed commercial areas will require plant equipment and plant noise limits will need to be established through assessment to ensure the impact on existing residential properties is considered. The impacts from noise and vibration during construction phases will also be a consideration as part of any applications for matters specified in conditions.

Air Quality

- 7.50** An air quality impact assessment has been assessed as part of the EIA and considered two main pollutants: nitrogen dioxide (NO²) and particulate matter (PM), which are both generated by vehicle exhausts. An increase in traffic in the area is liable to increase the level of exhaust emissions, so the existing and predicted concentrations of NO² and PM along the main A814 road were assessed using dispersion models. These predict that changes in the levels of these substances would be relatively small, and the air quality report concludes that the magnitude of the impact would be negligible.

Historic Environment & Landscape Impact

- 7.51** The most significant cultural heritage asset, and biggest archaeological site is the shipyard itself, including the A-listed Titan Crane and former fitting-out basin. Although the use of the site for shipbuilding spanned only 100 years and the use ceased many years ago, the shipbuilding heritage is of enormous cultural significance to the town of Clydebank. The Titan Crane has already

been converted to a visitor centre and its setting and access will be greatly enhanced. In addition the creation of new commercial uses around the basin such as restaurants, cafes and bars will complement the visitor centre, increase footfall down to the Titan Crane and enhance its status as a tourist attraction. The proposed road layout has been designed to open up some vistas of the Titan Crane where new streets penetrate into the site, and the scale of the crane means that the new buildings are unlikely to compete with it visually. The dock structures around the fitting-out basin are included in the listing, and the proposal would retain these and incorporate as many of the existing historic fixtures as possible, including the prominent “notch” in the quay structure designed to accommodate the ships’ prows.

- 7.52** The archaeological assessment of Queen’s Quay considers that it is unlikely that any archaeological deposits earlier than the mid-19th century have survived over the vast majority of the site although some small pockets may be present. The most significant pre-shipyard feature on the East Yard is the Forth and Cart Junction Canal which is likely to survive intact under infill deposits. Any disturbance of the line of the canal would require archaeological monitoring although the road works to the Cart Street junction, which are in the vicinity of the line of the canal, will be of limited depth of excavation and unlikely to expose it. Elsewhere on the site the remains of the shipyard’s slipways and fitting-out basin are of archaeological interest and any disturbance to them or proposed works to the fitting-out basin should be subject to archaeological recording. West of Scotland Archaeology Service are satisfied that the proposed development can be undertaken without undue detriment to the archaeological environment provided a condition is attached to ensure an Archaeological Mitigation Strategy is prepared.
- 7.53** There are a group of listed buildings located adjacent to the northern edge of the site bordering the area identified as the health quarter. These buildings form an historic core of civic uses, and the introduction of other public uses would strengthen this role. The framework proposes to continue Hall Street and Bruce Street down into the site as major pedestrian routes, and Hall Street in particular would benefit from the creation a proper street extending down beyond the town hall to the river’s edge. There are aspirations for both the care home and health centre to be buildings of high quality design, and applications for matters specified in conditions for these should demonstrate that appropriate consideration has been given to the characteristics of the existing streets and listed buildings and be of an appropriate design to its surrounding townscape.
- 7.54** An assessment of the potential landscape and visual impacts arising from the proposed development at Queens Quay has been undertaken in the Environmental Statement to assess the significance of the impact of predicted visual changes and landscape character/quality changes resulting from the proposed development. It found that whilst the proposed development will result in changes to the landscape character of the site and its environs, and will cause perceptible changes to views experienced at a range of locations (e.g. from the Kilpatrick Hills and from the southern bank of river), these changes will occur within an urban context that has already experienced great

change due to the decline in traditional heavy industries along the River. It is considered that the current vacant state of the site has a negative visual impact upon the setting of Clydebank, and that the proposed development of mixed uses with green spaces and connections will result in a significant, positive change to the local landscape character and to the views of the site from a range of locations.

Public Engagement

- 7.55** Whilst no representations have been received in relation to the application, prior to its submission the applicant undertook community consultation in accordance with the statutory requirements for major development proposals. This includes notifying local community councils. A Pre-Application Consultation report has been submitted detailing what consultation took place and the feedback received.
- 7.56** A community event was held at West Scotland College in January, 2015. This was advertised in the Clydebank Post and included a board exhibition and representatives on hand to answer any queries. Short questionnaires were used to collate feedback from attendees. Twenty people attended of whom seventeen completed the feedback forms. Although the level of attendance was perhaps disappointing for such an important development, the feedback from those people who did attend the event demonstrated clear support for a mixed use redevelopment of the site, and the main issues raised (including the need for high quality design, good connections and attractive spaces) form an important part of the framework.

8. CONCLUSION

- 8.1** The redevelopment of Queens Quay would be consistent with the Strategic Development Plan, and with the policies of both the adopted Local Plan and emerging Local Development Plan, which identify the Clyde Waterfront in general and the application site in particular as a key regeneration site suitable for mixed use developments. All of the uses proposed are consistent with development plan policies, subject to certain controls over the extent of retail floorspace. There is therefore strong policy support for the regeneration of the site.
- 8.2** The scale of the proposed development and the site's proximity to important environmental receptors (in particular the River Clyde) mean that an Environmental Impact Assessment was required. Following extensive consultations and subject to the various mitigation measures which are proposed the development of the site should not give rise to any unacceptable risk of environmental damage. The only objection to the proposal is from the RSPB and relates to the level of information provided in relation to the protection of bird habitats, but following consultation with Scottish Natural Heritage it is considered that sufficient information has been made available to reach a decision. The proposal will not adversely affect the integrity of the qualifying interest of the Special Protection Area and the mitigation measures

proposed by Scottish Natural Heritage will form conditions of any permission granted.

- 8.3** All other technical consultations including those relating to transportation, contaminated land, noise, flooding, drainage, aviation safety, built heritage and archaeology have also been concluded satisfactorily, and these issues can all be addressed by way of conditions.
- 8.4** The submitted framework sets out key design principles for ensuring that a high quality of development is achieved across the site in terms of form, layout, design, green network provision and public space. It embodies a design-led approach which relates to the local context and establishes the basic street layout for the site, which would achieve the key objective of maximising physical and visual connectivity between the town centre and the River Clyde. Overall, it is considered that the proposals would provide for a high quality of urban design befitting this important regeneration site.

9. CONDITIONS

- 01.** For the avoidance of doubt, Phase 1 works relate to any works associated with the spine road, road improvements, quay walls, public realm, linear park and pocket parks.
- 02.** Prior to commencement of development on site approval of matters specified in conditions for the relevant development parcels shall be obtained from the planning authority. Applications shall include:
- a)** site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping;
 - b)** block and layout plans and elevations of each building, showing dimensions and palettes of external materials;
 - c)** landscape and streetscape plans showing the location and species of all proposed trees, shrubs, hedges, palettes of hard landscaping materials and street furniture;
 - d)** details of existing and proposed ground levels, and finished floor levels, relating to a clearly identified fixed datum point;
 - e)** a detailed report on the extent, scale and nature of any contamination of the site; and
 - f)** a detailed remediation scheme detailing the measures necessary to bring the site to a condition suitable for the intended use.
- 03.** As part of any application(s) for approval of matters specified in conditions, and with regard to the requirements of condition 2 above, the design and layout of development parcels shall comply with the design principles/intents set out in sections 05 and 06 of the Design & Access Statement October 2015, and the accompanying Framework Drawing No. P(0) 003 rev E (or any

subsequent amendments thereto), unless otherwise agreed in writing by the Planning Authority.

04. **At the same time as the submission of the first commercial use application (excluding any district heating system) a mini-masterplan shall be submitted for the mixed used area coloured yellow on Drawing No. P(0) 003 rev E (including building plots, design principles and a parking strategy) for the further approval of the Planning Authority.**
05. **Prior to or at the same time as the submission of the first application for the approval of matters specified in conditions for the health centre and care home (whichever comes first), a “mini-masterplan” (including an integrated access and parking strategy, building design, materials, landscaping, streetscape) shall be submitted for the further approval of the Planning Authority.**
06. **As part of any application(s) for the approval of matters specified in conditions for Phase 1 works, and notwithstanding the requirements of condition 2c) above, details of the landscaping strategy for the spine road, linear park and pocket parks shall include:
a) location and species of all proposed trees, shrubs, hedges;
b) palettes of hard landscaping materials, street furniture and play equipment;
c) identify potential locations for public art; and
d) the means of management and maintenance of the landscaping and public open space.**
07. **No development (other than the spine road works, road improvement works, quay wall works, public realm works, health and care site works and investigative works, but excluding the linear and pocket parks) shall commence on site until such time as a site-wide water environment investigation and assessment has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and as a minimum shall include the following:
a) Suitable and sufficient monitoring from across the site in order to identify the extent, scale and nature of contamination with regards to the water environment.
b) An appropriate level of assessment that identifies the key receptors and the significance of any pollutant linkages found to be present.
c) Should a significant pollutant linkage be identified on the site then a site wide preliminary remedial options appraisal is to be provided that demonstrates whereabouts on the site remediation is considered likely.
Any measures identified in the report shall be implemented as approved within a timescale agreed with the Planning Authority.**

- 08. No development (other than the spine road works, road improvement works, quay wall works, public realm works, health and care site works and investigative works, but excluding the linear and pocket parks) shall commence on site until such time as a site wide assessment of the underlying ground gas regime has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and as a minimum shall include the following:**
- a) Suitable and sufficient monitoring from across the site in order to assess the ground gas conditions that currently exist under the site.**
 - b) A strategy confirming that and detailing how the monitoring of ground gas boreholes will continue throughout the various development phases. It should also make reference to the future method of reporting to the Planning Authority as the development progresses.**
 - c) A preliminary assessment of the implications of the existing ground gas conditions on the proposed mixed use development.**
- Any measures identified in the report shall be implemented as approved within a timescale agreed with the Planning Authority.**
- 09. As part of any application(s) for the approval of matters specified in conditions, Noise Impact Assessments for each development parcel shall be carried out to assess the potential impacts of noise from sources including road traffic, air traffic, plant equipment and entertainment noise and submitted for the further approval of the Planning Authority.**
- 10. Prior to the reuse of material from the onsite spoil mounds and/or the importation of any material onto the site, details of the source of the material and associated test results to demonstrate its suitability for use shall be submitted to the Planning Authority for approval. In addition to this and in accordance with BS3882:2015, the material shall also be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils.**
- 11. No development shall commence until the developer submits an archaeological mitigation strategy for the further approval of the Planning Authority. Thereafter the developer shall ensure that the approved strategy is fully implemented in accordance with the recommendations set out in sections 8.339 – 8.353 of the Environmental Statement and that all recording and recovery of archaeological resources within the development site is undertaken in agreement with the Planning Authority and West of Scotland Archaeology Service.**
- 12. All applications for the approval of matters specified in conditions shall comply with the recommendations of the Flood Risk Assessment (October 2015), that is, land raising of low-lying areas**

of the site to above the 1 in 200 year plus climate change flood level (set at 5.1m AOD), and finished floor levels of all buildings are to be set to at least 0.6m above the 1 in 200 year plus climate change flood level at 5.7m AOD. All development shall be implemented in accordance with these details.

13. As part of the approval of matters specified in conditions, each development parcel shall comply with the recommendations of the Drainage Impact Assessment (Rev B, October 2015) with details of the means of disposal of surface water, foul sewage and a Sustainable Urban Drainage Scheme to be submitted for the further approval of the Planning Authority.
14. The number of dwelling units consented for the site is 1,056 units. If this number is exceeded the further agreement of the Planning Authority will be required.
15. Prior to the commencement of development, a strategy detailing the implementation of community/affordable housing provision within the site shall be submitted for the further approval of the Planning Authority.
16. As part of the Phase 1 application for the approval of matters specified in conditions, a Construction and Environmental Management Plan shall be submitted for the further approval of the Planning Authority in consultation with SNH. It shall:
 - a) detail measures to screen the development in terms of noise and visual disturbance from the Inner Clyde SPA, Ramsar site and SSSI;
 - b) detail measures to limit pollution to the Inner Clyde SPA, Ramsar site and SSSI;
 - c) identify those works that are likely to have significant potential for visual and noise disturbance, such as piling.No works which are identified as likely to have a significant potential for visual and/or noise disturbance shall be carried during the main wintering period (September to early April). The Construction and Environmental Management Plan shall be implemented within a timescale agreed with the Planning Authority.
17. As part of the Phase 1 application for the approval of matters specified in conditions, a detailed Recreation and Access Management Plan which details measures to limit potential disturbance to the north shore of the Inner Clyde SPA, Ramsar site and SSSI from increased access to the river shall be submitted for the further approval of the Planning Authority and implemented within a timescale agreed with the Planning Authority.

18. **As part of the Phase 1 application for the approval of matters specified in conditions, the applicant shall submit a Sustainable Transport Strategy which shall include details of:**
a) bus integration into the site;
b) walking routes to/from the site;
c) location of bus stops;
d) green travel plans; and
e) initiatives towards encouraging bus services into the site.
The recommendations of the Sustainable Transport Strategy shall require to be implemented in accordance with an agreed phasing plan within a timescale agreed with the Planning Authority.
19. **As part of any application for approval of matters specified in conditions, a Travel Plan shall be submitted to and approved by the Planning Authority detailing the opportunities for sustainable travel to and from that development parcel.**
20. **As part of the Phase 1 application for the approval of matters specified in conditions, the following shall be included:**
a) details of parking provision for visitors to the Titan Crane and the riverside walkway; and
b) details of the new signal controlled junction and realignment of Cable Depot Road (section 9.14 of the Transport Assessment (October 2015)).
These works shall be implemented as approved as part of the Phase 1 works to the site.
21. **Prior to any residential, commercial or health centre uses being brought into use the works recommended in the Transport Assessment (October 2015) to realign Ailsa Road (section 9.12) and carry out layout improvements to Cart Street/Glasgow Road junction (section 9.23) shall be implemented as approved.**
22. **Prior to commencement of any work on the site, a Site Access and Management Plan shall be submitted providing details of the means of construction traffic entering and exiting the site. It shall include details of accesses proposed for different phases of the site and shall be implemented as approved by the Planning Authority.**
23. **As part of any application(s) for the approval of matters specified in conditions, parking spaces shall be provided in accordance with the Council's adopted parking standards, and no building shall be occupied until its parking facilities have been completed.**
24. **As part of any application(s) for the approval of matters specified in conditions, each residential unit shall be provided with a secure covered bicycle storage facility at ground floor level. Each non-**

residential development shall have adequate secure covered cycle storage for staff in addition to adequate securable covered cycle facilities for visitors/customers.

25. The amount of retail floorspace permitted is 3,000m² (gross). Any unit trading primarily in convenience goods shall not exceed 1,000m². Any unit trading in comparison goods shall not exceed 250m². Proposals to exceed these floorspace thresholds shall be the subject of a separate planning application and retail statement for the further approval of the Planning Authority.
26. As part of any application(s) for the approval of matters specified in conditions details of soft and water landscaping works shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. Details must comply with Advice Note 3 “Potential Bird Hazards from Amenity Landscaping & Building Design”. These details shall include:
- The species, number and spacing of trees and shrubs
 - Details of any water features
 - Drainage details including SUDS – such schemes must comply with Advice Note 6 “Potential Bird Hazards from Sustainable Urban Drainage Schemes”
- The scheme shall be implemented as approved.
27. Any development that would create a roof area greater than 500 square metres with a roof pitch of less than 15° shall not commence until a Bird Hazard Management Plan has been 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 the roofs 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”.

Jim McAloon
Head of Regeneration and Economic Development
Date: 16th March 2016

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Housing, Environmental and Economic Development
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Appendix: None

Background Papers:

1. Application forms, plans and reports
2. Environmental Statement vol.1, 2 and Appendices
3. West Dunbartonshire Local Plan 2010

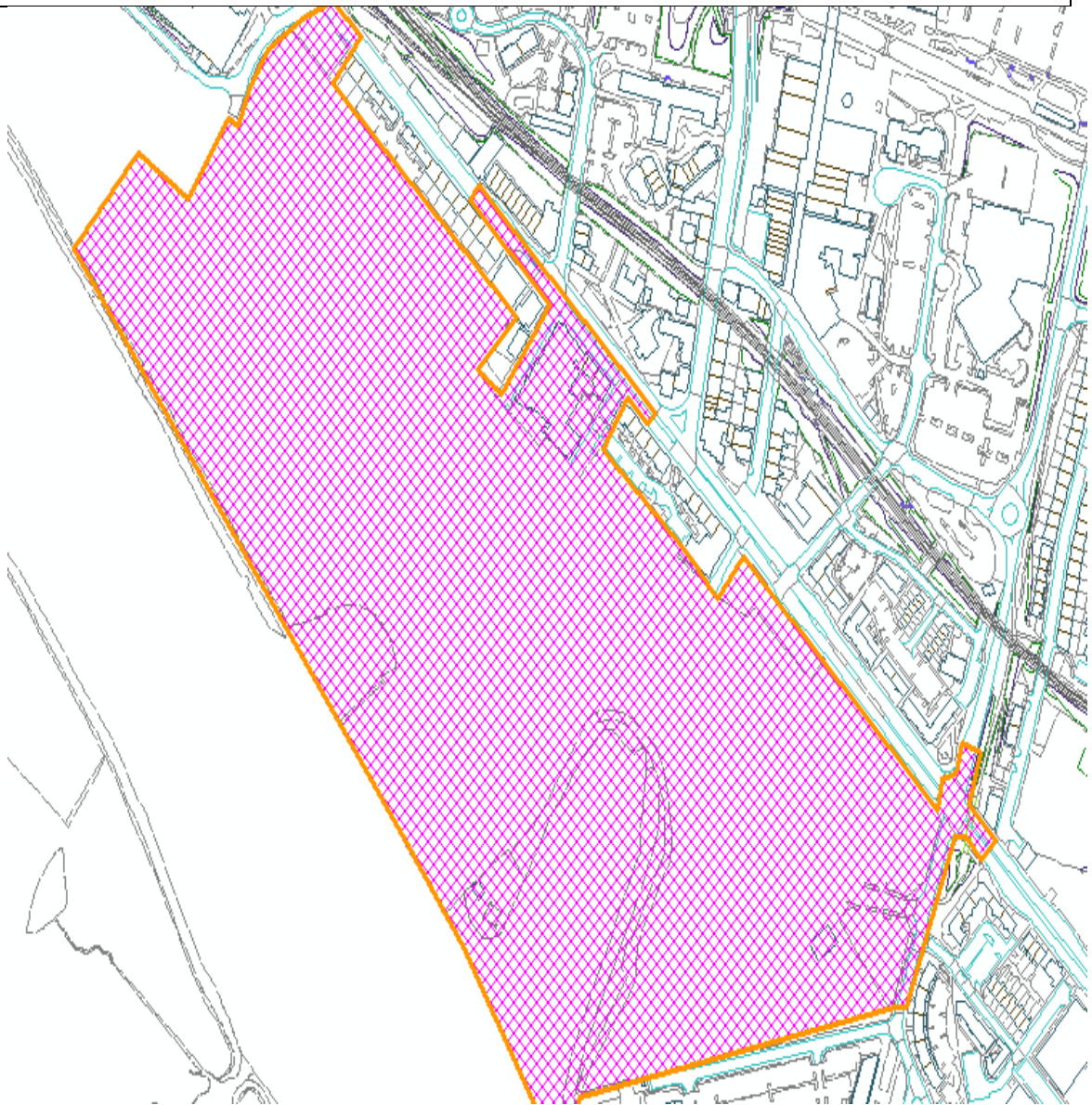
4. West Dunbartonshire LDP Proposed Plan
5. Consultation Responses

Wards affected: Ward 6 (Clydebank Waterfront)

DC15/234

Mixed use development

**Queens Quay Full Dev Site
Cart Street
Clydebank**



WEST DUNBARTONSHIRE COUNCIL**Report by the Head of Regeneration and Economic Development****Planning Committee: 23 March 2016**

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

- 1.1** To advise the Committee of the receipt of correspondence advising of the Scottish Ministers' position on the adoption of the West Dunbartonshire Local Development Plan.

2. Recommendations

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

3. Background

- 3.1** The Planning Committee on 25 March 2015 agreed to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications with the exception of those relating to the identification of Duntiglennan Fields as a housing development opportunity. The Council advertised its intention to adopt the Plan in April 2015 and informed the Scottish Ministers of this intention, and provided a justification for declining the Duntiglennan modification.
- 3.2** On 2 June 2015, the Scottish Ministers wrote to the Council with a Direction in relation to the Duntiglennan Fields housing development opportunity site. The Direction, made under Section 20(5) of the Town and Country Planning (Scotland) Act 1997, required that the Council consider modifying the Plan to include the Duntiglennan site in order to address the requirements of Scottish Planning Policy and to enable delivery of the strategic housing requirement for private sector housing in the period to 2020. On 24 June 2015, the Planning Committee rejected the Scottish Ministers Direction.
- 3.3** In August 2015, the Council supplied the Cabinet Secretary for Social Justice, Communities and Pensioners Rights with additional information, detailing reasons for not including the Duntiglennan Fields site within the Local Development Plan.
- 3.4** Correspondence from the Cabinet Secretary for Social Justice, Communities and Pensioners Rights in December 2015 advised that the Council's letter of 21 August provided insufficient grounds to withdraw the Direction. The Council responded in January 2016 with additional information and clarification.

3.5 In its correspondence of August 2015 and January 2016 it was emphasised that the Council is firmly of the view that the allocation of the greenfield site at Duntiglennan Fields is unnecessary and it should not be released as a housing opportunity site.

4. Main Issues

4.1 On 29 February 2016 the Cabinet Secretary for Social Justice, Communities and Pensioners Rights wrote to the Convenor of the Planning Committee confirming that he does not agree that there are sufficient grounds to justify re-opening the question of the merits of the Direction. As a result, it has been confirmed that the Direction continues to stand. The letter indicates that he hopes the Council will now move forward to modify and adopt the plan as soon as possible.

4.2 Under Section 20(6) of the Town and Country Planning (Scotland) Act 1997, the authority are not to adopt the Local Development Plan unless Scottish Ministers are satisfied that modifications have been made to the Plan to conform with the Direction, or unless the Scottish Ministers withdraw the Direction. The letter of 29 February confirms that the Ministers will not withdraw the Direction; therefore the Council has no discretion or powers to adopt the Local Development Plan without Duntiglennan identified as a housing development opportunity.

4.3 Under the circumstances there are three possible outcomes:

- 1) The Council adopts the plan with the Duntiglennan Fields site included as a housing development opportunity.
- 2) The Council decides not to adopt the plan, leaving it as a proposed plan without the status that adoption would give to it.
- 3) If the Council decides not to adopt the plan, the Scottish Ministers could intervene and direct that the plan is to be constituted not on being adopted by the planning authority but if and when approved by the Scottish Ministers.

Outcome 1

4.4 This would provide the Council with an up-to-date adopted Local Development Plan and allow work to commence on the next Local Development Plan, which is currently stalled. The Local Development Plan has been through the statutory preparation stages including an Examination and an independent Reporter has recommended that Duntiglennan Fields be included as a housing development opportunity. Evidence has been presented to the Scottish Government on three occasions to try to persuade it that it should not be. However the Council have been advised that the evidence does not justify the non-inclusion of Duntiglennan as a housing development opportunity site within the West Dunbartonshire Local Development Plan.

Outcome 2

- 4.5** This outcome would result in the Local Development Plan remaining at the Proposed Plan stage. This would be a totally unsatisfactory conclusion. The present adopted local plan is now 6 years old and as time passes is increasingly out of date, making it a weaker consideration in determining planning applications. This could lead to a greater number of upheld appeals and costs being awarded against the Council. It would also mean that new opportunities for development included in the Local Development Plan do not have the benefit of having adopted plan status e.g. Lomondgate Area 5, Stirling Road, Bonhill and Sandpoint Marina, Dumbarton. The Scottish Government attaches significant weight to development plans being up-to-date and a main purpose of the Modernising Planning agenda and subsequent 2006 Planning Act was to improve the efficiency of the development plan process. Also having an up to date local development plan and simplifying the local development process are key issues being addressed by the recent national review of the planning system.
- 4.6** The age of the Local Development Plan and the Development Plan Scheme are key indicators in the Planning Performance Framework, and the Council already received two 'red' marks in relation to these indicators in 2015. The Council will require submitting the annual Planning Performance Framework for 2015-16 by the end of June of this year. Much weight is attached to the Planning Performance Framework and associated Performance Markers as indicators of the overall performance of a Planning Authority by the Scottish Government and outside parties such as potential developers and investors.
- 4.7** This outcome has wider reputational issues on a national level with this Council failing to have an up-to-date local plan. All Councils have embarked on producing a local development plan under the new procedures and are at various stages of the process, with many already having an adopted local development plan and started on its replacement. This Council is the only authority that has stalled at the Proposed Plan stage.

Outcome 3

- 4.8** This would in effect give the Local Development Plan the same status as if adopted by the Council. Whilst the Scottish Ministers have the power to approve a plan themselves, they are not duty-bound to do this, and they have not indicated to the Council that they would use these powers, instead advising the Council that it should adopt the Plan. Scottish Government officials have recently indicated that, in their view, the Scottish Ministers can only approve a Plan in the terms submitted to them by a planning authority, i.e. they cannot modify the Plan themselves and then approve it. Correspondence with the Cabinet Secretary for Social Justice, Communities and Pensioners Rights makes it clear that the Scottish Ministers are of the view that the Plan should be modified to identify the Duntiglenan site as a housing development opportunity. It is therefore highly unlikely that the Scottish Ministers will use their powers to approve the Local Development Plan. If the Scottish Ministers chose not to exercise their approval powers, the implications of Outcome 2 would apply.

5. People Implications

5.1 There are no personnel issues associated with this report.

6. Financial Implications

6.1 There are no financial implications associated with the recommendation of this report. However, there is an increased likelihood of appeals being upheld and costs being awarded against the Council if the development plan is out of date.

7. Risk Analysis

7.1 There are substantial risks associated with the Council not adopting the Local Development Plan. The Council is required to update its Local Development Plan every 5 years. However, it is now 6 years since the current local plan was adopted, meaning the Council does not have an up-to-date adopted plan. This means it is a weaker consideration in determining planning applications.

7.2 The age of the Local Development Plan is a key indicator in the Council's Planning Performance Framework and the Scottish Government put significant weight on an up to date development plan. Also there may be reputational damage for the Council at a national level by not having an up to date local plan and that it has not followed the local development plan process to completion.

7.3 The Scottish Ministers have not yet used their powers to approve a Local Development Plan. It appears highly unlikely that they will use these powers if the Council does not adopt the Plan itself. This would leave the Council without an up-to-date development plan, until such times as a new Plan is prepared.

8. Equalities Impact Assessment (EIA)

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

9. Consultation

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

10. Strategic Environmental Assessment

10.1 The Local Development Plan has been subject to strategic environmental assessment throughout its preparation.

11. Strategic Assessment

- 11.1 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.

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Date: 15 March 2016

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

Report to Planning Committee of 25 March 2015 'West
Dunbartonshire Local Development Plan'

Report to Planning Committee of 24 June 2015 'West
Dunbartonshire Local Development Plan'

Wards Affected: All