

Agenda



Special Meeting of Planning Committee

Date: Monday, 28 June 2021

Time: 10.30

Format: By Zoom Video Conference

Contact: committee.admin@west-dunbarton.gov.uk

Dear Member

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and so Members will attend this special meeting of the **Planning Committee** remotely. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Diane Docherty (Vice Chair)
Councillor Daniel Lennie
Councillor Douglas McAllister
Councillor Jonathan McColl
Councillor Lawrence O'Neill

All other Councillors for information

Date of Issue: 23 June 2021

PLANNING COMMITTEE

MONDAY, 28 JUNE 2021

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 NOTE OF VISITATIONS 5

Submit, for information, Note of Visitations carried out on 21 June 2021.

4 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

5 PLANNING APPLICATIONS

Submit reports by the Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

- (a) DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited. **7 - 22**
 - (b) DC21/012/FUL: Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank by KMC Tyres & Recovery Ltd. **23 - 31**
 - (c) DC21/018/FUL: Change of use of office to flat at Flat 1/3, 10 Castle Terrace, Castle Street, Dumbarton by Richmond Architects. **33 - 39**
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PLANNING COMMITTEE

NOTE OF VISITATION – 21 JUNE 2021

Present: Councillors Ian Dickson and Jim Finn.
(The above lists Members who attended at least one site visit)

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager, Antony McGuinness, Team Leader – Forward Planning, Mark Walsh, Environmental Health Service Co-ordinator and Kemp Lindsey, for Applicant.

SITE VISITS

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

DC19/162 and DC19/163: Dumbuckhill Quarry, Dumbarton

Section 42 application to vary condition 2 of planning permission ref: DC02/187 to allow the continuation of operations at Dumbuckhill Quarry beyond the current consented expiry date of 2024 to 2041; and

Review of Minerals Permission relating to DC02/187 at Dumbuckhill Quarry, Stirling Road, Dumbarton by Patersons of Greenoakhill Limited.

DC21/012/FUL: Land adjacent to Public House, Dumbarton Road, Duntocher

Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer - Regulatory and Regeneration****Planning Committee: 28th June 2021**

DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited.

1. REASON FOR REPORT

- 1.1** This application seeks to modify and vary conditions previously agreed by the Planning Committee as part of the approval of an earlier planning permission in principle application (DC15/234). Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The site comprises the Queens Quay Masterplan area consisting of 23ha. The extent of the masterplan area lies to the south of Clydebank Town Centre on the north bank of the River Clyde, which was previously John Brown & Co shipyard. Planning permission in principle was granted (DC15/234) for mixed use development including residential (including affordable/community housing), retail (Class 1), financial/service (Class 2), restaurant (Class 3), public house, office (Class 4), hotel (Class 7), care home (Class 8), health centre (Class 10), assembly and leisure (Class 11) uses, with associated car parking, access road, quay wall improvements and landscaping in March 2016. The approved Masterplan and Design Framework seeks to redevelop the area through a residential-led, mixed-use development which re-integrates the waterfront with the wider Clydebank area.

- 3.2** Significant process has been made on the re-development of the site with the spine road infrastructure and the works around the basin now complete and in place. Planning permission was granted for the erection of a new health and care centre in May 2018 (DC16/244) and permission for the erection of 146 flatted dwellings and 4 commercial units was granted in March 2019 (DC18/272). In January 2018, planning permission was granted for the erection of a water source heat pump energy centre (DC17/231). The new Clydebank Care Home and Energy Centre have recently been completed and the Health and Care Centre and 146 affordable houses are currently under construction on site at this time.
- 3.3** This current application seeks permission to modify the terms of condition 1, 3 and 27 which were attached to the approved planning permission in principle. These conditions relevant to this application are set out as follows:
- 3.4** Condition 1: 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.
- 3.5** Condition 3: 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 (Rev C, March 2016), the accompanying Framework Drawing No. P(0) 003 Rev E (or any subsequent amendments thereto), unless otherwise agreed in writing by the Planning Authority.
- 3.6** Condition 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".
- 3.7** With regards to Condition 2, the applicant seeks to amend the timescale for the delivery of the pocket parks, linear park and basin park given these are no longer being implemented as part of phase 1 of the development. Instead the linear park will be delivered as part of each respective residential development parcel as it comes forward and the pocket parks and basin play park implemented within a timescale agreed with the Planning Authority. It is proposed that the wording of the condition is to be amended to include the following wording 'The linear park will be completed following the completion of the relevant residential phase to

which it relates with the pocket parks and basin play park to be completed within a timescale agreed with the Planning Authority, all identified on annotated masterplan.

- 3.8** With regards to Condition 3, the applicant wishes to vary this condition to simply include reference to the approved Design Codes for Queens Quay (September 2020) as part of the suite of design material and documents already cited within the wording of condition. The Queens Quay Design Codes were approved only in September 2020 and the applicant advises that they wish to vary the condition to ensure that its requirements are given due weight as a material planning consideration as part of subsequent planning applications coming forward.
- 3.9** With regards to Condition 27, the applicant seeks to reduce the threshold trigger for a Bird Hazard Management Plan from roof areas greater than 500 square metres to 250 square metres. The reason for this as outlined by the applicant is on the basis that Glasgow Airport through their own legislative framework can seek a Bird Hazard Management Plan even in circumstances where it would not be required by the wording of a condition or where there is no relevant planning condition in place. By having a more stringent condition in place which increases the circumstances for which a Bird Hazard Management Plan is required, the applicant considers that this will mitigate and safeguard further against any risk of progressing smaller building work on site without appropriate bird hazard measures being in place.
- 3.10** In support of the application, a location plan, a site plan and a planning statement have been submitted. In addition to this and given the original planning permission in principle application (DC15/234) was deemed to be an Environmental Impact Assessment (EIA) development, a separate EIA Screening Opinion was submitted alongside this application for the Planning Authority to consider. Noting the nature of the variations proposed to the conditions subject to the application, it was considered following review that these proposals would not lead to any further significant environmental consequences and as such an EIA report was not deemed to be required in support of this application.

4. CONSULTATIONS

- 4.1** Glasgow Airport have no objections to the proposed changes.

5. REPRESENTATIONS

- 5.1** Two representations have been received comprising of one letter of support and one letter of objection and the content has been summarised below:

Objection

- Redevelopment of the site will lead to more traffic on Dumbarton Road.
- Redevelopment of the site will lead to increase noise from traffic using the site.
- Redevelopment of the site will change character of area and prevent people walking and cycling within the site.

Support

- Supports the progressing being made on the redevelopment of the Queens Quay site.
- Requests that small shops and retail units are delivered within the masterplan site to serve local residents.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- 6.1** As the principle of development has already been established through the earlier planning permission in principle application granted (DC15/234), the policies referenced below only relate to those which have a direct consideration on the scope of works and development associated with Conditions 1, 3 and 27 respectively.

West Dunbartonshire Adopted Local Plan 2010

- 6.2** Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area and is relevant to the consideration of this application given Condition 1 and 3 seeks to vary phasing and design requirements.
- 6.3** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming. Policy LE10 focuses on the access and design quality of industrial and business sites which includes Queens Quay. More specifically, the policy sets an expectation for Queens Quay to deliver high quality design which maximises development potential, integrates the site to the town centre whilst also ensuring that development is considerate to the amenity of the surrounding uses.
- 7.3** It is considered that the proposals will maintain the overall design quality of the development. The variation to Condition 3 to include the reference to the Design Codes directly accords with this policy given that this document will form a material planning consideration to development proposals coming forward.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.
- 7.5** The Queens Quay Design Strategy of LDP2 seeks to continue on the delivery and implementation of the Design Framework and the consented masterplan. Beyond this, Queens Quay Policy 1 and Queens Quay Policy 2 relate to specific areas within the masterplan landholding (land to west of Garth Road and Cable Depot Road respectively) and are also relevant to these proposals noting the proposed variations to the conditions relate to the whole masterplan site.
- 7.6** Similarly to Policy GD1 of the Adopted Plan and Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that development is of a high quality. It indicates that all new development will be expected to contribute

towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). The variations proposed to the conditions will not compromise the overall design quality and as previously set out the variations proposed to Condition 3 will enhance the development quality and directly meets with the spirit of the policy.

Principle of Development

- 7.7** The principle of the mixed-use development on this site has already been established through the granting of permission DC15/234 alongside a series of subsequent detailed planning permission and this is not being revisited as part of this application. Notwithstanding this, it is considered that the proposed additions and changes still complies with the policies relevant and contained in both the adopted and proposed local plans and the proposals for Conditions 1, 3 and 27 respectively do not materially change this.
- 7.8** With regards to the representations submitted, as the points raised in both of these relate to matters regarding the original, already consented, masterplan development, these are not material to this application currently being considered and cannot be afforded weight in the consideration of this application on this basis.

Linear Park and Pocket Park Phasing Timescale (Condition 1)

- 7.9** At present, Condition 1 attributes a series of design and infrastructure features, including the construction and delivery of the pocket parks within the site, to Phase 1 of the overall approved phasing programme for the masterplan consent.
- 7.10** Since the approval of DC15/234, the applicant has advised that it has not been possible to progress with the implementation of the linear park, pocket parks and the basin park with their delivery largely dependant on the residential development parcels along the waterfront coming forward and progressing. In addition to this, noting the location of the linear park on site, the applicant also raised an issue that any work done to deliver the linear park would likely be compromised when the construction activity commences on the residential parcels and as such it would be more practical if these were delivered as part of each residential phase as opposed to before any of them commencing. The timescale for the pocket parks dispersed throughout the wider development site and the basin play park would be the subject of further discussion with the Planning Authority

so they are brought forward as other parts of the development come forward and are implemented.

Design Codes Reference (Condition 3)

- 7.11** In its current format, Condition 3 lists the documents to which the development parcels within Queens Quay need to adhere to and conform with as each development proposal within the site comes forward. As the Design Codes are a more recent document and these have only been approved in September 2020, they were never included in the earlier Planning Permission in Principle consent granted and there is no reference to them within the permission or the conditions attached to it.
- 7.12** To ensure that the Design Codes are given due weight and that the requirements within them are formally considered and adhered to as part of subsequent planning applications for development parcels going forward, the applicant proposes a direct reference to the approved Design Codes within the wording of condition 3. This approach is supported and welcomed and that there is merit in including the Design Codes within the wording of condition 3. More specifically, this is supported by the design policies of all 3 plans and the revised condition will ensure that future development reflects current design expectations for Queens Quay as the redevelopment of the site continues to progress.

Bird Hazard Management Plan Threshold (Condition 27)

- 7.13** The current threshold as set out in Condition 27 requires all buildings with a roof footprint of greater than 500 square metres to be accompanied by a Bird Hazard Management Plan.
- 7.14** The applicant has advised that Glasgow Airport through their own legislative framework and powers can seek a Bird Hazard Management Plan even in circumstances where it would otherwise not be required by the wording of the planning condition. To safeguard and mitigate against any risk of progressing smaller building work on site without the appropriate bird hazard measures being in place or to better avoid a scenario of Glasgow Airport requesting the plan outwith the specific parameters of the condition, the applicant proposes a variation to Condition 27 to allow it to be more stringent. Although this would potentially be more onerous, the applicant proposes to vary Condition 27 to reduce the threshold for which a Bird Hazard Management Plan is required for any buildings with a roof area of greater than 250 square metres.

- 7.15** For the reasons and justification provided by the applicant, this is considered to be acceptable variation and Glasgow have confirmed that they have no objection to the variation to Condition 27 proposed.

8. CONCLUSION

- 8.1** The modification of Condition 1, 3 and 27 are considered to be acceptable for the reasons set out in this report and these changes comply with the applicable local development plan policies. More specifically, it is considered that the proposals associated with all 3 conditions will maintain that the quality and very high standards of development already secured through the earlier permissions granted and being delivered on site.
- 8.2** As the effect of granting planning permission for Section 42 application is such that a new and separate standalone permission exists for the development, all other conditions associated with planning permission in principle application DC15/234 are re-imposed to this permission with the exception of condition 1, 3 and 27 (now Condition 25) being varied in line with the requests made through this application and conditions 5 and 21 which have already previously been formally discharged by the Planning Authority.

9. CONDITIONS

- 01.** For the avoidance of doubt, Phase 1 works relate to any works associated with the spine road, road improvements, quay walls, and public realm. The linear park will be completed following completion of the relevant residential phase to which it relates with the pocket parks and basin play park to be completed within a timescale agreed with the Planning Authority, all identified on annotated masterplan E2604.Sk001revJ received on 22nd June 2021.
- 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 (Rev C, March 2016), the accompanying Framework Drawing No. P(0) 003 Rev E (or any subsequent amendments thereto), and the approved Design Codes for Queens Quay (approved September 2020) 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.** 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.
- 06.** 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.

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 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 refer 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.

- 08. 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.**
- 09. 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.**
- 10. 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.**
- 11. 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.**
- 12. 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.**

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.

- 18. 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.**
- 19. 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)).**
 - c)**
These works shall be implemented as approved as part of the Phase 1 works to the site.
- 20. 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.**
- 21. 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.**
- 22. 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.**

23. The amount of retail floor space 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 floor space thresholds shall be the subject of a separate planning application and retail statement for the further approval of the Planning Authority.
24. 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.
25. Any development that would create a roof area greater than 250 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”.

Peter Hessett
Chief Officer - Regulatory and Regeneration
Date: 28th June 2021

Person to Contact: Pamela Clifford, Planning & Building Standards Manager

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

Appendix:

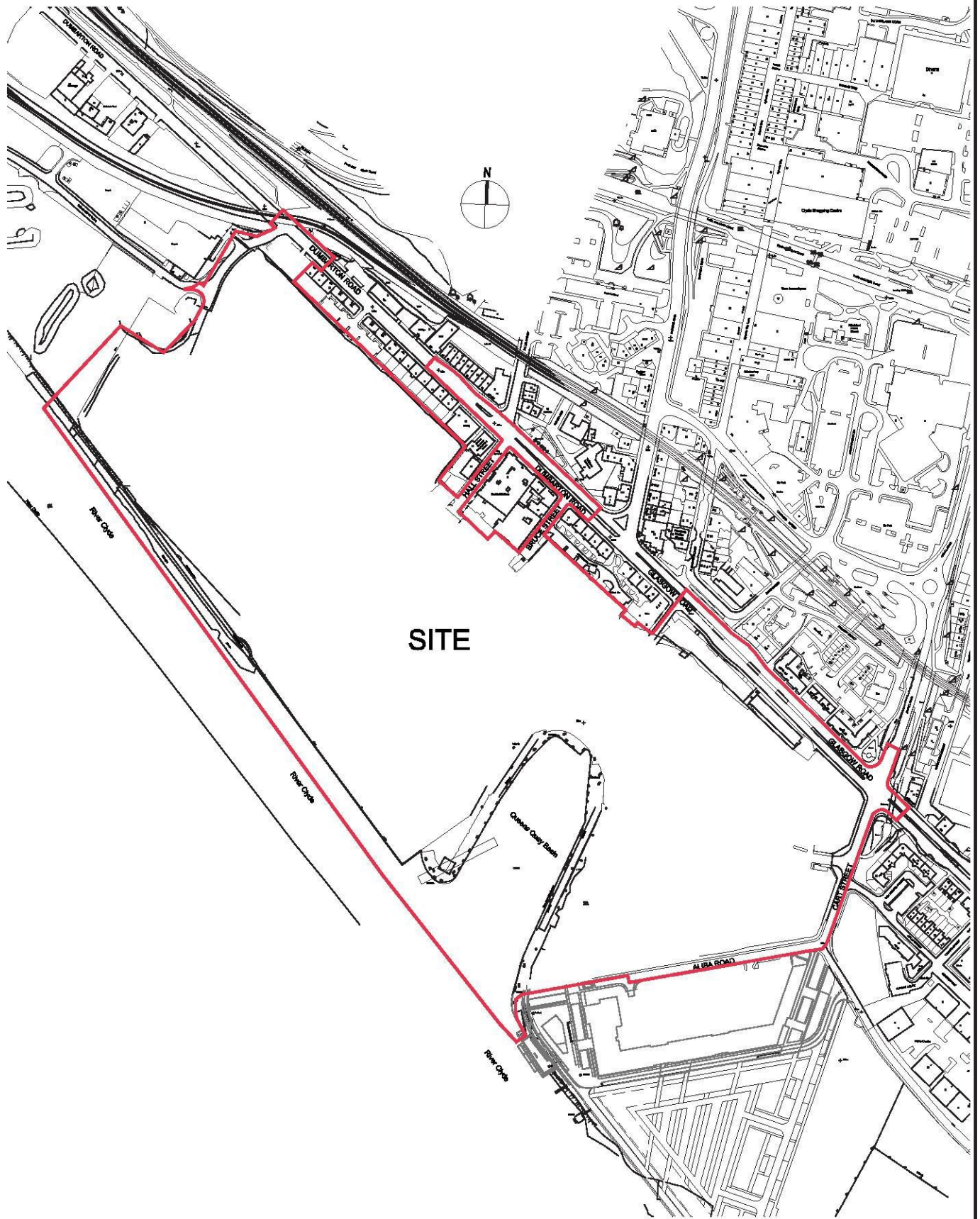
Location Plan

Background Papers:

1. Application forms and plans;
2. DC15/234 (Planning Permission in Principle)
3. Queens Quay Design Codes (Approved September 2020)
4. Consultation responses;
5. West Dunbartonshire Local Plan 2010;
6. West Dunbartonshire Local Development Plan Proposed Plan 1.
7. West Dunbartonshire Local Development Plan 2 Proposed Plan.
8. Residential Development Design Guidance

Wards affected:

Ward 6 – Clydebank Waterfront



Project: PROPOSED DEVELOPMENT
QUEENS QUAY, CLYDEBANK
PLANNING APPLICATION IN PRINCIPLE

Title: LOCATION PLAN

Scale: 1:5000 Date: October 2015 Drawn: NL

Drawing No:

L(-)001

Rev:

Comp. Ref.
E2604

REVISIONS



HALLIDAY FRASER MUNRO

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory and Regeneration****Planning Committee: 28 June 2021**

DC21/012/FUL: Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank by KMC Tyres & Recovery Ltd

1. REASON FOR REPORT

- 1.1** The application raises issues of local significance and is subject to a number of objections. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** Grant planning permission for a temporary period of 2 years from the date of the decision notice and subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application site relates to an area of land on the corner of Dumbarton Road and Beeches Road in Duntocher, Clydebank. The site is bounded by Beeches Road to the east with flatted properties beyond and by Dumbarton Road to the south with a large area of open space on the opposite side of the road. To the west, the site is bounded by a public house and car park, and to the north there is an area of open space which separates the site from the library and community centre. The site measures approximately 640 square metres and was last used as a car park.
- 3.2** The proposal seeks retrospective planning permission for the siting of three shipping containers that are currently on the site, and the operation of a tyre changing business. Two shipping containers and one smaller container are located in the north-western corner of the site. The larger containers both measure 6.1 metres long by 2.4 metres wide and 2.6 metres high. One of the large containers will be used to store tyres and the other will be used to store a tyre changing machine and a wheel balancing machine. Doors of the containers will be open during use. The smaller shipping container measures 3 metres long, by 2.4 metres wide and 2.6 metres high, and will be used to store a diesel generator and a compressor. Doors of the smaller container will be closed when in use and there are small vents in the container wall. Two parking bays for vehicles to park while being worked on will be formed in front of the containers. Parking spaces will be delineated around the edge of the site and the existing access from Beeches Road will remain. The proposed operating hours for the tyre changing business are Monday to

Saturday 8am to 6pm and Sunday 9am to 4pm. Delivery of tyres to the site will take place 1 to 2 times per day during operational hours.

- 3.3** A hot food catering van with associated seating area originally formed part of the application, however, following discussions with officers this has since been removed from the proposed development.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service have no objections subject to conditions regarding the delineation of parking spaces and the provision of a parking bay for disabled badge holders.
- 4.2** West Dunbartonshire Council Environmental Health Service have no objections subject to a condition requiring the reconfiguration of the containers on the site as a noise mitigation measure.
- 4.3** West of Scotland Archaeology Service have no objections to the proposed development.

5. REPRESENTATIONS

- 5.1** Ten representations have been received from local residents, all in objection to the proposal. This includes one of the representations signed by 9 residents of Veitches Court which is on the opposite side of Beeches Road. A summary of the points raised in the representations are as follows:
- Noise pollution from the tyre changing business will affect local residents enjoyment of peace and quiet in their homes. Many local residents are senior citizens and have specifically chosen this area to live in due to its quiet and safe nature.
 - Proposal will result in an increase in traffic at an existing busy junction causing disruption to public transport and to cars entering the adjacent housing scheme. Increased risk of accidents for both vehicles and pedestrians.
 - Fumes from tyre changing business will affect amenity.
 - Several local residents' properties will overlook the site, which will be visually unpleasant and damaging to the environment. It will impact local enjoyment of Duntocher Green through noise and fumes. Development will be out of character with this part of the high street as it has traditionally been characterised by shop fronts.
 - Development would result in the loss of a car park leading to more people parking on the street, which can raise road safety issues.
 - Once the adjacent public house reopens this, along with the proposed development, will result in cars parking on the main road causing problems for vehicles and pedestrians trying to cross the road. Customers of the business may use the parking facilities for nearby houses.

- Property values may be affected as they become less desirable to potential buyers.
- Established tyre repair businesses in the local area would be affected.
- Development would be more suited to an industrial estate.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** Policy GD1 seeks to ensure that all new development is of a high quality design, of an appropriate and compatible land use and that it respects the character and amenity of the surrounding area. Policy H5 seeks to ensure that the character and amenity of existing residential areas are safeguarded where new development is proposed. Where non-residential uses are proposed consideration should be given as to whether the use can be considered ancillary or complementary to the residential area. Developments should not result in a significant loss of amenity to surrounding properties, such as through increased traffic, noise, vibration, smell artificial light, litter, hours of operation and general disturbance.
- 6.2** The proposal complies with all the relevant policies contained in the Adopted Local Plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Similar to Policy H5 of the Adopted Plan, Policy BC4 focuses on new developments within existing neighbourhoods and requires them to respect and be compatible with their surrounding environment. Policy SC3 relates to proposals for non-retail uses in local centres and requires them to be assessed in terms of their impact on the amenity of the centre and surrounding uses. Policy DS1 seeks to deliver successful places and sustainable design for all development proposals. Policy DS4 seeks to protect air quality and prevent 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 unless adequate mitigation measures are included with the proposals. Policy BH1 aims to protect the Antonine Wall from development that would have an adverse impact on the Wall or its setting.

- 7.3** The proposal complies with all the relevant policies contained in the Local Development Plan (LDP1) Proposed Plan and is assessed fully in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified LDP 2 was approved by the Council in August 2020. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2 and these modifications will be presented to a future Planning Committee for consideration. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.

- 7.5** Policy H4 focuses on the safeguarding of amenity in existing residential areas and sets a need for developments to protect, preserve and enhance their residential character and amenity. There will be a general presumption against the establishment of non-residential uses which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents. Similarly to policy H4, Policy CP1 states that new developments must respond to their local context as well as protect and enhance the amenity of existing communities and neighbouring development sites. Policy SC4 relates to Local Centres and aims to protect and support uses that serve the local community. Non-retail uses may be appropriate in local centres, but the Council will have regard to the impact of proposals on the nature of the centre and the character and amenity of surrounding areas, particularly schools and homes. Policy BE1 seeks to protect Scheduled Monuments and Archaeological Sites from development that would adversely affect a Scheduled Monument or its setting, and archaeological sites should be preserved in-situ where possible. The proposed development is considered to be compatible with the surrounding residential area.

- 7.6** Policy ENV8 seeks to ensure that developments do not have a significant impact on established residential areas and properties by way of air, noise or light pollution. Where required, proposals that have the potential to impact, will require to demonstrate that their impact is not significant and provide adequate mitigation where necessary. The proposals will not have a significant impact in any of these regards with the Councils Environmental Health Section having no objection to the development.

Principle of Development

- 7.7** The site is located within an area identified as Existing Residential/Existing Neighbourhood within the adopted Local Plan and proposed Local Development Plans. Proposals for non-residential uses can be acceptable, however, they must be considered in terms of their impact on amenity, character, appearance and potential to cause disturbance. Although the site is captured under the existing residential area policy, the site and its immediate surroundings are characterised by a mix of uses including a public

house, shops, community centre, and a library, as well as residential properties. In this way, the site and surrounding area is similar to a Local Centre in that it is characterised by a mix of uses that serve the surrounding community. The site is also located on the main A-class road (A810) through Duntocher, and such central routes/streets are typically flanked by a mix of uses, and not just residential properties. While commercial/industrial uses tend to be directed towards business and industrial areas, tyre changing businesses in particular are often located on main roads as it provides a convenient location for motorists to stop. The scale of the business is considered to be proportionate to its surroundings and the presence of a new commercial use at this location would not be out of character in this mixed use area. While the site is located within a mixed use area, there are residential properties nearby and the impact on their amenity is considered below.

7.8 Impact on Residential Amenity

The nearest residential properties to the site lie approximately 16 metres away to the east, at Veitches Court on the opposite side of Beeches Road. In the representations some of the local residents have raised concerns about noise and have mentioned that the tyre fitting business was in operation for a time before it was brought to the Council's attention, although this was not witnessed by officers who attended the site. A noise impact assessment has been carried out to determine the potential impact of the proposed development on the nearest residential properties. The assessment looked at noise from the removal and fitting of tyres in the two externally located changing bays and associated plant and equipment located in the adjacent shipping containers. Background noise measurements were taken on a Friday morning to represent a typical weekday noise level and measurements were also taken on a Sunday morning to represent the lowest background noise level. The assessment found that the noise impact during the Monday to Saturday period would not be adverse and therefore additional mitigation would not be required. However, the assessment did find that the noise impact of the development on a Sunday would be more significant due to background noise levels being lower at this time of the week and therefore the assessment recommends mitigation measures to avoid any significant adverse impact. The assessment recommends reorientation of the shipping containers and tyre changing bays to provide a buffer between the noise sources and the residential properties on the opposite side of Beeches Road. The shipping container to be used for storing tyres would be positioned between the tyre changing bays and Beeches Road. Environmental Health have reviewed the noise impact assessment and are content with its findings, including the proposed mitigation measures. The positions of the shipping containers on the site can be managed through a condition.

7.9 Fumes from the tyre changing business has been raised as a concern. The site is located on the main road through Duntocher, which is also an A Class road. The traffic on the road is therefore characterised by all types of vehicles including buses and HGVs, many of which will use the road as a short-cut to get from the A82 on to the roundabout at Hardgate. The introduction of a tyre changing business of this scale is therefore unlikely to make a significant

contribution towards air pollution, particularly as cars will switch their engines off shortly after entering the site. .

- 7.10** Impact on visual amenity has been raised in representations, with residents concerned about impact on the outlook from their property and impact on the character of the main street in general. The site is an existing car park covered with tarmac and therefore it makes little contribution to the visual amenity of the area at present. While shipping containers do tend to be more associated with industrial areas, the current application proposes only three containers, one of which is smaller than the others, and these would be positioned towards the back of the site and subsequently the cars being worked on would also be pushed towards the rear corner of the site, as recommended in the noise impact assessment. While the containers will still be visible, this position will help to reduce their prominence and visual impact. This part of Duntocher, which is on a main route through the area, is characterised by a mix of uses including residential and commercial such as the adjacent public house and nearby shops. Tyre changing businesses and similar uses are often found on main routes as they provide a convenient location for motorists. It is therefore considered that the proposed development would not be out of character with the mixed use area and would not have a detrimental impact on the visual amenity of the area.
- 7.11** Other issues raised in representations include impact on property values and impact on existing businesses in the local area. These are not material planning considerations and cannot be taken into account in the assessment of the application.

Parking and Access

- 7.12** Concerns have been raised regarding the proposed development's potential to cause an increase in traffic at an existing busy junction. The development would utilise the existing vehicular access on Beeches Road and given the scale of the business it is considered that the development will not result in a significant increase in traffic at this location. Concern has also been raised over the loss of a car park which is in a convenient place for those wishing to visit shops etc on Dumbarton Road, which will lead to more drivers parking on the main road. However the existing car park is private and therefore drivers do not have the automatic right to park there at present. The Council's Roads Service has no objections to the proposal and has recommended conditions requiring the provision of a parking space for disabled badge holders and the delineation of parking spaces on the site. The site has sufficient parking for customers and staff and should not affect the residents' car park on the opposite side of the road. It is therefore considered that the proposal raises no road safety issues.

Other Technical Matter

- 7.13** The site is located near to the Antonine Wall, the setting of which is protected as it is a Scheduled Ancient Monument. The Wall at this location is not visible as it passes under existing buildings therefore the proposed development would not affect its setting, and as the proposal would not involve any ground excavation works there is no risk to archaeological remains.

8. CONCLUSION

- 8.1** The proposed development would introduce a commercial use into a mixed use area. The impact on amenity has been taken into account and it is considered that the proposal would not have a significant detrimental impact on the existing amenity of nearby residential properties provided that the mitigation measures recommended in the noise impact assessment are taken into account. Over all it is considered that the proposal complies with the policies of the adopted local plan and proposed local development plans and is therefore acceptable.

9. CONDITIONS

- 01.** The permission hereby granted is for a temporary period of 2 years only from the date of the decision notice, after which the containers shall be removed and the site restored to its former use unless a further planning permission is granted.
- 02.** For the avoidance of doubt the hot food catering van and seating area shown on drawing no.03 do not form part of this consent. No food catering vehicles shall operate on the site at any time.
- 03.** The tyre fitting business shall trade only between the following hours:
Monday to Saturday 08.00 and 18.00
Sunday 09.00 and 16.00
- 04.** No development shall commence on site until an amended site layout drawing has been submitted for the further written approval of the planning authority. The amended site layout drawing shall show all proposed parking spaces and the locations of the shipping containers reconfigured as per the recommended mitigation measure noted within the New Acoustics Noise Impact Assessment- Rev 01 Report no. 7278-00-01 dated 17 May 2021. The amended layout shall thereafter be implemented as approved. No changes shall be made to the positions of the shipping containers thereafter unless otherwise agreed in writing with the Planning Authority.
- 05.** Prior to the commencement of the use on site, details of the method of delineation of the parking spaces, including a space for disabled badge holders, shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details before it is brought into use.

Peter Hessett
Chief Officer – Regulatory and Regeneration
Date: 28 June 2021

Person to Contact: Pamela Clifford, Planning, Building Standards and Environmental Health Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

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

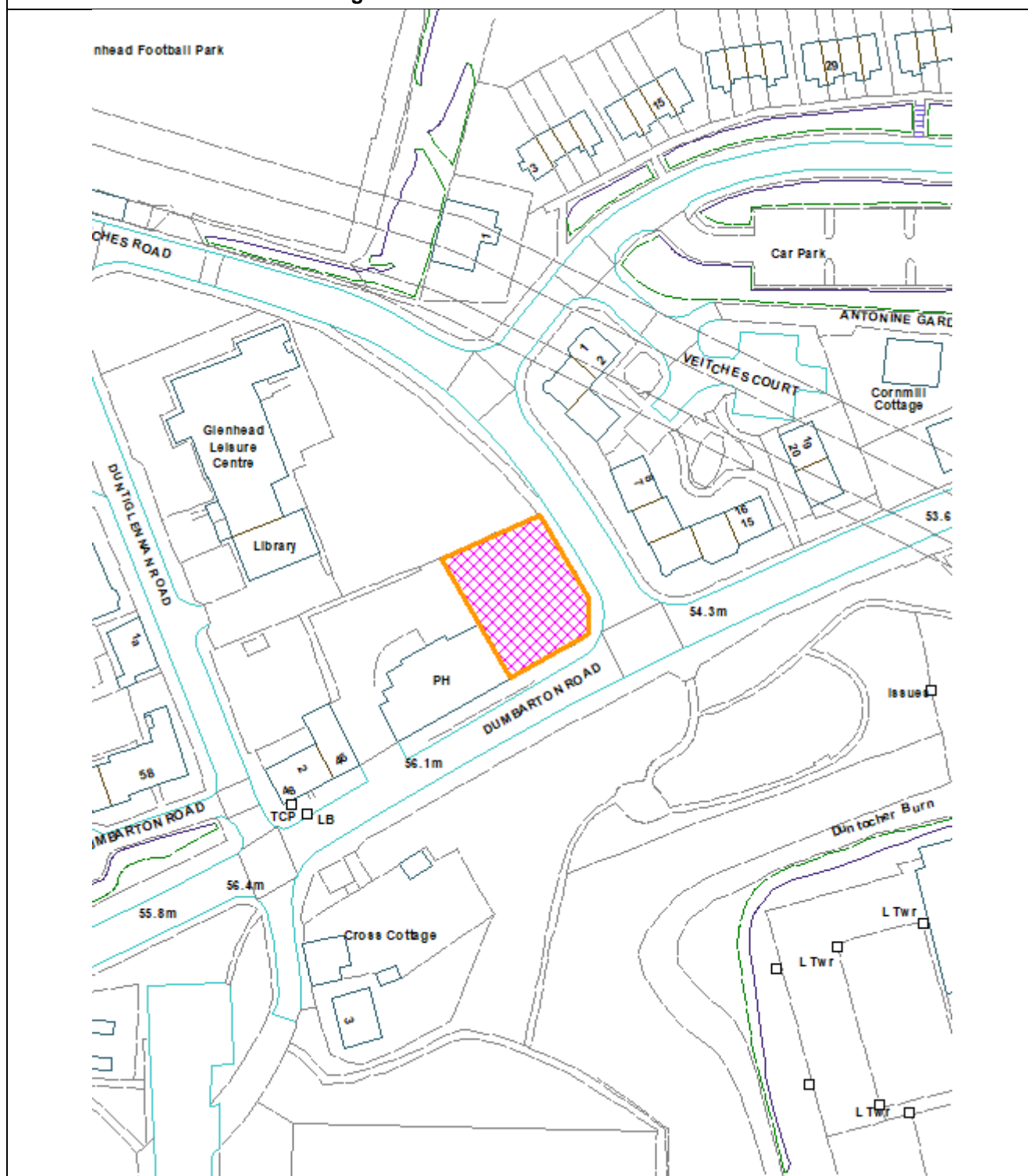
Wards affected: Ward 4 (Kilpatrick)

Map Register No: HQ656
Date: 22 June 2021

DC21/012/FUL

Siting of 3 containers on
existing car park to
accommodate tyre fitting
business and siting of
associated mobile hot food
catering van

Land Adjacent To Public House
Dumbarton Road
Duntocher
Clydebank



WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Planning Committee: 28 June 2021

**DC21/018/FUL: Change of use of office to flat at Flat 1/3 10 Castle Terrace,
Castle Street, Dumbarton by Richmond Architects.**

1. REASON FOR REPORT

- 1.1** The application relates to a proposal that is subject to an objection from a statutory consultee. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** That the Committee indicate that it is minded to grant planning permission and delegate authority to the Planning, Building Standards and Environmental Health Manager to issue the decision and to the satisfactory conclusion of the referral of the planning application to Scottish Ministers.

3. DEVELOPMENT DETAILS

- 3.1** The application site is a ground floor property located within a two-storey high, sandstone building in Dumbarton town centre. The site is bounded by residential properties on both sides, by a small parking area and “no- through” road at the front, and by vacant land to the rear and a supermarket.
- 3.2** The proposal involves a change of the use from an existing office to a flat. The property currently has two main rooms that are used as offices, along with a small toilet at the rear of the building. The layout would remain broadly the same, with the office at the front of the building becoming a bedroom, the office at the rear of the building becoming a lounge/kitchen/dining room, and the existing toilet would become a shower room. There would be no external alterations to the building and entry into the property would remain via the communal close.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service and Environmental Health Service have no objections to the proposed development.

- 4.2 Scottish Environment Protection Agency (SEPA) has objected to the proposal on the grounds that it would put people or property at risk from flooding.

5. REPRESENTATIONS

- 5.1 No representations have been received.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1 Policy RET1 relates to new developments such as retail, commercial leisure, cultural/public service developments and other key town centres uses, which should adopt the sequential approach to site selection. The principles underlying the sequential approach also apply to proposals to change the use of an existing development, where the proposals are of a scale or form sufficient to change their role and function. First preference is for such developments to be located within town centres. Policy GD1 seeks to ensure that all new development is of a high quality design, of an appropriate and compatible land use and that it respects the character and amenity of the surrounding area. Policy F1 aims to resist developments that are likely to increase the risk of flooding locally or are located in a functional flood plain and/or are likely to adversely affect an existing or potential flood attenuation area, unless in exceptional circumstances for essential infrastructure or regeneration priorities. Policy T4 aims to ensure that new developments are well integrated into walking, cycling and public transports routes.
- 6.2 The proposal complies with all the relevant policies contained in the Adopted Local Plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1 On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2 Policy SC3 relates to proposals involving non-retail uses within town centres and supports such uses where they encourage visits to the town centre and are appropriate to the town centre's role and function. Policy DS1 seeks to deliver successful places and sustainable design for all development proposals. Policy DS3 relates to accessibility and where relevant developments should include measures to ensure the development is easily accessible by active travel or sustainable means of transport. Policy DS6

relates to flooding and 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.

- 7.3** The proposal complies with all the relevant policies contained in the Local Development Plan (LDP1) Proposed Plan and is assessed fully in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified Plan and associated documents was approved by the Council on 19 August 2020. The Council has advised the Scottish Ministers of its intention to adopt the Plan. On 18th December 2020, the Scottish Ministers issued a Direction in relation to the housing land chapter of the Plan. None of the policies considered in the determination of this application are affected by the Direction. Therefore, Local Development Plan 2 is the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications.
- 7.5** Dumbarton Policy 4 relates specifically to Castle Street and the land that lies to the south of it. Mixed-use development within this site, including residential development, will be supported in order to increase the number of people living in the town centre. Policy CP1 states that new developments must respond to their local context as well as protect and enhance the amenity of existing communities and neighbouring development sites. Policy SC1 aims to direct proposals for retail, commercial and leisure development, and other key town centre uses towards town centres in the first instance following the principles of the sequential approach. Policy CON1 aims to ensure that all new development is accessible with priority given to methods of active travel and public transport. Policy ENV6 states that development will not be supported on the functional flood plain or where it would have a significant probability of being affected by flooding or increasing the probability of flooding elsewhere.
- 7.6** The proposal complies with all the relevant policies contained in the Local Development Plan (LDP2) Proposed Plan and is assessed fully in Section 7 below.
- Principle of Development
- 7.7** The site is located within Dumbarton Town Centre and the policies of the adopted local plan and proposed local development plans support a sequential approach to site selection for new retail, commercial leisure, cultural and public service developments along with other key town centre uses including residential. The principles underlying this approach also apply to proposals involving a change of use of an existing building. First preference is for town centre sites where sites or buildings are suitable for conversion. It is recognised that non-retail uses make an important contribution to a town centre's character, sense of place and how well it functions with houses and flats providing a resident population that will

support local shops and businesses, and contribute to security and activity, particularly in the evening. While staff working in the existing office may make some contribution to the local economy, for example, through the use of local shops, any person residing at the property is also likely to use local shops and businesses, as well as participate in the evening economy through local restaurants and public houses. A resident is also likely to use other local facilities such as schools, libraries and leisure centres. It is considered that the loss of an office use at this location will have little impact on office provision within the local area, and the change to residential use will help to support other town centre uses. The principle of changing the use of the property from an office to a flat is therefore considered to be supported by the policies of the adopted and proposed local development plans as it will contribute to the vitality and viability of the town centre.

- 7.8** The property is located within a building with other flatted units. The proposed change to residential use would therefore be in keeping with its immediate surroundings. It should be noted that planning permission was granted in 2004 to change the use of the property from a flat to an office. The property has therefore been used as an office for the last 17 years, but prior to this it was in residential use. The proposal would see the property return to its original use and as no representations have been received this is considered to be acceptable.

Scottish Planning Policy

- 7.9** Scottish Planning Policy advises that alterations to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems. The proposed change of use will not impact on the functional floodplain or increase the risk of flooding locally and therefore the proposal complies with this policy.

Flood Risk

- 7.10** The property is identified on SEPA flood maps as being within an area at medium risk from coastal flooding due to its location near to the River Leven, and it is also located next to an area at medium risk of surface water flooding. For this reason SEPA have objected to the proposal on the grounds that it would put people or property at risk. In addition to this, local plan policies seek to avoid developments that would either be at significant risk of flooding or increase the risk of flooding elsewhere. The proposal involves an existing building and no external changes are proposed therefore the development would not increase the risk of flooding elsewhere. The Council's Roads Service as Flood Authority have not raised any concerns about the proposed residential use nor objected to it. Further to this, the property was in residential use until 17 years ago and the change to residential is not an entirely 'new' use and the property is at no greater risk of flooding than the other ground floor flats within the building. It is therefore considered it would be difficult to justify preventing the property from reverting back to its previous use on the grounds of flood risk alone. In this instance, it is recommended that greater weight be given to the advice of the Council's Roads Service than the objection from SEPA. Therefore, under the Town and Country

(Notification of Applications) Scotland Direction 2009, if the committee are minded to approve the planning application it will require to be referred to the Scottish Ministers for their consideration as SEPA (a statutory consultee) have submitted an objection.

Parking

- 7.11** The property would be converted into a one bedroom flat, which would typically require one parking space. The property does not have any existing off-street parking provision or available ground to provide a parking space. However, there is an existing parking court immediately in front of the building, along with a number of delineated spaces at the side of the road, both of which are used by residents of the building. The adjacent Denny tank museum has its own private car park as do other nearby uses such as supermarkets and the Council offices. While in use as an office the applicant has stated that typically two members of staff, each with their own car, would be present on a typical day. Residential use is typically regarded as placing greater pressure on parking provision than an office use as the car effectively 'lives' at the property rather than 'visiting' as an office worker would travel home at the end of the day. However, in this instance, given the scale of the development and its minimal parking requirement of one space, along with the property's location within the town centre where it is a short walking distance to local amenities and train station/bus stop for longer journeys, it is considered that the development will not have a detrimental impact on existing parking provision for existing residents. An existing communal outhouse at the rear of the property will provide secure storage for a bicycle, which will help to support cycling as a sustainable method of transport. The Council's Roads service has no objections to the residential use on parking grounds. .

8. CONCLUSION

- 8.1** The proposal involves a change of use that would reintroduce a residential property to the town centre. The proposed use is appropriate as it would be located within a building occupied by other residential uses and it would also contribute to the vitality and viability of the town centre. Although the site may be at some risk from flooding, this is considered to be no greater than existing neighbouring properties. The proposal is supported by the policies of the adopted local plan and proposed local development plans and is considered to be acceptable.

9. CONDITIONS

- 9.1** No conditions are recommended.

Peter Hessett
Chief Officer – Regulatory and Regeneration
Date: 28 June 2021

Person to Contact: Pamela Clifford, Planning, Building Standards and Environmental Health Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. West Dunbartonshire LDP - Proposed Plan 2
5. Consultation responses

Wards affected: Ward 3 (Dumbarton)

Map Register No: HQ657
Date: 22 June 2021

DC21/018/FUL

Change of use of office to
flat

Flat 1/3
10 Castle Terrace
Castle Street
Dumbarton
G82 1QY

