

WEST DUNBARTONSHIRE COUNCIL

Report by the Acting Executive Director of Housing, Environment and Economic Development (Housing and Regeneration Services)

Planning Committee: 4 September 2007

- DC07/197/OUT:** **Erection of Class 4 Office Accommodation (11,115m²) with associated parking, formation of new roundabout & realignment of Cable Depot Road, formation of riverside walkway and landscaping (outline).**
- DC07/256/FUL:** **Realignment of road and formation of parking areas, upfilling of site with formation of riverside walkway and formation of public realm space and landscaping Cable Depot Road, Clydebank by Clydebank Rebuilt.**

1. DEVELOPMENT DETAILS

DC07/197/OUT

- 1.1** The application site is located to the east of the Golden Jubilee National Hospital and to the west of the existing industrial units on Cable Depot Road. The new roundabout is proposed at the most southerly point of Agamemnon Street and is proposed to link with the re-aligned Cable Depot Road and the entrance to the hospital. The River Clyde forms the southern boundary of the site onto which the riverside walkway is proposed.
- 1.2** The applicant has submitted an indicative layout showing the provision of 11,115 square metres of Class 4 office space provided in 8 units of various sizes. The proposed units are sited around the perimeter of the site with 221 parking spaces proposed in the centre of the site and a further 37 parking spaces in the area between the new units and the existing industrial estate. Two accesses are proposed from Cable Depot Road with one of the new accesses linking into the internal access for the existing industrial units.

DC07/256/FUL

- 1.3** Full planning permission is sought for the re-alignment of Cable Depot Road and formation of a roundabout and car parking; the uplifting of the site levels to 5.3 and 5.8 metres OD; the formation of a riverside walkway and public realm space and landscaping. The main purpose of these works is to provide the implementation of the business park as proposed in the outline application detailed in Section 1.2 above. The proposals involve the formation of a new roundabout at the junction with Agamemnon Street, Cable Depot Road and the access road into

the Golden Jubilee Hospital. The abrupt dip in the existing road below the disused railway bridge would be removed to create a more direct and realigned Cable Depot Road into the proposed business park and hospital for commercial vehicles. The disused bridge at Agamemnon Street is to be removed under a separate planning approval.

2. CONSULTATIONS

- 2.1** West Dunbartonshire Council Roads Services & Scottish Power have no objections to the proposed development.
- 2.2** Scottish Water have no objections and recommend the implementation of a Sustainable Urban Drainage System within the drainage design.
- 2.3** West Dunbartonshire Council Environmental Health Service have no objections subject to conditions requiring submission of a Contaminated Land Investigation Report and the implementation of a Sustainable Urban Drainage System within the drainage design and noise limitation measures.
- 2.4** Scottish Environment Protection Agency have no objections subject to conditions relating to site levels, a suitable access/egress route is available and a sustainable urban drainage system.
- 2.5** British Airports Authority have no objections subject to the submission of a landscaping scheme which is in compliance with the requirements of the Civil Aviation Authority's Advice Note "Potential Bird Hazards from Amenity Landscaping and Building Design" and a Bird Hazard Management Plan.
- 2.6** Scottish Natural Heritage have no objections but recommends appropriate conditions be attached to ensure that the natural heritage interests in the surrounding area are protected.

3. REPRESENTATIONS

- 3.1** There are no letters of representation to the proposed development.

4. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

Clydebank Local Plan

- 4.1** The site is identified in the Clydebank Local Plan as being within the Riverside Regeneration Area and Policies UR1, UR2 and RD1 promote the reuse of vacant and underused land to stimulate the process of urban renewal and thereby enhance the area as a place to live, work and visit. The principle of the development accords with the general redevelopment/regeneration criteria contained in Policies UR1 and UR2.

- 4.2** Policy LE1 identifies the majority of the site as being suitable for business/industrial use. The proposed Class 4 office development and associated enabling works would accord with Policy LE1.
- 4.3** The western part of the site is identified as being within the grounds of the Golden Jubilee National Hospital. Policy PS1 seeks to protect established public utility and community facilities. It indicates that in assessing changes of use regard should be given to the character and amenity of the surrounding area and whether the loss of the facility would have a significant adverse impact on the community. The proposal does not involve a change of use of the hospital itself but development within a peripheral area of its grounds. This part of the site is proposed as a landscaped area to allow the implementation of a SUDs system. It is considered that the proposed road alterations will enhance access to the hospital along with the visual amenity of the area through the landscaping proposals which provide a visual buffer to the proposed and existing business units.

5. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Natural Heritage Matters

- 5.1** The application site lies adjacent to the Inner Clyde Special Protection Scientific Interest (SSSI) and Special Protection Area (SPA) which is designated for its populations of waterfowl and waders for coastal and inter tidal habitats. On the opposite bank of the River Clyde is Newshot Island which is part of the Inner Clyde Special Protection Area (SPA). This is of international importance and used by overwintering redshank for feeding and roosting. The River Clyde is an important wildlife corridor in which European Protected Species (otters and bats) are also known to exist.
- 5.2** The development has the potential to adversely affect these natural heritage interests during both the construction and occupation of the business units. A previous application (ref. no. DC04/422) for the development of a larger site, and which incorporated the site of this current application, required the submission of an Appropriate Assessment under the terms of the European Union Habitats Directive. Scottish Natural Heritage have examined that report in relation to the potential impact of this development on the natural heritage interests, particularly the overwintering redshank. The report proposes mitigation measures and considers the likely effect of the noise generated during construction on the natural heritage interests in the surrounding area. Scottish Natural Heritage require that such matters are addressed through planning conditions which need only apply between September and April inclusive.

Consultation Responses

- 5.3** The consultation process has not raised any negative responses. Many of the comments of the consultees have been addressed by attaching conditions to the grant of planning permission. The concerns of SEPA with regard to flooding have been removed by the submission of a Flood Risk Assessment and attaching appropriate conditions to any grant of planning permission with regard to site levels and providing a safe access/egress route from the site.

West Dunbartonshire Local Plan (Finalised Plan)

- 5.4** The site is similarly identified as being within the Riverside Regeneration Area and the site specific policies are the same as the Clydebank Local Plan. The development has been assessed against the policies of the Clydebank Local Plan in Section 4 of this report.

Planning History

- 5.5** A previous outline application (DC04-422) for the erection of residential and office development with associated roadworks, extension to hospital and formation of community park was determined by the Planning Committee of 7 March 2007. However this application was withdrawn by the applicant before a decision was issued. This application involved a larger application site including land to the west under the ownership of the hospital.

6. CONCLUSION

- 6.1** There is broad general support for the redevelopment for this area. It will provide much needed business floorspace and will help to strengthen the adjacent existing industrial units. It will have a significant impact upon the attractiveness of the area for investment and economic development, and improve the character and amenity of this area. The associated roadworks will improve the accessibility to the adjacent Golden Jubilee Hospital and allow the implementation of the business park. Exact details of the size, number and design of the units will be submitted at the reserved matters stage.
- 6.2** The applications will require notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications (Scotland) Direction 2007 as the Council has an interest through its relationship with Clydebank Rebuilt and as the Council owns part of the site to enable the realignment of Cable Depot Road and part of the application is contrary to the development plan.

7. RECOMMENDATION

Minded to **grant** for DC07/197/OUT and DC07/256/FUL subject to the conditions set out in Section 8 and notification to the Scottish Ministers under the Notification Direction 2007.

8. CONDITIONS

DC/07/197/OUT

1. Application for approval of the following reserved matters shall be made to the Planning Authority within 3 years of the date of this permission and the development shall be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all following reserved matters.
 - (a) the layout of the site
 - (b) size, height, design materials and external appearance of the proposed buildings.
 - (c) the means of drainage and sewage disposal.
 - (d) details of access arrangements.
 - (e) the landscaping of the site and associated maintenance arrangements.
 - (f) finished site levels/floor levels and cross sections.
 - (g) the provision for car parking.
 - (h) the provision for open space and associated maintenance arrangements.
 - (i) walls and fences.
 - (j) phasing of the development.
2. At the same time as the submission of the reserved matters, details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Planning Authority and shall be implemented prior to the occupation of any of the business units. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.
3. At the same time as the submission of the reserved matters a detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted for the written approval of the Planning Authority. No work, other than investigative work, shall commence until such time as the remediation strategy has been approved and implemented.
4. At the same time as the submission of the submission of the reserved matters details shall be submitted for the approval of the Planning Authority of measures to be taken to safeguard the River Clyde from contamination by pollutants during the construction phase of the development. Such safeguards as approved shall be put in place prior to any works commencing on site. These details shall include the

proposed methods of groundwater control as well as details of the quantity of sediment that will be generated during construction and the effects of discharging the sediment into the River Clyde and on Atlantic salmon and lamprey. No work shall commence on site until these details (or such other details as may be acceptable) and appropriate mitigation measures are approved and implemented.

5. At the same time as the submission of the reserved matters an assessment of the quay walls and the river edge treatment shall be undertaken. Details of this assessment shall be submitted to and approved by the Planning Authority prior to the commencement of works on site. Any works arising from the assessment shall be implemented prior to the occupation of the business units.
6. No construction works audible at the site boundary, or such other such places as may be agreed in writing with Planning Authority, shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all on Sundays or public holidays.
7. Details to be submitted under Condition 1 above shall include options for safe access and egress for the site during a design flood event.
8. At the same time as the submission of the reserved matters, specific details of the riverside promenade shall be submitted for the approval of the Planning Authority and shall be implemented prior to the occupation of any business units. These details shall include details of surfacing material, boundary treatments/barrier to the River Clyde, landscaping and street lighting.
9. During high tides at Springs (between September and April inclusive) there shall be no works that exceed the existing ambient noise levels within the site. Prior to any works commencing details of the existing noise levels shall be submitted for approval. During these periods works may be carried out by hand-held, non-mechanised tools and equipment, unless otherwise agreed in writing by the Planning Authority.
10. Prior to the commencement of any works on site a programme of works that does not allow for working during high tides at Springs and between sunrise and sunset between September and April inclusive shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage. The approved programme of works shall be adhered to all times between September and April inclusive.
11. At the same time as the submission of reserved matters details of an acoustic screen facing onto the River Clyde shall be submitted for the written approval of the Planning Authority. The approved screen shall be erected prior to any works commencing on site. The details of this screen shall accord with the maximum measures described in BS5228

(1999: Part 1) and thereafter the agreed screen shall be retained in position during any works on site.

12. Static plant and machinery shall be sited to the north of the site, unless otherwise agreed in writing by the Planning Authority. Details of the location of the static plant and machinery shall be submitted to the Planning Authority for written approval prior to any works commencing on site and shall be implemented as approved.
13. Plant and machinery shall be enclosed and/or silenced in accordance with the maximum measures described in BS5228 (1999: Part 1) unless otherwise agreed in writing with the Planning Authority.
14. Prior to any works commencing on site details of pollution measures (which are in compliance with SEPA Pollution Prevention Guidelines) shall be submitted for the further written approval of the Planning Authority and thereafter shall be implemented at all times as approved.
15. The applicant is advised that should revisions to the requirements of conditions 10 to 13 be sought, those relevant sections of the "Appropriate Assessment" shall be revised and submitted for the further approval of the Planning Authority. Any actions arising from this revised "Appropriate Assessment" report shall be implemented as approved.
16. Site levels for the development shall be 5.3m OD and 5.8m OD respectively as detailed in drawings nos. L (90) 01 and L (90) 03 which form part of this consent unless otherwise agreed with the Planning Authority.
17. Prior to any works on site a survey for otter holts or counders/lying-up places shall be carried out 30 metres either side of the affected areas of river bank. The survey shall be submitted for the approval of the Planning Authority in consultation with Scottish Natural Heritage. Any actions arising from this survey shall be undertaken within a timescale to be agreed by the Planning Authority.
18. At the same time as the submission of the reserved matters details of measures to protect and enhance areas of the riverbank for wildlife purposes shall be submitted to the Planning Authority for approval in consultation with Scottish Natural Heritage. The proposed measures shall be undertaken within a timescale to be agreed by the Planning Authority.

DC07/256/FUL

1. The development shall commence within 5 years of the date of issuing of this consent.

2. Notwithstanding the approved plans, final details of the proposed landscaping of the site shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first business unit. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
3. Details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Planning Authority and shall be implemented prior to the occupation of any business units. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.
4. A detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted for the written approval of the Planning Authority. No work, other than investigative work, shall commence until such time as the remediation strategy has been approved and implemented.
5. Details shall be submitted for the approval of the Planning Authority of steps to be taken to safeguard the River Clyde from contamination by pollutants during the construction phase of the development. Such safeguards as approved shall be put in place prior to any works commencing on site. These details shall include the proposed methods of groundwater control as well as details of the quantity of sediment that will be generated during construction and the effects of discharging the sediment into the River Clyde and on Atlantic salmon and lamprey. No work shall commence on site until these details (or such other details as may be acceptable) are approved and appropriate mitigation measures are approved and implemented.
6. An assessment of the quay walls and the river edge treatment shall be undertaken. Details of this assessment shall be submitted to and approved by the Planning Authority prior to commencement of works on site. Any works arising from the assessment shall be implemented prior to the occupation of the business units.
7. No construction works audible at the site boundary, or such other such places as may be agreed in writing with the Planning Authority shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all on Sundays or public holidays.
8. Details shall be submitted for the approval of the Planning Authority of options for safe access and egress for the site during a design flood event, prior to any development commencing on site and shall be implemented prior to the occupation of any business unit.

9. Specific details of the riverside promenade shall be submitted for the approval of the Planning Authority. These details shall include details of surfacing material, boundary treatments/barrier to the River Clyde, landscaping and street lighting. The proposed riverside promenade shall be implemented within timescale to be agreed by the Planning Authority.
10. During high tides at Springs (between September and April inclusive) there shall be no works that exceed the existing ambient noise levels within the site. Prior to any works commencing details of the existing noise levels shall be submitted for approval. During these periods works may be carried out by hand-held, non-mechanised tools and equipment, unless otherwise agreed in writing by the Planning Authority.
11. Prior to the commencement of any works on site a programme of works that does not allow for working during high tides at Springs and between sunrise and sunset between September and April inclusive shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage. The approved programme of works shall be adhered to all times between September and April inclusive
12. Details of an acoustic screen facing onto the River Clyde shall be submitted for the written approval of the Planning Authority. The approved screen shall be erected prior to any works commencing on site. The details of this screen shall accord with the maximum measures described in BS5228 (1999: Part 1) and thereafter the agreed screen shall be retained in position during any works on site.
13. Static plant and machinery shall be sited to the north of the site, unless otherwise agreed in writing by the Planning Authority. Details of the location of the static plant and machinery shall be submitted to the Planning Authority for his written approval prior to any works commencing on site.
14. Plant and machinery shall be enclosed and/or silenced in accordance with the maximum measures described in BS5228 (1999: Part 1) unless otherwise agreed in writing with the Planning Authority
15. The applicant is advised that should revisions to the requirements of conditions 11 to 14 be sought, those relevant sections of the "Appropriate Assessment" shall be revised and submitted for the further approval of the Planning Authority. Any actions arising from this revised "Appropriate Assessment" report shall be implemented as approved.
16. Prior to any works commencing on site details of pollution measures (which are in compliance with SEPA Pollution Prevention Guidelines)

shall be submitted for the further written approval of the Planning Authority and thereafter shall be implemented at all times as approved.

17. Site levels for the development should be 5.3m OD and 5.8m OD respectively as detailed in drawings nos. L (90) 01 and L (90) 03 which form part of this consent.
18. Prior to any works on site a survey for otter holts or counders/lying-up places shall be carried out 30 metres either side of the affected areas of river bank. The survey shall be submitted for the approval of the Planning Authority in consultation with Scottish Natural Heritage. Any actions arising from this survey shall be undertaken within a timescale to be agreed by the Planning Authority.
19. Details of measures to protect and enhance areas of the riverbank for wildlife purposes shall be submitted to the Planning Authority for approval in consultation with Scottish Natural Heritage. The proposed measures shall be undertaken within a timescale to be agreed by the Planning Authority.

Irving Hodgson

Acting Executive Director of Housing, Environment and Economic Development (Housing and Regeneration Services)

Date: 20 August 2007

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Appendix:	None
Background Papers:	<ol style="list-style-type: none">1. Copy of planning application and plans received – 05/06/072. Consultation responses.3. Flood Risk Assessment prepared by Dr. John Riddell May 2005.4. Report on Potential Noise Impacts on Redshank 1/9/05.5. Appropriate Assessments – URS 24/05/06, 28/6/06, 19/8/06 and 31/10/06.
Wards affected:	6