

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

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

1. Purpose

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

2. Recommendations

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

3. Background

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

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

4. Main Issues

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

National Planning Policy 4

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

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

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

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

Creating Places Guidance and Green Network and Green Infrastructure Guidance

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

Conclusion

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

5. People Implications

- 5.1** None.

6. Financial and Procurement Implications

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

7. Risk Analysis

- 7.1** No risks have been identified.

8. Equalities Impact Assessment (EIA)

- 8.1** Not required.

9. Environmental Sustainability

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

10. Consultation

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

11. Strategic Assessment

- 11.1** There are no strategic issues.

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Date: 14th February 2024

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

Wards affected: Ward 3 (Dumbarton)