

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead - Regulatory****Planning Committee: 23rd October 2019**

DC18/107: Installation of 6 no. floodlighting columns and 1 ground mounted floodlight at Dumbarton Football Club, Castle Road, Dumbarton by West Dunbartonshire Council.

1. REASON FOR REPORT

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

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application site relates to a strip of land within the grounds and curtilage of Dumbarton Football Club. The main stand of Dumbarton Football Club Stadium is to the North of the site with Dumbarton Castle and Rock to its immediate South. Both the Castle and Rock itself form part of a Scheduled Ancient Monument with these features also Category A listed. The development is to be specifically located immediately next to an existing path and road network, which extends to the west towards Dumbarton town centre and along the water's edge.
- 3.2** Planning permission is sought for the erection of 7 floodlights to be located to the north and east side of the Rock and Castle. These have been positioned to optimise illumination of special features of the rock and castle itself from viewpoints within Dumbarton town centre and the surrounding locality. This development will compliment the proposed waterfront walkway, which will link Dumbarton Rock and Castle to Dumbarton Town Centre.
- 3.3** Six of the proposed locations will involve mounting the floodlights on 10 metre high steel columns and at one location the floodlights will be ground mounted (corner of northern and eastern boundary next to the football clubs overspill car park). The volume and amount of floodlights to be mounted on each column varies from 2 to 6 and is dependent on the location and the size of the area to be illuminated in each case.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Environmental Health Service, Historic Environment Scotland (HES), Scottish Natural Heritage (SNH) and West of Scotland Archaeological Service (WOSAS) have no objections to the proposals.

5. REPRESENTATIONS

- 5.1** One letter of representation has been received in relation to this application. The objection was submitted on behalf of one of the landowners (Dumbarton Football Club). Following on from the refusal of the planning permission for Dumbarton Football Club to relocate from the current site to a new location, the landowner expressed a necessity for the football club to retain its full curtilage as undeveloped land in order to maximise its opportunity to introduce additional non-football revenue generating uses. The objection to the application was specifically on the grounds that the floodlights would compromise the availability of some of this ground and in turn the ability for the football club to potentially deliver some of these uses.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** Policy GD1 is an overarching policy and seeks to ensure that all development is of a high quality of design and respects the character and amenity of the area. Policy H5 seeks to ensure that development within or nearby to existing residential areas is compatible and appropriate and can be introduced without compromising residential amenity.
- 6.2** Policy BE4 and Policy BE5 respectively aim to ensure that all development where applicable protects and enhances cultural and built heritage including listed buildings and scheduled monuments.
- 6.3** Policy E2A and Policy E2B are also applicable noting the sites proximity to a Natura and Special Protection Area (SPA) offset to the southern site boundary.
- 6.4** The proposals, comply with all of 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 Duntiglenan 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** Policies DS1, GN3, BC4, BE2 and BE3 with regards to design quality, residential amenity, cultural heritage and habitat and protected species matters are similar to that of the Adopted Plan and in many instances overlap the requirements stipulated.
- 7.3** Similar to the above, the proposals are considered to comply with all the relevant policies contained in the Proposed Plan and is assessed fully in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.
- 7.5** Policies CP1, CP2, ENV1 and H4 are similar to the design, residential amenity and nature conservation policies of the Adopted and Proposed Plan 1 policies.
- 7.6** The Dumbarton Development Strategy supports the protection of Dumbarton Castle and its setting, requiring consideration of the impact of the proposal on the Castle setting. Dumbarton Policy 7: Dumbarton Castle requires adjacent developments to preserve key views of the rock face and a need for any development to recognise, protect and, where appropriate, enhance the setting of the Castle through the design and layout.

Visual Impact

- 7.7** The proposed development is considered to be acceptable from a visual amenity perspective and the physical lighting columns and structures pose no significant issues in this regard. The main stand of Dumbarton Football Club will screen much of their presence from any notable and prominent viewpoints facing south onto Castle Road. From any viewpoints from within the immediately locality where these are more visible, it is considered that they will appear as generally complimentary features that are not out of context with the surrounding environment noting similar lighting structures and provisions are already in place associated with the football club.

Impact on Residential Amenity

- 7.8** The lighting proposal has been carefully positioned and designed as to minimise light spillage and impact upon both existing and proposed residential properties in the locality. Noting the nature of the proposals, all lighting columns have been orientated as to face in a northern or eastern direction, directly onto the rock/castle face itself. The technical information and visualisations submitted as part of this application demonstrates that the lighting itself is designed so that it has a relatively localised and controlled focus and reach and on this basis it is not considered it will impact on any

residential properties. The Council will control the use of the floodlights through an app. Furthermore, the Council's Environmental Health Service have reviewed the proposed positioning, design and technical illuminance details of the lighting and have no objections on this basis.

Impact on Cultural Heritage

- 7.9** The lighting strategy will enhance the appearance and setting of Dumbarton Rock and Castle during darker hours and in turn creating a sense of atmosphere for this important landmark feature from other viewpoints in Dumbarton and further. The lighting has been specifically located as to accentuate and bring out key features associated with the cultural identity of the Rock and Castle such as the 'Duke of Argyll's Battery' and 'Prince Regents Battery' and make them more notable within the surrounding area. It is will be a positive development that helps to celebrate the presence of Dumbarton Rock and Castle.

- 7.10** No lighting is to be directly fixed to the rock itself, with all lighting columns to be appropriately offset from its face at ground floor level. This eliminates any direct damage to the Rock and Castle. Historic Environment Scotland (HES) have no objections and support the illumination of the Rock and Castle.

Ecology

- 7.11** The recommendations of the Bat Survey Report submitted as part of this application has informed the location, type and design of lighting proposed. The assessment and recordings undertaken give strong indication that bat activity levels are highest around the top of Dumbarton Rock, with significantly lower levels of foraging in the more sheltered lower levels. High level rock fixed lighting has been discounted on this basis and the proposed lighting has been strategically located at ground level near to the base of the rock. This reduces the potential for light spill to occur and will help to maintain dark corridors used by bat foraging activities and the nearby Special Protection Area which accommodates for redshank at various times throughout the year. Notwithstanding the above, a condition is proposed requiring an updated Bat Survey Report to be provided to confirm that on-site circumstances have not changed since the previous assessment.

- 7.12** Whilst the proposals are in relatively close to the Inner Clyde Special Protection Area (SPA) and the SSI boundary, SNH have advised that they do not consider that either of these designations will be significantly affected by light spill of the developments as proposed.

Representation

- 7.13** Following receipt of the representation received, discussions between the Council's Regeneration team and the landowner and their appointed representative have been ongoing for some time. Whilst fundamentally the above relates to land ownership matters, which do not necessarily constitute material planning considerations, recognition was given to the fact that the implications of not resolving these matters could have a real impact on the actual delivery of the floodlights. Whilst the objector has recently verbally confirmed the withdrawal of their objection to the Council, this has not been

formalised in writing and it is now considered that the determination of the application can no longer be deferred on this basis. The positioning of the floodlights will not have an adverse impact on any future proposals to develop the DFC football stadium.

8. CONCLUSION

- 8.1** The Dumbarton Rock and Castle is a national landmark in Dumbarton and is visible from different viewpoints in Dumbarton and the wider area. The proposed lighting will further give the Rock and Castle an enhance presence which together with the waterfront path will provide a community and visitor attraction to the benefit of the local area.

9. CONDITIONS

- 1. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the applicant shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.**
- 2. Prior to undertaking any alterations or modifications to the subsequent approved layout, orientation and/or positioning of any of lighting columns or the attached floodlights accommodated on each as shown on approved plan 'Proposed Lighting, Cabling & Column Layout – Phase 1 (Drawing P054 Rev AB - Feature Lighting)', details of a revised layout plan shall be submitted to and approved in writing by the Planning Authority. Any alterations or modifications to the layout, orientation and/or positioning of the lighting columns and/or the associated floodlights as shown on an approved revised plan shall be formed on site and be maintained as such thereafter unless otherwise further agreed in writing by the Planning Authority.**
- 3. Prior to the commencement of development on site and notwithstanding the approved 'Dumbarton Rock Floodlighting: Bat Survey (2017)', an updated bat survey/report shall be submitted to and approved in writing by the Planning Authority. This shall either confirm that the findings and recommendations of the original survey remain valid or alternatively outline further recommendations as required based on current circumstances. Thereafter, the recommendations contained within this updated bat report/survey shall be implemented prior to any other work commencing on site and maintained as such thereafter unless otherwise agreed in writing by the Planning Authority.**

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Date: 23rd October 2019

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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 3 (Dumbarton)