



Agenda

Planning Committee

Date: Wednesday, 21 December 2016

Time: 10.00

Venue: Council Chamber, Clydebank Town Hall,
Dumbarton Road, Clydebank

Contact: Craig Stewart, Committee Officer
Tel: 01389 737251, craig.stewart@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Lawrence O'Neill (Chair)
Provost Douglas McAllister (Vice Chair)
Councillor Denis Agnew
Councillor Gail Casey
Councillor Jim Finn
Councillor Jonathan McColl
Councillor Patrick McGlinchey
Councillor John Mooney
Councillor Tommy Rainey
Councillor Hazel Sorrell

All other Councillors for information

Date of Issue: 9 December 2016

PLANNING COMMITTEE

WEDNESDAY, 21 DECEMBER 2016

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 MINUTES OF PREVIOUS MEETING 5 - 10

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 23 November 2016.

4 PLANNING APPLICATIONS

Submit reports by the Strategic Lead – Regulatory in respect of the following planning applications.

New Applications:-

(a) DC16/156 – Erection of 12 houses including new access road and parking at the Former Napierston Farm, Napierston Road, Bonhill, Alexandria by Argyle Homes (Bonhill) Ltd. **11 - 20**

(b) DC16/146 – Erection of 4 Detached Dwellinghouses (Renewal of Permission DC11/268) at Development Site, Dumbarton Road, Milton by William Rooney. **21 - 30**

(c) DC16/191 – Erection of residential development (Variation of conditions 1, 3, 5 and 16 of permission DC13/121 in order to allow formation of access road prior to agreement of various details) at Stanford Street, Clydebank by Dawn Homes Ltd./Ediston Homes Ltd. **31 - 42**

5 CONSULTATION ON PROPOSED INCREASE TO BUILDING STANDARDS FEES 43 - 54

Submit report by the Strategic Lead – Regulatory advising of the publication of a consultation document regarding increasing Building Standards fees and seeking approval to respond to the consultation.

**6 RECEIPT OF PLANNING APPEAL IN RESPECT OF REFUSAL OF
APPLICATION DC16/106 (PROPOSED MODIFICATION OF PLANNING
OBLIGATION RELATING TO OCCUPANCY RESTRICTION) AT CHERRY
TREE COURT, HILL STREET, ALEXANDRIA** **55 - 56**

Submit report by the Strategic Lead – Regulatory advising of the receipt of a planning appeal in relation to the above.

7 PLANNING PERFORMANCE FRAMEWORK 2015-16 57 - 114

Submit report by the Strategic Lead – Regulatory informing of the recent comments received from the Scottish Government and the peer review regarding the Planning Performance Framework submitted by this Council for 2015-16.

8 DUMBARTON WATERFRONT PATH PLANNING GUIDANCE 115 - 123

Submit report by the Strategic Lead – Regulatory seeking approval of draft Planning Guidance on Dumbarton Waterfront path.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 23 November 2016 at 2.00 p.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Jonathan McColl, Patrick McGlinchey*, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

* Attended later in the meeting.

Attending: Peter Hissett, Strategic Lead – Regulatory; Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader – Development Management; Alan Williamson, Team Leader – Forward Planning; Raymond Walsh, Interim Manager – Roads and Transportation; Nigel Ettles, Section Head - Litigation and Craig Stewart, Committee Officer.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 26 October 2016 were submitted and approved as a correct record.

CLYDEBANK BUSINESS PARK PLANNING GUIDANCE

A report was submitted by the Strategic Lead – Regulatory seeking approval of draft Planning Guidance on Clydebank Business Park.

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Forward Planning, the Committee agreed to approve Appendix 1 of the report as draft Planning Guidance on Clydebank Business Park and that it be published for consultation.

PLANNING APPLICATIONS

Reports were submitted by the Strategic Lead – Regulatory in respect of the following planning applications.

New Applications:-

- (a) **DC16/221 – Extension and modification to raised decks (part retrospective) at 7 Milton Hill, Milton by Miss F. McInnes.**

After hearing the Planning and Building Standards Manager, the Committee agreed to note that this application had been withdrawn by the applicant.

- (b) **DC16/155 – Change of use of industrial unit (Class 5) to indoor trampoline park (Class 11) including formation of additional car parking at Unit 9, Bleasdale Court, Clydebank Business Park by RMS Leisure Ltd.**

The Planning and Building Standards Manager was heard in further explanation of the report. Thereafter, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report as detailed within Appendix 1 hereto.

- (c) **DC16/193 – Use of Units 62-65 and 70-73 as amusement centre, including associated change of use of units 62-65 from retail to amusement centre and change of use of units 66-69 back to retail at Indoor Market, Clyde Shopping Centre, 36 Sylvania Way South, Clydebank by H&H Entertainments.**

Councillor O'Neill, Chair, informed the Committee that a request to be heard in respect of this application had been made by the agent, Ms. Lisa Russell. The Committee agreed to hear Ms. Russell and take the opportunity to ask any questions in relation thereto.

After discussion and having heard the Planning and Building Standards Manager in further explanation and in answer to Members' questions, the Committee agreed to indicate that it was minded to grant full planning permission, and that authority be delegated to the Planning and Building Standards Manager to issue the decision subject to the satisfactory conclusion of a legal agreement or other suitable mechanism that units 66-69 are operated as a Class1 retail use only.

Note: Councillor McGlinchey entered the meeting during consideration of the above item.

CONSULTATION ON PROPOSED PAYPHONE REMOVALS

A report was submitted by the Strategic Lead – Regulatory on the Council's response to a consultation from British Telecommunications (BT) on the proposed removal of various public telephone boxes.

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Development Management in further explanation and in answer to Members' questions, the Committee responded to the consultation, agreeing to the removal of 10 payphones, but requested that BT reconsider proposals to remove payphones at the undernoted locations:-

Argyll St./North Main St., Alexandria;
Bellsmyre (Whiteford Ave./Whiteford Gdns.), Dumbarton;
Parkhall (Rowan Dr./Poplar Dr.), Clydebank; and
Rosshead (Colquhoun Dr.), Alexandria.

KIRKTONHILL CONSERVATION AREA

A report was submitted by the Strategic Lead – Regulatory seeking approval of alterations to the boundary of the Kirktonhill Conservation Area.

The Committee agreed:-

- (1) to approve the following changes to the Kirktonhill Conservation Area boundary:-
 - (a) the inclusion of Levensgrove Park;
 - (b) the removal of Helenslee Crescent; and
 - (c) the removal of the garage at West Bridgend.
- (2) to submit Appendix 1 of the report to the Scottish Ministers as the new boundary of the Kirktonhill Conservation Area; and
- (3) to note that the Kirktonhill Conservation Area Appraisal (March 2016) would be a material consideration in the determination of future planning applications affecting the conservation area.

RENEWABLE ENERGY SUPPLEMENTARY GUIDANCE

A report was submitted by the Strategic Lead – Regulatory seeking approval of Supplementary Guidance on Renewable Energy.

The Committee agreed to approve Appendix 1 of the report as the Council's Supplementary Guidance on Renewable Energy.

VALEDICTORY – ALAN WILLIAMSON

Councillor O'Neill, Chair, informed the Committee that this was the last meeting which Mr Alan Williamson, Team Leader – Forward Planning, would attend as he was moving to a new post within Inverclyde Council.

On behalf of the Committee, Councillor O'Neill thanked Mr Williamson for all his hard work, dedication and commitment over the years and wished him well in his new role. All of the other Members present thanked Mr Williamson and wished him good luck in the future.

In response, Mr Williamson thanked everyone for their kind words and advised that he had enjoyed his time working for West Dunbartonshire Council.

The meeting closed at 2.48 p.m.

DRAFT

DC16/155 – Change of use of industrial unit (Class 5) to indoor trampoline park (Class 11) including formation of additional car parking at Unit 9, Bleasdale Court, Clydebank Business Park by RMS Leisure Ltd.

Permission GRANTED subject to the following conditions:-

1. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Scotland) Order 1992 and the Town and Country Planning (Use Classes) (Scotland) Order 1997, and any subsequent orders amending, revoking or re-enacting these orders, the premises shall be used as a trampoline centre only, and not for any other purpose (including another 'Class 11' purpose) without the express permission of the Planning Authority.
2. A landscaping scheme for the amenity open space and boundary of the site, including replacement tree planting shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the unit.
3. No development shall commence until the trees marked for retention on the approved plans have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.
4. Any excavation works through the root areas of the trees shall only be undertaken by hand.
5. Prior to the occupation of the development hereby approved the car parking spaces shown on the approved drawings no. 01 Rev C shall be constructed, surfaced and delineated on the site.
6. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
7. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.
8. Prior to the commencement of development on site details of the flue system/extraction system shall be submitted to and approved by the Planning Authority. The submitted details shall include the noise output and filter system. The approved flue/extraction system shall be implemented prior to being brought into use and shall be maintained thereafter.

DC16/193 – Use of Units 62-65 and 70-73 as amusement centre, including associated change of use of units 62-65 from retail to amusement centre and change of use of units 66-69 back to retail at Indoor Market, Clyde Shopping Centre, 36 Sylvania Way South, Clydebank by H&H Entertainments.

MINDED to GRANT full planning permission, and that authority be delegated to the Planning & Building Standards Manager to issue the decision subject to the satisfactory conclusion of a legal agreement or other suitable mechanism that units 66-69 are operated as a Class1 retail use only.

DRAFT

WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Lead - Regulatory****Planning Committee: 21 December 2016**

DC16/156: Erection of 12 houses including new access road and parking at the Former Napierston Farm, Northfield Road, Bonhill, Alexandria by Argyle Homes (Bonhill) Ltd.

1. REASON FOR REPORT

- 1.1** The proposal is subject to a representation from the Community Council and 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 full planning permission, and to delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a developer contribution towards the green network.

3. DEVELOPMENT DETAILS

- 3.1** The application site is located on Napierston Road, a short distance south of its junction with Auchencarroch Road. It was previously occupied by the buildings of Napierston Farm, which have been demolished. The site is currently vacant and extends to approximately 0.3 hectares. It is bounded by Napierston Road to the west, housing to the east and south and open land to the north where there is a culverted watercourse.
- 3.2** Full planning permission is sought for the erection of 12 houses comprising a mixture of semi-detached, detached and terraced properties. The houses would be either 2 or 3 bedroom properties for private ownership. Three terraced houses would front onto Napierston Road whilst the remainder of the houses would front onto the new access road. The terraced houses would be staggered to reflect the curve of Napierston Road and provide a frontage to Napierston Road. Each property within the development would have a minimum of two off street parking spaces and a private garden. The houses would all be of two storeys, with either a gabled or a hipped roof. External finishing materials would primarily consist of concrete roof tiles, render and facing brick.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service has no objection to the proposal subject to conditions relating to the formation of the new junction and ensuring that all parking spaces on site are an appropriate size.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to contaminated land, noise, permitted hours of work on site and dust control measures.
- 4.3** The Scottish Environmental Protection Agency has no objection to the proposal subject to a condition which requires the replacement of a trash screen on a nearby culvert to reduce the risk of the culvert becoming blocked.

5. REPRESENTATIONS

- 5.1** Two representations have been received in relation to this application. One representation is from Bonhill and Dalmonach Community Council, which supports the principle of a residential development on this site but raises various comments and concerns. The other representation is from a local resident who objects to the proposal. The issues raised in the two representations:
- Twelve units on this site would constitute overdevelopment;
 - The level of parking proposed would not be sufficient for any future growth in car ownership. In many cases houses have 3 or 4 cars each when adult children still live with their parents. There are already problems of parking on pavements in nearby developments;
 - The houses fronting Napierston road are likely to give rise to on-street parking at this location, where it would detract from road safety and the convenience of road users;
 - Positioning of new junction and driveway accesses as a bottleneck in Napierston Road, where there is an 'S' bend and there can be existing conflict between parked cars and buses;
 - The new junction appears to be quite tight, and the opportunity to straighten this section of Napierston Road should be explored instead; and
 - The site is naturally wet land with a history of flooding and its development might result in flooding of neighbouring houses or roads; and
 - Loss of privacy due to proximity of windows to neighbouring house

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site is identified as part of an Existing Residential Area where Policy H5 seeks to safeguard character and amenity. New development should reflect the character of the surrounding area in terms of scale, density, design and materials. There is a requirement to avoid overdevelopment which would

have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings.

- 6.2** Policy R2 specifies the open space provision required for all new development. However, assessment of open space requirements has been undertaken against the more up to date document, Our Green Network Guidance referred to in Section 7.9 below. Policy H4 sets out standards expected of new residential development, requiring high quality in terms of shape, form, layout and materials. Policy GD1 sets out development control criteria for the assessment of all new development.
- 6.3** The layout and design of the development is assessed in Section 7 below. It is considered that the development complies with all of the above policies.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.2** The proposed development site is identified under Policy BC1 as a housing opportunity with an indicative capacity of 8 units. Policy DS1 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). All residential developments of more than 3 units are also expected to comply with the Residential Development: Principles of Good Design Supplementary Guidance. As discussed below, it is considered that the proposal would comply with these requirements.
- 7.3** Policy DS3 requires that significant travel generating uses are located within 400 metres of the public transport network. Policy DS6 states development will not be supported where it would have a significant probability of being affected by flooding or increase the risk of flooding elsewhere, and requires SUDS to be included, where appropriate in developments. Policy DS7 requires that developments on sites that are potentially contaminated are remediated to ensure the site is made suitable for its future use. The proposal is considered to comply with these policies as discussed below.

Principle of Development

- 7.4** The application site is brownfield land in the urban area which has been vacant since Napierston Farm was demolished a number of years ago. Redevelopment of this area for residential purposes would contribute towards the regeneration of the surrounding area and would be consistent with policies of the adopted and proposed development plans. It is therefore considered that the principle of the proposed residential development is acceptable, and that the main issues for consideration in this application are the design and layout of the development and technical matters.

Layout, Design and Appearance

- 7.5** A design and access statement has been submitted in support of the application which demonstrates how the layout addresses the surrounding area and the requirements contained in the Local Development Plan. The development aims to create a high quality and welcoming residential development, creating a sense of place which integrates with the surrounding area through density, layout, materials and general appearance.
- 7.6** The proposed development would be sited at a prominent location on Napierston Road, and has been designed to incorporate the principles of the Scottish Government's 'Designing Streets' document and the Council's Residential Design Guidance through the use of shared surfaces, to provide a pedestrian friendly layout within the short cul-de-sac. Although the development is of a relatively high density the garden areas are similar to other more recent developments nearby. It is considered that the new houses would enjoy an appropriate level of amenity and the density is similar to surrounding residential areas.
- 7.7** Three terraced properties front directly onto Napierston Road and this reflects the existing pattern of development at this location and continues the street frontage. It also helps to screen the development to the rear whilst also creating a formal entrance to the site. The proposed houses would have relatively traditional proportions but with some modern detailing features, and although not of the same style as the neighbouring properties they would reflect some of the materials used nearby and the scale/size of existing houses. The proposed houses would use a mixture of dark facing brick with render to add visual interest and complement the development. The appearance of the houses is considered to be acceptable.

Impact on Neighbours

- 7.8** The houses have been sited to avoid any unacceptable overshadowing or overlooking of neighbouring properties. The proposed terraced houses would replicate the existing staggered layout of houses on the street and would therefore be stepped forward from the adjacent houses on Napierston Road. There is only a small side windows (WC and landing) proposed on the side elevation of the terraced house immediately adjacent to the existing house. Therefore there would be no impact upon the privacy of this existing house.

Landscaping and open space

- 7.9 The proposed development does not contain any open space and therefore does not meet the open space provision contained in the Council's 'Our Green Network' guidance. Since the quantity of open space and landscaping within the development does not meet Council standards, there is a requirement for the developer to make a contribution of £12,960 towards the green network.

Technical Issues

- 7.10 The use of shared surfaces and a more pedestrian focussed layout means that the roads are slightly narrowed in places, to naturally slow the movement of vehicles. The roads and parking within the development which will make use of shared surfaces are not proposed for adoption. The level of parking proposed within the development has been assessed and is acceptable for a development of this size since every house will have a minimum of two off street parking spaces. Whilst it is recognised that some households do have a higher parking requirement, parking standards are intended to provide a reasonable level of provision for a typical household. The development would incorporate Sustainable Urban Drainage Systems (SUDS) for the disposal of surface water from roads, parking and roof areas, and there are no objections from technical consultees.
- 7.11 Due to the proximity of a culverted water course to the north of the site and the risk of the site being flooded, extensive work has been undertaken to ensure that the site would not be at risk of flooding or likely to cause flooding elsewhere. SEPA have no objections and they are satisfied with site levels and the development as a whole, subject to a condition which requires the trash screen on a nearby culvert to be replaced,
- 7.12 The Council's Environmental Health Section is content that noise or contaminated land issues can be resolved through conditions.

8. CONCLUSION

- 8.1 The proposed redevelopment of the site for residential purposes is in compliance with the adopted and proposed local plans and would assist with the regeneration of the surrounding area, in line with the development plan strategy. The layout, design and materials of the development are all considered acceptable, and the proposal would improve the amenity of the area whilst providing high quality private housing.

9. CONDITIONS

1. **Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**

- 2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority, and these shall be implemented as approved. Boundary treatments fronting Napierston Road shall not exceed 1m in height and shall incorporate landscape planting.**
- 4. Prior to the commencement of development details of the design and location of the bin stores, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the houses.**
- 5. No unit shall be occupied until the vehicle parking spaces associated with that house have been provided within the site in accordance with the approved plans. The spaces shall have minimum dimensions of 5.5m x 3m and shall thereafter be kept available for parking at all times.**
- 6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of the first house.**
- 7. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first house. The landscaping shall thereafter be maintained in accordance with these details.**
- 8. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**
 - a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
 - b) an assessment of the potential risks (where applicable) to:**
 - human health;**

- property (existing and proposed), including buildings, pets, service lines and pipes;
 - ground waters and surface waters.
- c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
9. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
11. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.
12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any

remedial actions shall be implemented within a timescale agreed with the Planning Authority.

- 13. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.**
- 14. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.**
- 15. No commercial vehicle making deliveries to or collecting material from the development site during construction shall enter or leave the site before 8am or after 6pm.**
- 16. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.**
- 17. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.**
- 18. Prior to the commencement of development on site, the culvert trash screen shall be replaced as detailed in the letter dated 07 November 2016 from Charles Scott & Partners, unless otherwise agreed in writing with the Planning Authority,**
- 19. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved in writing**

by the Planning Authority. This noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the nearby Sawmill, using BS 4142: 2014 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas'. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme at all times.

20. Prior to the commencement of development, details of the new junction onto Napierston Road that is to be formed shall be submitted for the written approval of the Planning Authority and shall thereafter be implemented as approved prior to the occupation of the first house within the development.

Peter Hessett
Strategic Lead - Regulatory
Date: 30 November 2016

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Aurora House, 3 Aurora Avenue, Queens Quay,
Clydebank, G81 1BF.

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

Appendix: None

Background Papers:

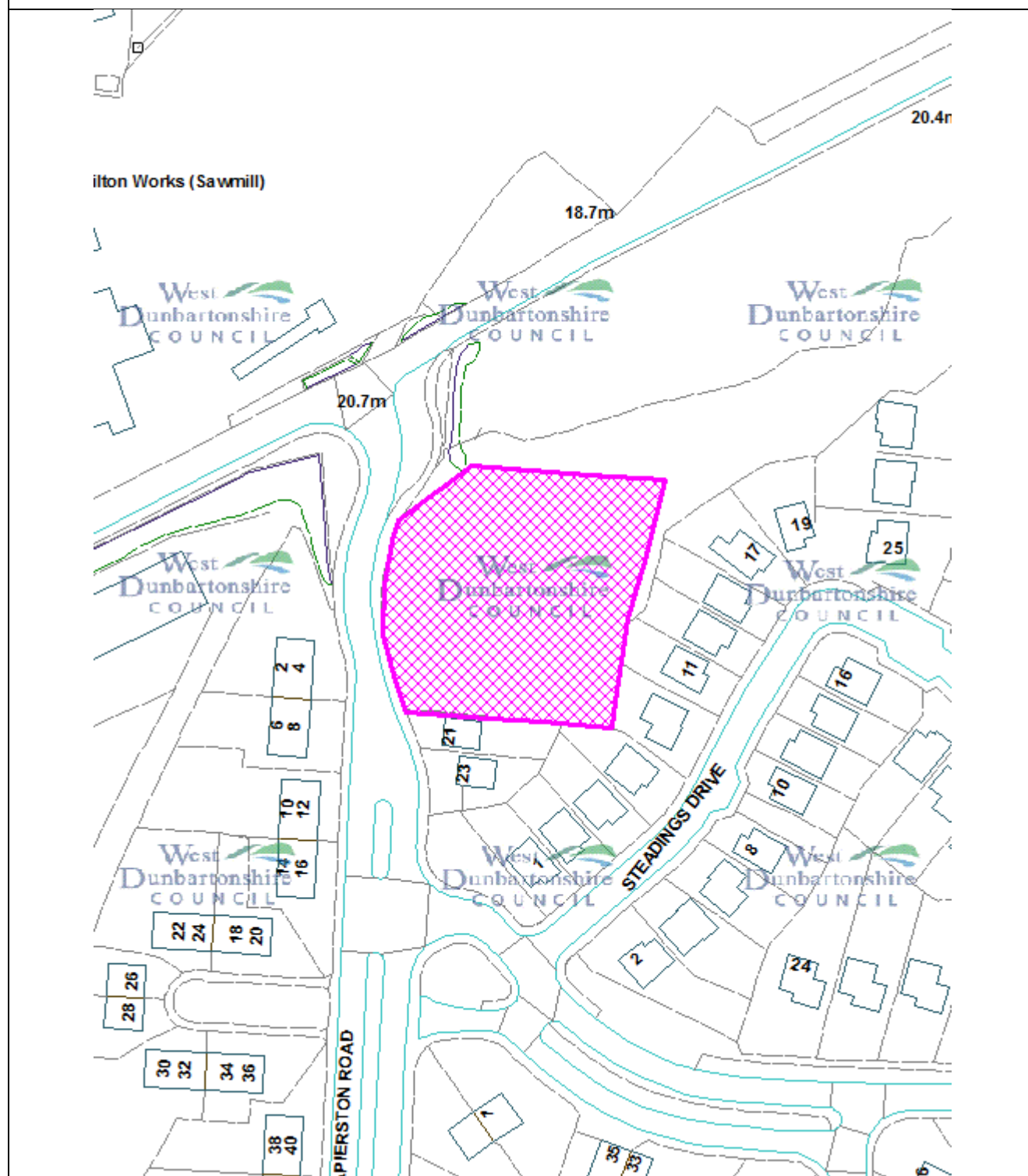
1. Application Forms and Plans
2. Consultation Responses
3. West Dunbartonshire Local Plan 2010
4. West Dunbartonshire Local Development Plan 2015
5. Letters of representation

Wards affected: Ward 2 (Leven)

DC16/156

**Erection of 12 houses
including new access road
and parking**

**Former Napierston Farm
Northfield Road
Bonhill
Alexandria**



WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regulatory

Planning Committee: 21 December 2016

DC16/146 Erection of 4 Detached Dwellinghouses (Renewal of Permission DC11/268) at Development Site, Dumbarton Road, Milton by William Rooney

1. REASON FOR REPORT

- 1.1 This report relates to an application which raises issues of local significance. 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 issue the decision to the Planning and Building Standards Manager subject to the conditions set out in Section 9 and to the satisfactory conclusion of a planning obligation or other appropriate mechanism for securing a developer contribution towards Green Network enhancements.

3. DEVELOPMENT DETAILS

- 3.1 The application relates to a grassed area to the south of Mill House, Milton. The land once contained a small paper mill, but this was demolished many years ago and the land became part of the garden ground of the house. However, the application land is currently fenced off from the existing house and several shipping containers have been placed in the centre of the site for storing garden and fencing equipment. It is approximately 0.4 hectares in area, and relatively flat but rises slightly from south to north and is slightly elevated in relation to the access road. The land is currently a grass lawn, with seven trees located at various points around its perimeter. The site is bordered by Mill House and the houses of Milton Court to the north (at a higher level), by a public park (King George's Field) to the east and south east, and by Milton Burn to the west with housing at Hill View and Lennox Road beyond. Access to the site is by way of the existing private access to Mill House, which has a private access onto the A82 between Hill View and Whyte Corner.

- 3.2** Planning permission is sought to develop the site with four detached two-storey dwelling houses, which would be positioned in a row facing the access road along the western edge of the site. All of the houses would have 5 bedrooms. Three of these would be of the same design with integral garages and one property (the southernmost) would be slightly larger with a detached double garage. Driveway parking would be provided at the front of each property.
- 3.3** Planning permission for four houses was granted in June 2013 (decision DC11/268). The current application is identical and seeks to renew the earlier permission.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads and Environmental Health Services, the Scottish Government (Trunk Roads Authority) and SEPA all have no objections subject to conditions.
- 4.2** West Dunbartonshire Council Greenspace has requested that traffic calming be provided on the track passing through the playing field.
- 4.3** West Dunbartonshire Council Estates Service requests that the developer be required to make good any damage to the track arising from construction traffic.
- 4.4** Scottish Water has no objection but note that the developer will require to liaise with them in relation to any works close to an underground water main which runs through the site.

5. REPRESENTATIONS

- 5.1** One representation was submitted by a local resident, who objects to the proposals on the following grounds:
- Increased traffic passing through King George's Field a risk to persons using the recreation area and detrimental to local amenity;
 - Increased traffic using junction onto A82 a hazard to road safety at a location where it is already difficult to access the main road from side streets;
 - submitted plans do not show the locations of all of the existing trees;

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The application site is within an Existing Residential Area, where Policy H5 seeks to safeguard and enhance character and amenity. Infill residential development within such areas is generally subject to the development reflecting the character of the surrounding area in terms of:
- scale, density, design and materials;
 - avoidance of overdevelopment;
 - appropriate access and parking;
 - not being out of scale with surrounding buildings;
 - retention of trees, hedgerows, open space and other natural features.
- 6.2** Policy H4 sets out standards for the assessment of new housing development, which should be appropriate to the wider landscape and built character of the surrounding area. Proposals are required to be of a high quality in terms of scale, form, layout and materials, and should comply with other criteria including providing a range of house types, open space provision, landscaping and natural features, road and parking standards, plot setting and residential densities. Policy GD1 sets out general assessment criteria for all new development, including requirements that the development be suitable in terms of energy efficiency, flood risk, drainage, traffic and parking. It is considered that the proposal would comply with Policies H4, H5 and GD1 as discussed in Section 7 below.
- 6.3** The site is within an area covered by a Tree Preservation Order where Policy E2 seeks to retain and protect existing trees. The proposal should not involve any loss of trees and there is no conflict with this policy.
- 6.4** Policy R2 sets out open space guidance associated with new development; however this has now been superseded by the requirements set out in the Our Green Network Supplementary Guidance.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report's recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity. Therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire

Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.

- 7.2** The site is identified as open space, where Policy GN1 states that development which would result in the loss of an open space which is or has the potential to be of quality and value will not be permitted unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity. In this instance, the development forms part of a fenced area of private garden ground which has never functioned as open space, nor are there any proposals to acquire the land for such a purpose. Therefore, the proposed development is not considered to conflict with this policy.
- 7.3** Policy DS1 requires all development to create successful places by having regard to the six qualities of a successful place: i.e. that it be distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant; and welcoming. It is considered that the development accords with these criteria.
- 7.4** Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating SUDS, open space, paths and habitat enhancement at a level proportionate to the scale of development and in accordance with the Our Green Network Supplementary Guidance. Further guidance is provided in the Our Green Network Supplementary Guidance. For a small development such as this it would be appropriate to require financial contribution rather than providing open space on the site.

Residential Development: Principles for Good Design

- 7.5** The Council's supplementary guidance on residential development applies to developments of 3 or more houses. The guidance seeks to ensure that housing developments give importance to the local context, are designed, and promote the six qualities of good design and are accompanied by supporting documents. The proposed layout is considered to be of an appropriate density and layout, and to feature suitable house types, landscaping and open space for the context of the site. Overall the proposal is considered to be of a suitable character and appearance, and to be in compliance with the Council's design guidance.

Our Green Network Supplementary Guidance

- 7.6** For a development of this size, a financial contribution to local green network enhancement should be sought, as per the contribution requirements set out in the guidance. It is considered that there is sufficient good quality open space within the vicinity of the proposed

development, with King George's Field to the east and woodland to the north and west, and there is therefore no requirement for on-site provision of formal open space. The applicant has agreed to a developer contribution of £5,940 towards green network enhancement, which is consistent with the guidance.

Principle of Residential Development

- 7.7** Whilst the land use designation has been changed from Existing Residential in the adopted local plan to Open Space in the proposed LDP, this change appears to be a drafting error due to the garden boundaries not being clear on the site, and it did not imply any specific intentions for the site. The application site is brownfield land which historically contained industrial buildings located and which was subsequently used as domestic garden ground, and should therefore have been included in the built-up area. There would be no loss of functional open space and there are no plans to use this land as open space. The development of the site as a small housing development remains consistent with surrounding land uses in the area and is considered to be in compliance with the relevant adopted plan and proposed LDP policies.

Design and Appearance

- 7.8** The proposed design and layout have not changed since the previous permission in 2013. The site is within the existing urban envelope of Milton, and the proposal would be of an appropriate density (with the proposed houses and plot sizes being slightly larger than most of those located nearby). The need to leave space for a water main wayleave near the southern end of the site also contributes to the relatively low density of the proposal. The proposed layout of the development with properties facing westwards to Milton Burn would mirror the arrangement of Hill View the south west of the site. It is considered that this layout would provide an attractive character within the development whilst minimising the prominence of the new housing within this area of open space
- 7.9** The surrounding area contains a mixture of house styles and materials. The proposed new houses would be two-storey and of traditional proportions with pitched roofs. The properties would be finished in white rough cast and use buff coloured stone cills on the edges of the building along with a concrete roof tile finish. It is also proposed to use a stone base course. The house types and finishes are considered to be of an appropriate character and appearance for the location.

Impact on Neighbouring Residents

- 7.10** The existing house at Mill House would be separated from the new houses by its existing detached garage block and apart from sharing its access it would be little affected by the proposed development. The houses to the north at Milton Court do not immediately border the site

(being separated by an area of open space) and are at a higher level, so whilst the rear windows and gardens would face toward the backs of the new houses they would be well separated and there should be no loss of privacy or daylight. The only other houses bordering the application site are at the top end of Hill View on the opposite side of Milton Burn, and due to the orientation of these houses and the presence of trees along the burn the proposed development should have no significant impact upon them. Overall, the impact of the proposed development on nearby residents is considered to be acceptable.

Road and Traffic Issues

- 7.11** Adequate turning and parking facilities would be provided on site, and the development is not large enough to require the access road to be upgraded to an adoptable standard. The Council's Roads Service had requested at the time of the earlier application that a passing place be provided on the access, and the proposal incorporates this feature. Whilst the proposal would result in additional traffic using the existing private access onto the A82, which is a busy road where right-turning manoeuvres can be difficult, the volume of additional traffic would be relatively small and neither the Trunk Roads authority nor the Council's Roads Service have any objection to the proposal.
- 7.12** Access to the site is by way of a single-track lane which passes through the western edge of the King George's Field playing fields. This lane is owned and maintained by the Council, but the owner of the application site enjoys an unlimited right of access over it. As the use of the track through the playing field will increase as a result of the development it is desirable that traffic speeds be kept as low as possible to minimise the risk to playing field users. Discussions concerning suitable traffic calming arrangements were ongoing at the time of writing and will be reported to the Committee verbally. Any damage to the track from construction traffic would require being resolved between the landowners and would not be a material planning consideration.

Trees

- 7.13** The site is within an area covered by a Tree Preservation Order (TPO), which extends for some distance along the Milton Burn between King George's Field and Loch Bowie. The TPO is primarily intended to protect the woodland along the sides of the burn, but the TPO boundary also encompasses the gardens of some adjoining houses and thus includes the application site. However, whilst there are several trees within the application site these do not form part of the woodland along the burn. There are two large trees on the eastern boundary of the site, a tall fast-growing conifer at the southern end of the site, and four small ornamental trees along its western edge. The applicant has indicated that it is not intended to remove any of these trees, but a plan confirming the location

of the trees relative to the proposed driveways was awaited at the time of writing. It is considered that even if the proposal would result in the loss of some of the ornamental trees this would not have any significant impact on the TPO and could be readily offset by replacement planting.

8. CONCLUSION

- 8.1** The proposed development of this site for residential development is in accordance with the policies of the adopted local plan and proposed Local Development Plan, and the application seeks to renew a previous similar permission. It is considered that the design and layout are appropriate and that there would be no significant impact upon the amenity of the area or upon road safety.

9. CONDITIONS

- 1. Prior to the commencement of development details of the Sustainable Urban Drainage Systems and its maintenance following installation shall be submitted for the approval of the Planning Authority. The SUDS shall be designed to ensure that those contaminants are not mobilised and that pollution pathways into the adjacent watercourse are not created. The drainage arrangements shall also ensure that there is no drainage or run off onto the A82 or its road drains. The approved drainage arrangements shall thereafter be formed prior to occupation of any house and maintained on site thereafter in accordance with the approved details.**
- 2. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**
 - a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
 - b) An assessment of the potential risks (where applicable) to:**
 - Human Health**
 - Property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes**

- Groundwater and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
- c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.

3. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environment Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
4. Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to any dwelling being occupied, the developer shall submit a report to the Planning Authority confirming that the works have been carried out in accordance with the remediation plan.
5. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
6. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
7. Prior to the commencement of works, full details of the design of all lighting, walls, fences and bin stores to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.

8. No house shall be occupied until the construction of the turning head, passing place, signage and off street parking have been completed in accordance with the approved plans and to the standard specified in the adopted Roads Development Guide. The passing place and turning area shall thereafter be kept available for use at all times.
9. No development shall commence until such time as a scheme of landscaping of the site, detailing the retention of such existing trees as are to be retained and the planting of any replacement trees and of boundary landscaping, has been submitted to and approved by the planning authority. The approved landscaping arrangements shall thereafter be implemented as approved.
10. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.

Peter Hessett
Strategic Lead- Regulatory
Date: 30 November 2016

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

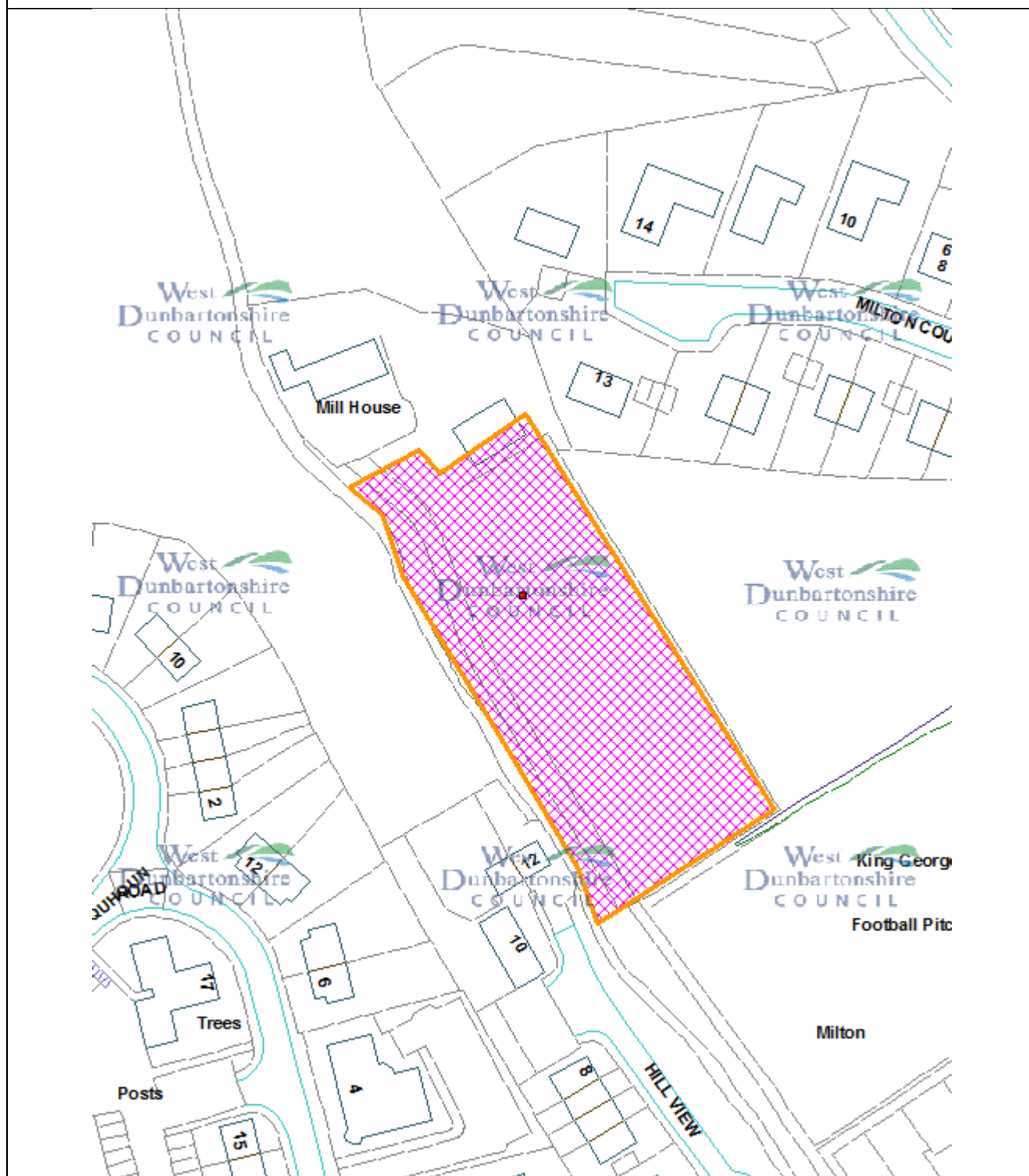
1. Application forms and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire Local Development Plan Proposed Plan
4. Planning application DC11/268

Wards affected: Ward 3 (Dumbarton)

DC16/146

**Erection of 4 detached
dwellinghouses (Renewal
of Permission DC11/268)**

**Development Site
Dumbarton Road
Milton**



WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 21 December 2016

DC16/191 Erection of residential development (Variation of conditions 1, 3, 5 and 16 of permission DC13/121 in order to allow formation of access road prior to agreement of various details) at Stanford Street, Clydebank by Dawn Homes Ltd/Ediston Homes Ltd

1. REASON FOR REPORT

- 1.1** This report relates to a proposal which is classified as Major Development. 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.

3. DEVELOPMENT DETAILS

- 3.1** The application site consists of a long rectangular site, 1.32ha in area, which is located between Stanford Street and the south side of the Forth and Clyde Canal towpath. The site formerly contained a large factory building, but has now been cleared of all buildings and is generally flat with some piles of rubble remaining. The site is bordered by a council depot to the south (on the opposite side of Stanford Street), by the Whitecrook Business Centre to the west, and by the remaining operational part of the factory complex to the east. To the north, beyond the canal and its towpaths, are the backs of retail units on Livingstone Street.
- 3.2** Planning permission was granted in June 2008 for the erection of 92 two-bedroom flats with associated car parking (decision DC08/072). The approved buildings were a mixture of 3 and 4 storeys high and would be laid out in a crescent shape, facing onto both Stanford Street and the canal. External materials would include reconstituted stone and dry dash render. A total of 153 car parking spaces were proposed, the majority of which would be laid out in front of the crescent adjacent to Stanford Street. That permission was subsequently renewed in August 2013 (decision DC13/121) for a further three years.
- 3.3** This current application seeks to amend some of the pre-commencement conditions attached to decision DC13/121. These are conditions which must be discharged in full before any part of the development can commence on site. The site requires to be remediated which will require plant, machinery

and HGVs to access the site and the applicant has indicated that as there is presently no suitable vehicular access to the site to allow safe access to and egress from the site in a forward motion, it is proposed to form the permanent site access in advance of any other works, without complying at this stage with some of the pre-commencement conditions which primarily relate to the building of the flats. The main building works would be a later phase, after the remaining pre-commencement conditions had been discharged.

- 3.4** The applicant has proposed alternative wording to conditions 1, 3, 5 and 16 which would have the effect of changing the point at which information is required to be submitted (i.e. after the access road has been constructed instead of prior to this work). The conditions would retain the existing wording of the condition but add the following words “*other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100*” to ensure there is still a restriction on commencement.

4. CONSULTATIONS

- 4.1** Glasgow Airport Safeguarding has no objection subject to conditions relating to bird hazard control and the use of cranes during construction.
- 4.2** Scottish Water and Scottish Canals had still to respond at the time of writing.
- 4.3** West Dunbartonshire Council Environmental Health and Roads Services have no objections to the proposed development subject to the same conditions being applied for the previous consents. .

5. REPRESENTATIONS

- 5.1** No representations have been received to the proposed development.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site is identified as a private housing opportunity site in Schedule H2, and Policy H1 indicates that such sites represent the main opportunities for private sector housing developments within the Plan area. Policy H4 sets out the standards against which new housing developments are assessed and seeks to ensure that housing is of a high quality design in terms of scale, form, layout and materials. The development of the site for housing would comply with Policy H1, and the design and layout are considered to be appropriate and thus consistent with Policy H4 as discussed in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.

7.2 The site is allocated as Housing Opportunity and Policy BC2 supports housing on such sites subject to the consideration of the principles for good design of residential development as set out in the supplementary guidance "Residential Development: Principles for Good Design". Policy DS1 also supports good design by requiring all development to contribute towards creating successful places by having regard to the six qualities of successful places. Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating SuDS, open space, paths and habitat enhancement at a level proportionate to the scale of development. Further guidance, including how to assess open space requirements, is found in Supplementary Guidance "Our Green Network". Policy GN7 states that development along the Forth and Clyde canal should enhance this green network asset. Development that would have an adverse impact on the canal or its setting will not be permitted. The proposed development would be consistent with all relevant policies and guidance and is discussed below.

Principle of Development

7.3 Where planning permission is granted for a Section 42 application for new standalone permission for the development with different conditions results. In determining such applications the Council may only consider the issue of the conditions to be modified. However, in some cases this does not preclude the consideration of the overall effect of granting new planning permission, including where the previous permission has lapsed or is incapable of being implemented. In this case, whilst the application was submitted prior to the permission lapsing, it has been more than 8 years since the original permission was granted and it is appropriate to consider whether there have been any material changes in circumstances in the intervening period which have a bearing on the principle of the development.

7.4 When the original application was approved, the site was identified in the former Clydebank Local Plan 2004 as a Redevelopment Opportunity Site suitable for residential and other uses. Whilst this plan has been superseded by the West Dunbartonshire Local Plan 2010, and the West Dunbartonshire Local Development Plan Proposed Plan 2016, the site remains an important

opportunity site for new housing within Clydebanks and is identified for 92 houses. The design of the development was considered at the time of the original permission: since then new guidance has been issued and it is still judged to be appropriate, as discussed in para 7.5 below. There have been no other relevant changes to policies or land use allocations which relate to the proposal. Overall, the proposal remains consistent with current planning policies.

Supplementary Guidance: Residential Development: Principles for Good Design

- 7.5** This guidance requires all development proposals to recognise the importance of the local context, be design-led, promote the six qualities of good design and be accompanied by the appropriate supporting documents. The guidance also provides a checklist for achieving high quality building design, layouts, open spaces and streetscape. The proposal embodies the principles of the guidance with a design-led approach which relates to the local context of the site relative to the canal, and a design and layout which promotes the six qualities for creating successful places in terms of connectivity, landscape setting, elevational treatment and use of materials.

Supplementary Guidance: "Our Green Network"

- 7.6** This guidance advocates a green infrastructure approach to development and seeks to ensure that new developments provide and enhance green network opportunities. In terms of open space provision on sites, the guidance looks at three standards: accessibility, quality and quantity and these determine what level of provision would be required for sites. The site is in close proximity to the canal and would seek to utilise this green network asset (core path and National Cycle Route 7) by forming a path connection onto the towpath which is an opportunity identified in Our Green Network.
- 7.7** "Our Green Network" also seeks to ensure that residential developments have sufficient open space and play areas. There is an expectation that residential developments of more than 50 units provide play spaces including equipped areas if there is not adequate provision within 250m. Although the site is within 400m of the proposed community sports hub at Dean Street, there are no equipped play areas within 250m (the nearest is at Whitecrook Recreation Ground over 650m away). The layout approved in 2008 does not specifically identify a play area although there are areas with potential to locate play equipment. The applicant has indicated willingness to provide the facility on the site and has requested that this be considered as part of a new application to be submitted for a revised layout and unit numbers. A Pre-Application Notice was submitted in September 2016 (Ref.PAN16/007) with an application to follow early in 2017. Whilst it is accepted that this would give opportunity to fully discuss the requirements for a play area, given that this application, if approved would constitute a new consent which can be implemented it is considered that an additional condition be added requiring full details of a play area to be submitted prior to work commencing on site other than the construction of the road access from Stanford Street. This means that a financial contribution will not be required and will allow the

application to comply with the terms of Policy GN2 and the supplementary guidance.

Technical Issues

- 7.8** None of the consultees referred to in Section 4 above have raised any adverse comments, as all technical issues were considered at the time of the original application and conditions have been updated under DC13/121 to take account of changes to the regulations and guidance relating to contaminated land and noise. There are therefore no changes required to any of the conditions relating to these matters.

8. CONCLUSION

- 8.1** The site remains an important site for new housing in Clydebank. There have been no material changes in policy and the proposal would comply with the relevant planning policies. New supplementary guidance has been prepared since the last consent in 2013 and the proposal would comply with this guidance subject to planning conditions ensuring a play area is provided. The site is a brownfield site which requires remediation and the formation of the road to allow safe access and egress to carry out the remediation works will not have any adverse impact on other planning controls on the built development.

9. CONDITIONS

- 1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, and shall be implemented as approved.**
- 2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 3. Prior to the commencement of works, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 4. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that**

pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details.

- 5. A landscaping scheme for the amenity open space and boundaries of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.**
- 6. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**
 - a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
 - b) an assessment of the potential risks (where applicable) to:**
 - ground waters and surface waters;**
 - human health;**
 - ecological systems;**
 - archaeological sites and ancient monuments, property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;**
 - c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.**
- 7. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historic environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.**

8. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out said remediation), unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site.

Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.

9. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work on the site shall cease. At this stage, if requested, a comprehensive contaminated land investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The scheme shall be implemented as approved.
10. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme, shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
11. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. It shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby commercial/industrial areas, using BS4142:1997 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas". Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. The noise impact assessment and any recommendations shall be prepared by a suitably qualified person.

- 12. No development shall take place on site until such times as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.**
- 13. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement should include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 Evaluation of Human Response to Vibration in Buildings. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties.**

This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

- 14. Prior to work commencing on site a scheme for the control and mitigation of dust shall be submitted for the further approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and measures to prevent or limit the occurrence and impact of such dust. The scheme shall be implemented as approved prior to any dust-generating activities commencing on site.**
- 15. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.**
- 16. Development shall not commence other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of: - Management of any flat/shallow pitched roofs on buildings 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'. The Approved Bird Hazard**

Management Plan shall be implemented as approved, upon completion of the roofs and shall be adhered to at all times.

17. No residential unit shall be occupied until the vehicle parking spaces have been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.
18. Notwithstanding the submitted details and prior to the commencement of development on site, details of the design and location of the proposed communal bin stores shall be submitted to and approved by the Planning Authority and shall be implemented prior to the occupation of any residential unit.
19. Notwithstanding the submitted details and prior to the commencement of development on site, details of the treatment of the boundary adjacent to the canal shall be submitted to and approved by the Planning Authority. The boundary treatment shall include the use of reconstituted stone, railings and a gate, and shall be implemented prior to the occupation of any flats.
20. Prior to the commencement of development, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, details of an equipped play area(s) within the site shall be submitted for the further written approval of the Planning Authority. The details shall include:
 - a) details of the type and location of play equipment, seating and litter bins;
 - b) details of the type and location of safety surfacing material;
 - c) details of fences and gates to be erected around the play area;
 - d) details of the timing of the works.Thereafter the agreed play areas shall be retained and maintained unless its removal is agreed in writing by the Planning Authority.

Peter Hessett
Strategic Lead - Regulatory
Date: 30th November 2016

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application Forms and Plans
2. Consultation Responses
3. West Dunbartonshire Local Plan 2010

4. West Dunbartonshire Local Development Plan 2015
5. Planning consents Ref. DC08/072 and DC13/121
6. “Residential Development: Principles for Good Design” supplementary guidance
7. “Our Green Network” supplementary guidance

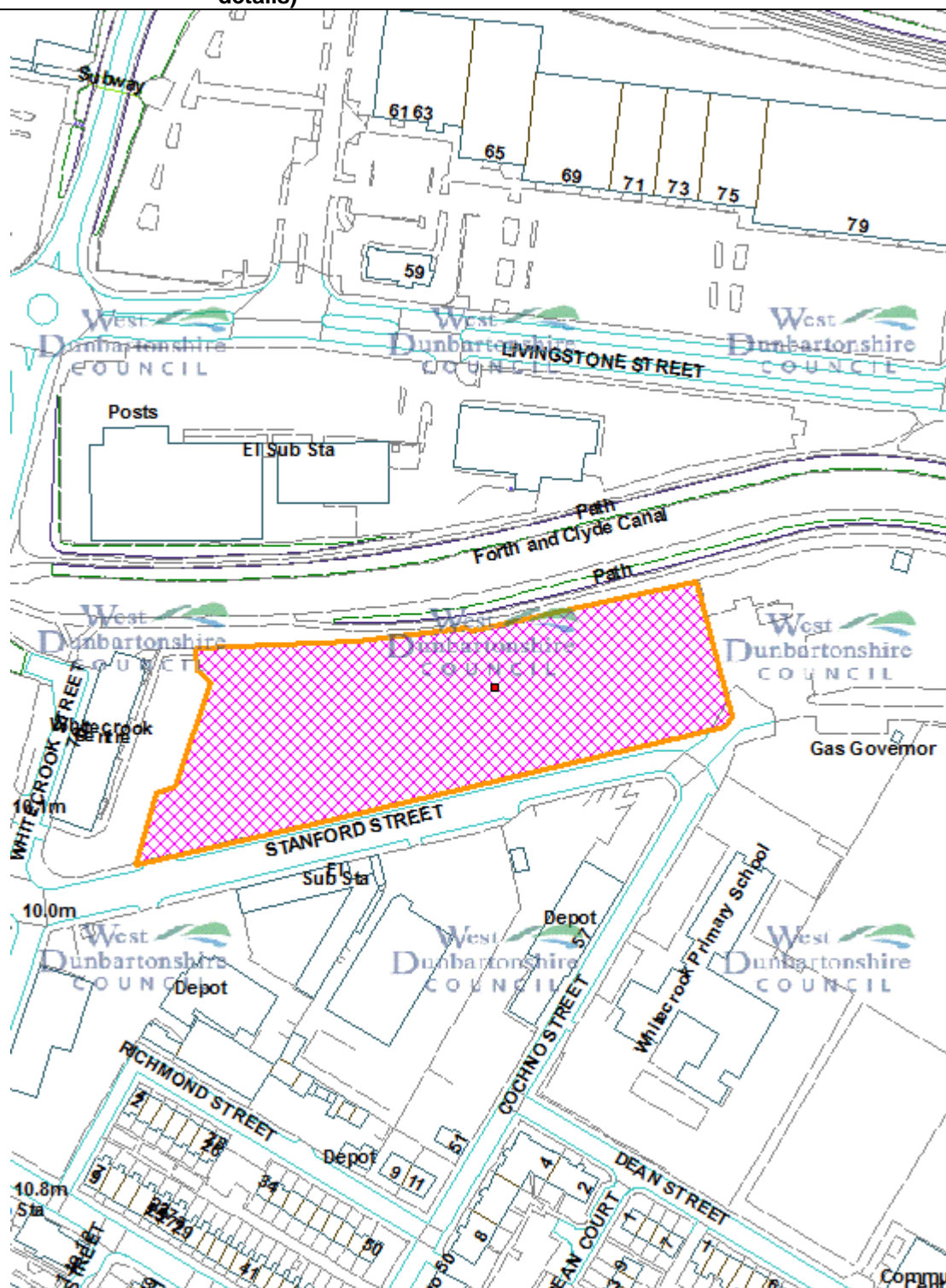
Wards affected:

Ward 6 (Clydebank Waterfront)

DC16/191

**Erection of residential
development (Variation of
conditions 1 3 5 and 16 of
permission DC13/121 in
order to allow formation of
access road prior to
agreement of various
details)**

**Housing Development Site
Stanford Street
Clydebank**



WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Lead - Regulatory****Planning Committee: 21 December 2016**

Subject: Consultation on Proposed Increase to Building Standards Fees**1. Purpose**

- 1.1** To advise Committee of the publication of a consultation document regarding increasing Building Standards fees and to seek approval to respond to the consultation.

2. Recommendation

- 2.1** It is recommended that the Committee agrees to submit Appendix 2 as this Council's response to the consultation.

3. Background

- 3.1** The Scottish Government have launched a consultation seeking views on increasing Building Warrant and other associated fees to make the building standards system achieve full cost recovery and place it on a sustainable footing for the future. The consultation period closes on 9th January 2017.
- 3.2** A review of fees is overdue as there has been no increase since the introduction of the present building standards system in 2005. The responsibility for setting building warrant fees is reserved to Scottish Ministers and the system is administered currently by the 32 local authority Verifiers. The re-appointment of local authorities to continue to carry out their verification role is due for Ministerial decision shortly; which will hopefully result in a decision to re-appoint from May 2017.
- 3.3** The Scottish Government consider that when the current system was being devised that the 'public purse' should pay for the original set up and development work. They also felt that it was reasonable during a ten year bedding-in period of the system that maintenance costs should also fall to the Scottish Government. The Scottish Ministers now wish to place the entire system on a cost recovery basis. In this review of fees, the proposal is to increase fee levels to cover the costs of the local authority Verification services and also the costs of the Scottish Government, specifically the Building Standards Division (BSD).

4. Main Issues

- 4.1** Current building warrant application and associated fees are set out in the Building (Fees) (Scotland) Regulations 2004. The fee paid for a building

warrant application for the construction, extension or alteration of a building is based on the value of the project and is set on a sliding scale. There are also certain fixed fees for a number of items (e.g. demolition) and for projects with a value of under £5,000. Although the specific fee values within the value of work bandings are proposed to be increased, the proposals do not set out to change the current arrangement of a sliding scale of fees based on work value (in conjunction with retaining fixed fees for some categories of work). The current scale of Building Warrant fees is contained within Appendix 1.

- 4.2** The fees structure has not changed since it was introduced in 2005. This has resulted that the minimum and fixed fees are now less in real terms by about 40% than at the time they were introduced, despite their having been significant changes impacting on the process of verification and the likely costs of verification since the fee structure was last altered. These include a new Performance Framework for Building Standards, the development of the “Reasonable Inquiry” process for on-site building regulation compliance checking, the introduction of a number of procedure and technical changes in standards, and the introduction of eBuilding Standards. Recent research conducted for the BSD suggests that for some local authority verification services the level of income from fees is a contributing factor to under-resourcing of verification work.
- 4.3** There are 2 principal aims of the Scottish Government fee increase proposals:
- a. to provide additional income for local authority verification services - to encourage recruitment and retention of professional staff and to support service and performance improvements, and
 - b. to introduce an alternative funding mechanism to cover the building standards related running costs of the BSD.

Proposals to Increase Fees for Local Authority Verification Use

- 4.4** The proposals to increase Building Warrant fee income for the purposes of local authority verification is to be welcomed given the time elapsed since fees payable to verifiers were last increased. However from the information within the consultation, for West Dunbartonshire Council it has been calculated that this would amount to a 6.8% increase on fee income levels being retained by the Council. When compared to the 40% reduction of some fees in real terms since 2005 this is disappointing and would, based on income for 2014/15, produce a relatively low monetary amount of circa £21,000. The consultation indicates that it expects Council’s to reinvest the additional fee income generated into their Building Standards services, including provision of at least 1 trainee per Council throughout Scotland. While the projected additional income raised within West Dunbartonshire may cover the costs of employing a trainee Building Standards Surveyor it would leave little, if any, additional money for other service and performance based improvements. In monetary terms verification costs are expected to continue to rise year on year - due to inflation, expenditure associated with eBuilding Standards, and general performance and service improvement costs. Despite the current fee increase proposals providing additional income if introduced, the fees charged would become quickly outdated based on future verification costs and the situation of the local authority verification system becoming cost negative

again would quickly be realised. It is therefore considered that the Scottish Government should increase the fees by more than is currently being proposed within the consultation document in order to fully achieve their ambition of full cost recovery and to provide a sustainable footing for the future or at the very least build in provision for year on year increase on a percentage basis (e.g. a 5% increase per annum).

- 4.5** Certification of Design and Construction is used as a means of demonstrating compliance with Building Standards for certain aspects of a building. The Scottish Government wish to encourage greater use of Certification. However their research states that it has become apparent that the current fee discounts for submission of certificates neither reflects the comparative costs of verification nor provides a clear incentive to use any of the certification schemes. The proposals therefore are set to increase the discount offered to applicants for work at the lower end of the fee scales who choose to use Certification. This is in an effort to encourage both the use of and increase the financial reward gained by applicants using the certification schemes. For Building Warrant Applications which include a Certificate of Design rather than relevant calculations (e.g. structural calculations) the Council does not have to check the design of that aspect of the building, as the approved certifier has undertaken the necessary design checks. The contrary is that if calculations are submitted to the Council to show compliance with the relevant building regulations and standards, then the Council incurs costs by having to arrange for these to be checked. In practise for applications at the lower end of the fee scale, this has been found to be at a higher cost than the Council receives by way of the Building Warrant Application fee. While the certification discount proposal does have the potential to reduce fee income slightly, it will also reduce Council's costs in checking the application and therefore it is felt that the use of higher certification discounts for those applications at the lower end of the Building Warrant fee scale is a reasonable proposal.

Unauthorised Work and Late Completion Certificate Fees

- 4.6** The consultation proposals seek to increase the fees payable in situations to regularise cases of unauthorised work and the submission of late completion certificates; from 125% to 200% and 125% to 300% of the normal building warrant fee respectively. This is to take into account the additional work that Councils have to undertake in assessing plans (often with repeated plan submissions and reassessments) and carrying out of additional site inspections to check for compliance with the building regulations. This is supported and reflected in the proposed consultation response.

Alternative Funding Mechanism for Building Standards Division

- 4.7** This reflects the desire of the Scottish Government to have their own Building Standards Division financed by users of the Building Warrant system via Building Warrant fee income. This essentially passes the whole cost of managing and maintaining the building standards system (by BSD and local authority Verifiers) to the users of the system. The BSD costs relative to the Building Warrant system are estimated to amount to £1.5M annually. The consultation states that this will be done by increasing fees, with Local

Authorities paying back some of the fee uplift to them; on a similar basis as used for the national eDevelopment portal which utilises a percentage usage approach - this results in larger local authorities which receive a high number of applications paying more than smaller sized authorities. The work of the Building Standards Division in terms of their legislative, policy and research role is of benefit to the general public in terms of the aims of the Building (Scotland) Act 2003 of securing the health, safety, welfare and convenience of people in or about buildings, furthering the conservation of fuel and power, and furthering the achievement of sustainable development. While the consultation sets out the Scottish Government's case for reimbursement of this work via building warrant fees, it is considered that on balance the funding of the Scottish Government's work in this area should continue to be by the public purse via general taxation. The consultation does not provide any specific detail of the proposed arrangements and the proposed response contained in Appendix 2 makes reference to this.

Other Aspects of Fee Charging

- 4.8** Split Fees – although not discussed within the consultation document, the proposed consultation response states the Council's preference that Building Warrant Application fees are retained as a single fee paid at the time of submitting the application for approval; rather than splitting it into a fee for assessment and determination of an application, with a separate fee (balance) being paid at the time of starting of work to cover our site based inspection of the approval. A single fee system has the advantage of reducing the risk of substantially increasing the occurrences of applicants not notifying the Council of site starts/inspections in order to avoid the site work fee payment, as well as removing the burden of additional fee collection costs for the Council.
- 4.9** Fee Bandings – it is considered within the current fee scale bandings that the value of work steps within the fee table are too close together. There is little difference, if any, in terms of verification costs to the Council in dealing overall with an application with a value of work of £5,030.00 and that of an application with a value of £10,000 (current applications fees of £115 and £250 respectively). It is considered that the opportunity should be taken to simplify the fees table by increasing the span of the current bandings (especially at the lower end of the fee scale under £100,000) by combining some value of work bandings into a single band. There is merit in the initial fee banding for relatively minor work up to £5,000 remaining. For work with a value from £5,001 to £10,000 it would be beneficial to band the current 10 separate value of works within this range (and associated 10 different application fees) into a single £5,001-£10,000 banding, with the relevant new fee being based on the £10,000 fee (currently £250). This should be repeated on a similar basis for combining the multiple bandings within the ranges from £10,001 – £20,000, £20,001 - £50,000 and £50,001 - £100,000.
- 4.10** Recommended responses to the six questions contained in the consultation document are contained within Appendix 2.

5. People Implications

- 5.1** Should the increase building warrant fees be agreed, the Scottish Government expect that amongst other improvements, the Council will utilise some of the additional money generated to employ at least 1 trainee Building Standards Surveyor.

6. Financial Implications

- 6.1** There are no financial implications for the Council in responding to this consultation.
- 6.2** Should the consultation proposals be implemented by the Scottish Government, the Council is likely to see an increase in the level of Building Warrant Application fee income, as detailed in paragraph 4.4, although that increase may require to be used to fund a trainee position as detailed in 5.1..

7. Risk Analysis

- 7.1** No risks have been identified as a result of responding to this consultation.

8. Equalities Impact Assessment (EIA)

- 8.1** There is no equalities impact as a result of responding to this consultation.

9. Consultation

- 9.1** The views of the Council's Finance and Legal teams have been sought during the preparation of this report.

10. Strategic Assessment

- 10.1** The proposed consultation response is in keeping with the strategic priorities of the Council.

Peter Hessett
Strategic Lead - Regulatory
Date: 1 December 2016

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Appendices:	Appendix 1: Current Building Warrant Fees Appendix 2: West Dunbartonshire Council Proposed Response to Building Warrant Fees Consultation
Background Papers:	Scottish Government Building Warrant Fees Consultation Available at https://consult.scotland.gov.uk/procedures-and-verification/building-warrant-fees
Wards Affected:	All wards

Appendix 1 Current Building Warrant Fees

FEES FOR BUILDING WARRANT APPLICATIONS

The Building (Fees)(Scotland) Regulations 2004 [amended 2007 & 2008]

The fee (before discounts) for a building warrant (other than late warrants) for the construction of a building or for the provision of services, fittings or equipment in connection with a building (whether or not combined with a warrant for conversion or an application for demolition) is as per the table below. This fee is a registration fee only and is therefore not subject to refund once the application is registered.

Value of works £	Warrant Fee £	Value of works £	Warrant Fee £
0-5,000	100	140,001-160,000	1180
5,001-5,500	115	160,001-180,000	1280
5,501-6,000	130	180,001-200,000	1380
6,001-6,500	145	200,001-220,000	1480
6,501-7,000	160	220,001-240,000	1580
7,001-7,500	175	240,001-260,000	1680
7,501-8,000	190	260,001-280,000	1780
8,001-8,500	205	280,001-300,000	1880
8,501-9,000	220	300,001-320,000	1980
9,001-9,500	235	320,001-340,000	2080
9,501-10,000	250	340,001-360,000	2180
10,001-11,000	265	360,001-380,000	2280
11,001-12,000	280	380,001-400,000	2380
12,001-13,000	295	400,001-420,000	2480
13,001-14,000	310	420,001-440,000	2580
14,001-15,000	325	440,001-460,000	2680
15,001-16,000	340	460,001-480,000	2780
16,001-17,000	355	480,001-500,000	2880
17,001-18,000	370	500,001-550,000	3055
18,001-19,000	385	550,001-600,000	3230
19,001-20,000	400	600,001-650,000	3405
20,001-30,000	460	650,001-700,000	3580
30,001-40,000	520	700,001-750,000	3755
40,001-50,000	580	750,001-800,000	3930
50,001-60,000	640	800,001-850,000	4105
60,001-70,000	700	850,001-900,000	4280
70,001-80,000	760	900,001-950,000	4455
80,001-90,000	820	950,001-1,000,000	4630
90,001-100,000	880	And for every 100,000 or part thereof over 1 million	Add 250
100,001-120,000	980		
120,001-140,000	1080		

The above fees are related to the “value of the works”. In calculating the value of the works, you must use the normal market costs rather than any discounted costs, which you might be able to achieve. e.g. even if the labour is unpaid, the value of the building work should still include a fair assessment of the value of labour had a contractor undertaken the work. You may be asked to verify your stated value of works if they appear low.

Other Fees

- Application for building warrant for conversion only, without any building work - £100
- Application for demolition (and no immediate plans for rebuilding).
£100
- Application for amendment of warrant –
 - a) where the new total estimated value is less than the original, or is an increase of no more than £5,000
£50
 - b) where the new total estimated value increases by more than £5,000 –
as per fee table
- Application for an amendment to warrant for demolition or conversion only
£50
- Application to extend the period of validity of a warrant
£50
- Application for late building warrant, (i.e. where work is already started)
125% of fee table
- Application for late demolition warrants
£125
- Submission of a completion certificate for construction etc where no warrant was obtained
125% of fee table
- Submission of a completion certificate for demolition only, or for conversion only, where no warrant was obtained –
£125

Certificates of Design – Discounts

A warrant fee is discounted where certificates from approved certifiers of design **are presented with a warrant application**, as below –

- Where one or more such certificates are presented with a warrant application, discount by 10% for each certificate that covers the whole of any section (schedule 5, sections 1-6) of the building standards, and

- 1% for each certificate covering a single item in any such section, up to a maximum of 5% for any one section;

all subject to a maximum discount of 60% of the warrant fee.

- The fee payable in respect of an application for an amendment of a building warrant may only be discounted where the estimated value of any additional works exceeds £5000.

Certificates of Construction - Discounts

- A warrant fee is discounted where an applicant informs the verifier in writing that the applicant intends to present a specified number of certificates from an approved certifier of construction to the verifier with the completion certificate or
- A late completion certificate application is submitted and accompanied by one or more certificates of construction
- The discount is an amount equivalent to 1% of the fee payable for the warrant application for each certificate presented
- A warrant fee is discounted where an applicant informs the verifier in writing that the applicant intends to present one certificate covering the construction of the entire building.
- The discount is an amount equivalent to 20% of the fee payable for the warrant application.

In no case shall the discounts applicable by virtue of this regulation exceed 20% of the application fee.

Should the above certificates **not** be subsequently presented with the completion certificate then the discount will have to be repaid.

Fee Exemptions

No fee shall be payable where the purpose of the work to which the application relates is to alter or extend a dwelling so that it is made suitable as a dwelling for a disabled person. You may be asked for evidence to show that proposals are directly related to the needs of a disabled person.

["disabled person", for the purposes of this Regulation, means a person with a physical, hearing or sight impairment which affects that person's mobility or use of buildings.]

Appendix 2

Proposed Response to Building Warrant Fees Consultation

1. Should building warrant and associated fees be increased to make the Scottish Building Standards system achieve full cost recovery?

Yes – only as far as fees relate to local authority functions as verifiers. The proposal for fees to fund the work of the BSD is not supported and this should continue to be funded directly by the Scottish Government.

Local authority costs incurred for other aspects of the building standards system (e.g. providing and maintaining the Building Standards Register, enforcement of unauthorised works and dealing with building that are defective or become dangerous) should continue to be met by Scottish Government funding as part of the annual grant funding.

2. Should fees for building warrant applications (minimum fixed fee and incremental steps) and fixed fees for amendment to warrant applications, demolition, conversion etc., be increased as described in the proposals?

No – there should be a higher level of fee increase than that currently proposed or a set annual percentage increase applied to all fees. An annual 5% increase should be introduced.

The proposals to increase fees should be more than proposed within the consultation document. The consultation states that there has been a 40% reduction in real terms in the fees charged since 2005 while only proposing a 10% increase in fees overall. This is notwithstanding that there have also been significant changes impacting on local authority verification costs since 2005; e.g. the reasonable enquiry process, procedural and technical changes in legislation and guidance/standards and, the successful investment in and introduction of the national eBuilding Standards system.

The additional £2M national income for local authorities noted in the consultation as being required nationally equates to a 6.8% increase based on the 2014/15 national income figure of £29M. In West Dunbartonshire an increase of 6.8% in fees would have resulted in an additional sum of £21,262 (based on income for 2014/15). While this increase would be welcomed and could cover employer's costs of engaging a trainee, the expected sum raised by the current fee proposals would not compensate for the 40% loss of income in real terms that has occurred since 2005. Therefore it is recommended that a fee increase higher than is currently proposed within the consultation is implemented. This would provide funding for a trainee, as well as additional service and performance improvements and continued investment into eBuilding Standards.

In addition to the above, please refer to comments provided in response to Q6 below regarding fee bandings and the opportunity to review these.

3. Should discounts for using a certifier of design or construction be increased?

Yes.

It is considered that on balance the proposals to increase discounts for certifiers of design and construction (especially in relation to certificates of design) to a set fee at the lower end of the fee scale for each Certificate of Design being submitted is more beneficial overall than the alternative of submission of structural or energy calculations; which in the case of structural calculations then requires this Council to engage external engineers to check these calculations and incur costs substantially in excess of the fixed fee discount. If there are clear financial benefits for applicants in doing so, this will hopefully encourage projects with costs at the lower end of the fee scale to utilise the certification schemes.

4. Should fees for those who have undertaken unauthorised work be increased?

Yes - increases of 200% and 300% as per the consultation proposal.

As noted within the consultation document there are additional inspections and work involved for local authorities over and above that involved in dealing with a normal Building Warrant application and the current system's 25% fee uplift for unauthorised work does not cover the increased costs incurred by this authority.

5. Are there any alternative options to achieve full cost recovery that should be considered?

At this time, we do not wish the Scottish Government to pursue any alternative fee options for full cost recovery.

It is recommended that a single, simple national fee scheme is retained, rather than a bespoke fee system with local authorities setting their own fees for Building Warrant Applications on a job by job basis.

6. Additional views or comments.

Financing of the Building Standards Division

It is noted that a proportion of the additional money expected to be generated nationally by the proposed fee increase is to be returned to the Scottish Government to assist in recovery of its costs of providing the Building Standards Division for the purposes of providing legislation, policy, research, etc. for Building Standards related matters. Other than the strategic aim of raising £1.5M nationally for BSD funding, no further details of this proposal have been provided in terms of payment mechanism, frequency or expected financial values in terms of how this proposal is expected to apply to individual local authorities. For this reason we would wish to be in a position to be able to comment further on such matters if this part of the proposal is taken forward.

The work of the Building Standards Division in terms of their legislative, policy and research role is of benefit to the general public in terms of the aims of the Building (Scotland) Act 2003 of securing the health, safety, welfare and convenience of people in or about buildings, furthering the conservation of fuel and power, and furthering the achievement of sustainable development. While the consultation sets out the Scottish Government's case for reimbursement of this work via building warrant fees, it is considered that on balance the funding of the Scottish Government's work in this area should continue to be by the public purse via general taxation.

Split Fees

Although not mentioned in the current consultation, we would not support the concept of splitting fees for office/site based verification work. Any such proposal would lead to unnecessary additional burden on local authorities of fee collection, risks increasing substantially the occurrences of verifiers not being notified of site starts/inspections to avoid site work fee payment and would as a result not be conducive to ensuring a better, more compliant built environment.

Fee Bandings

While reviewing Building Standards fees, the opportunity should also be taken to increase the span of the current fee scale bandings (especially at the lower end of the fee scale) by combining various value of work bandings into a single band. It is considered that the initial fee banding for relatively minor work up to £5,000 should remain. For work with a value from £5,001 to £10,000 there would be merit in banding the current 10 separate bandings (and associated 10 separate application fees) into a single £5,001-£10,000 banding, with the relevant new fee being based on the £10,000 fee. This should be repeated on a similar basis for combining the bandings from £10,001 – £20,000, £20,001 – £50,000 and £50,001 – £100,000.

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead - Regulatory

Planning Committee: 21 December 2016

Subject: Receipt of Planning Appeal in respect of refusal of application DC16/106 (proposed modification of planning obligation relating to occupancy restriction) at Cherry Tree Court, Hill Street, Alexandria

1. Purpose

- 1.1** To advise the Planning Committee of the receipt of a planning appeal.

2. Recommendation

- 2.1** It is recommended that the Committee notes the receipt of this appeal.

3. Background

- 3.1** Cherry Tree Court is a development of retirement flats which was originally granted planning permission in 1989, subject to both a planning condition and a planning obligation requiring that the flats be occupied only by persons over 60 years of age (and their spouses, widows or dependants). This restriction was imposed because the flats lacked parking and amenity space and were therefore not considered suitable for family housing. Following an appeal in 1996 the age limit on the planning condition was reduced to 50 years, but the planning obligation was never brought into line. Earlier this year the owner of three of the flats (numbers 9, 10 and 11) applied to have the planning obligation discharged in relation to these three properties. The application was refused at the August 2016 Planning Committee on the grounds that the age restriction remained necessary and that the planning condition was not a satisfactory means of securing it. The application was made under Section 75A of the Town and Country Planning Act 1997, which allows applications to modify or discharge planning obligations subject to similar rights of appeal to other applications.

4. Main Issues

- 4.1** The appellant has submitted an appeal against the refusal of their application to the Scottish Government Directorate of Planning and Environmental Appeals (DPEA). The grounds of appeal are similar to the arguments contained in the supporting statement provided with the application, i.e.:
- a) That the age restriction is no longer necessary or appropriate, and should therefore be removed altogether; and

- b) That even if the age restriction was necessary it is adequately imposed by the planning condition, and there is therefore no need for it to be covered by a planning obligation as well

4.2 The appeal is being dealt with by way of written representations, and the Committee will be notified of the outcome in due course.

5. People Implications

5.1 There are no personnel issues associated with this report.

6. Financial Implications

6.1 The appellant has submitted an application for an award of costs. Such costs would only be awarded if the DPEA considers that the Council has acted unreasonably and caused the appellant unnecessary expenditure. The application for an award of costs will be decided at the same time as the appeal, and the Committee will be notified of the outcome in due course.

7. Risk Analysis

7.1 It was not considered necessary to carry out a risk assessment on the matters covered by this report.

8. Equalities Impact Assessment (EqIA)

8.1 An equalities impact assessment is not required.

9. Consultation

9.1 No consultation was required.

10. Strategic Assessment

10.1 There are no strategic issues.

Peter Hessett
Strategic Lead - Regulatory
Date: 1st December 2016

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0141 951 7938

Appendices: None

Background Papers: Application documents and appeal statement, DC16/106

Wards Affected: Ward 2 – Leven

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead – Regulatory

Planning Committee: 21st December 2016

Subject: Planning Performance Framework 2015-16

1. Purpose

- 1.1** To inform the Committee of the recent comments received from the Scottish Government and the peer review regarding the Planning Performance Framework submitted by this Council for 2015-16.

2. Recommendations

- 2.1** That the Committee notes the content of this report and agrees to the implementation of the improvement plan contained in Appendix 4.

3. Background

- 3.1** This is the fifth Planning Performance Framework (PPF) to be submitted and assessed by the Scottish Government and it is seen as a measure of continuous improvement. The Scottish Government have assessed the Planning Performance Framework against a set of performance markers agreed by the High Level Group of Performance. The Performance Markers give an indication of good performance, good practice and help to identify priority areas for improvement action. A peer review of the reports was also undertaken in SOLACE Groups. West Dunbartonshire is in the SOLACE group with East Dunbartonshire, Edinburgh Council, Glasgow City Council, Dundee, Aberdeen City and Falkirk Councils. This year the Council were paired with Glasgow City Council for the peer review.

4. Main Issues

- 4.1** The annual Planning Performance Framework was submitted at the end of July 2016. The report outlined our performance and demonstrated our achievements, actions and improvements in 2015-16 and is contained in Appendix 1. This year the general format of the report was simplified and was centred around five key themes of national headline indicators, quality of outcomes, quality of service and engagement, governance and a culture of continuous improvement. The report once again was based on case studies in order to showcase good performance, good practice and the use of innovative ideas.
- 4.2** The Feedback report from the Minister for Local Government and Housing Mr Kevin Stewart indicated that he was very pleased that the quality of PPF reporting has improved again with many authorities setting out a very clear

story of how the service is operating and detailing their priority actions for improvement. He did highlight there still remains high levels of inconsistency in planning authority decision making timescales across the country and this requires to be addressed. He has indicated that this is an exciting time for planning with the momentum of the independent planning review continuing and a consultation will be published in the winter outlining the options for change which will inform the future Planning Bill. The consultation will cover a variety of options to enhance community involvement in planning, help deliver homes and infrastructure, simplify development planning and management processes and focus on improving the service and reputation of planning. The Minister also indicated that authorities need to consider repositioning planning to ensure that it sits at the very heart of the authority to create places where people work, live, learn and play. Also, that they have the resources available to it to make sure it provides the best service possible to developers, stakeholders and the authority in which it sits. To help achieve this, a consultation on raising the planning fee maximum will be launched shortly in an effort to move towards cost recovery.

- 4.3** The performance markers within the Performance Markers Report were rated green, amber or red and are contained in Appendix 2. These ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided a 'red' marking has been allocated. This Council received 7 green performance markers, 5 amber and 1 red marker. The report is contained in Appendix 2. This compares to 9 green, 2 amber and 2 red markers for last year. Green performance markers were received for processing agreements, enforcement charter, regular and proportionate policy advice, corporate working across services, sharing good practice, skills and knowledge, legacy cases and developer contributions. Positive comments were received about the guidance produced over the year - the Pay Day Lenders and Betting Shops a Town Centre Pilot, Green Network and renewable energy guidance. It was recognised that there was strong evidence of our corporate approach to working, liaising closely with other Council services. In particular demonstrating close links with Roads, with a programme of regular meetings and close links with our Regeneration and Asset Management colleagues with general joint liaison meetings and more frequent catch-ups on specific issues. This approach extended to sharing good practice with neighbouring planning authorities on a range of planning topics through the West of Scotland Benchmarking Group and the national Solace benchmarking groups as well as involvement in the Improvement Service, SEA/HRA forums and RTPi events.
- 4.4** This year there was an increase in the number of "amber" performance markers to 5. These related to decision making, early collaboration, legal agreements, continuous improvement, and the development plan scheme. The average number of weeks to decision for major developments increased by 5 weeks although it was well below the national average of 38.8 weeks. This was due to 2 applications. One application was presented to Planning Committee within 4 months of its submission however the applicant did not progress the legal agreement with any urgency. This application took 350 days. The second application involved an extension to Dumbuckhill Quarry

which raised technical issues that took time to resolve with consultees. It took 294 days. The other 3 applications were determined in less than 90 days. The report also recognises an open for business culture with the Lomondgate Area 5 case study demonstrating clear and proportionate requests for supporting information. An overall amber was received for early collaboration as the proportion of applications subject to pre application advice increased in the reporting year to nearly half of all applications. However, further clarification will be sought from the Chief Planner asking why this was given amber instead of a green marker as the giving of pre application advice, we understand should be supported. The feedback report recognised that 70% of service improvement actions were completed, which is a fairly high for the reporting year and making progress with the majority of the remainder. It also noted a range of interesting and innovative service improvement commitments for the coming year. Although the Development Plan Scheme for the new Local Development Plan has been agreed which resulted in a green RAG the overall marker was amber as the Local Development Plan has not been adopted. There will be no plan in place within 5 year cycle with the Local Development Plan being 6 years old. This led to the only red marker within the feedback report.

- 4.5** The peer review of the PPF carried out by Glasgow City Council commented on a clear format with a number and range of suitable case studies with feedback from stakeholders on the case studies. Specific positives were the endorsements by applicants and developers, the user friendliness of the document, the regular liaison meetings, round table meetings within the service about major applications and the case study of Charrette governance. A copy of the peer review is contained in Appendix 3. Suggestions for strengthening the next PPF include identifying the Councils key priorities and strategic context, explain the performance markers at the beginning of the PPF, making it easier to locate the PPF on the Councils website and linking the evidence throughout the document. These suggestions will be included in the Improvement Plan together with the feedback received on the PPF from the Government. An improvement plan is contained in Appendix 4 and will be progressed in 2017.

5. People Implications

- 5.1** There are no personnel issues associated with this report.

6. Financial Implications

- 6.1** None.

7. Risk Analysis

- 7.1** There are no risk issues.

8. Equalities Impact Assessment (EIA)

8.1 It is not considered that the report or recommendations raise any equalities issues.

8.2 None.

9. Consultation

9.1 No consultation was necessary for the preparation of this report.

10. Strategic Assessment

10.1 The content of this report supports the Council's Strategic Priorities.

Peter Hessett
Strategic Lead - Regulatory
Date: 30 November 2016

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
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Appendices: Appendix 1: Planning Performance Framework 2015-16
Appendix 2: Performance Markers Report 2015-16
Appendix 3: Peer Review November 2016
Appendix 4: Improvement Plan 2016/17

Background Papers: None

Wards Affected: All

West Dunbartonshire Council

Planning Performance Framework

Planning and Building Standards Service



West 
Dunbartonshire
COUNCIL

Foreword

Welcome to the fifth Planning Performance Framework and thank you for your interest in the Planning and Building Standards service in West Dunbartonshire. The Planning Performance Framework outlines our performance and shows our achievements, actions and improvements in 2015-16. It also outlines our proposed service improvements for 2016-17.

A different approach to the assessment of last year's Planning Performance Framework was taken whereby a peer review was undertaken by East Dunbartonshire Council who are part of our Solace Grouping. We also peer reviewed their Planning Performance Framework. Their feedback advised:

“ Good example of a well-written, concise PPF report. As a result this is accessible to external stakeholders.”

This review and the peer review of the East Dunbartonshire Planning Performance Framework helped shape this year's Framework.

West Dunbartonshire is one of the smallest local authorities in Scotland with just over 90,000 residents and is made up of rural, urban and waterfront locations. The Planning Authority excludes parts of Balloch and the countryside to the east and west of Loch Lomond which forms part of Loch Lomond and the Trossachs National Park planning authority area.

In 2015 the Senior Management structure of West Dunbartonshire Council was reviewed and a new smaller senior leadership team was created to drive the Council's priorities from April 2016. Planning and Building Standards now sits under the Strategic Lead for Regulatory having moved from Regeneration and Economic Development.

A number of the Council's key capital projects are progressing well on site such as the new Clydebank leisure centre, the Dumbarton care home and a number of new schools: Bellsmyre co-educational campus; Kilpatrick special needs school; and the Balloch campus. Planning and Building Standards are a key service in the delivery of these developments and are involved from the initial concept stage to final occupation. The private sector shows continued interest in the area with new houses being built and new and expanded accommodation for businesses being created.

An important milestone this year has been the grant of planning permission in principle for 1,000 new houses, health and care uses, and retail and leisure uses on the Queens Quay site in Clydebank. The detailed application for infrastructure and public realm works is due to be submitted shortly. Planning and Building Standards continue to play an important role in enabling delivery of the Exxon site in Bowling - our City Deal project. Development of the new Council offices has now started on the site of the former Dumbarton Academy and Burgh Hall in Dumbarton town centre and developers of the adjacent Dumbarton Waterfront are bringing forward their development proposals.

Planning application fees amounted to £320,000 for 2015-16. The Council continues to face financial challenges in the coming years and this Service continues to look at new ways of working, the use of new technology and bringing in additional income to assist with the challenges.

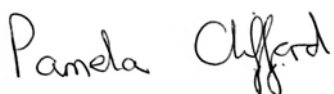
In 2016, the Planning Committee took a final decision not to progress the Local Development Plan beyond Proposed Plan stage due to an issue with a housing site in Clydebank. Work has now commenced on the new Local Development Plan.

This year we have worked with the Loch Lomond and Trossachs National Park Authority to deliver a charrette for the Balloch area which we hope will also benefit the wider Vale of Leven. We also received a Team of the Year commendation with our Regeneration colleagues for the Clydebank and Dumbarton charrettes in the annual Council Employees Recognition awards.

We have now settled in our new offices at Aurora House on the Clydebank waterfront. This has facilitated more flexible working, more integration between teams and a new approach to customer service.

Staff continue to show commitment to developing themselves by attending external and internal training courses and by working closely with the Scottish Government, Heads of Planning and the Improvement Service

I hope you enjoy reading the Framework and I would welcome any feedback.



Pamela Clifford
Planning and Building Standards Manager
July 2016
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Part 1: National Headline Indicators (NHIs)

Key Outcomes	2015-16	2014-15
<p>Development Planning:</p> <ul style="list-style-type: none"> age of local/strategic development plan(s) (years and months) at end of reporting period Requirement: less than 5 years Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N) Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? (Y-earlier/Y-later/N) Were development plan scheme engagement/consultation commitments met during the year? (Y/N) 	<p>6 years 0 months</p> <p>No</p> <p>n/a-see note below</p> <p>n/a-see note below</p>	<p>5 years 0 months</p> <p>No</p> <p>Yes-later</p> <p>Yes</p>
<p>Effective Land Supply and Delivery of Outputs</p> <ul style="list-style-type: none"> Established housing land supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply (to one decimal place) Housing approvals Housing completions over the last 5 years Marketable employment land supply Employment land take-up during reporting year 	<p>5,869units 1,731units 1,600 units 5.4 years</p> <p>309 units 1,206 units 35.05 ha 0 ha</p>	<p>5,873 units 1,747 units 1,600 units 5.4 years</p> <p>193 units 1,164 units 35.05 ha 0.83 ha</p>

Key Outcomes	2015-16	2014-15
Development Management Project Planning <ul style="list-style-type: none"> Percentage of applications subject to pre-application advice Number of major applications subject to processing agreement Number of applications subject to other project plan Percentage planned timescales met 	49.8% 0 0 n/a	43% 1 0 100%
Decision-making <ul style="list-style-type: none"> Application approval rate Delegation rate 	96.6% 90.0%	96% 86%
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> Major developments Local developments (non-householder) Householder developments 	24.6 10.7 7.3	19.8 10.5 6.8
Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining 	2 7	1 6
Enforcement <ul style="list-style-type: none"> Time since enforcement charter published/reviewed (months). Requirement: review every 2 years Number of breaches identified / resolved 	0 months 45/27	15 months 33/24

Contextual Statement

The proposed Local Development Plan was on schedule to be adopted by the 5th anniversary of the adoption of the previous Local Plan i.e. by March 2015. However, the Planning Committee of the Council declined a recommendation of the Examination Report and entered into correspondence with the Scottish Ministers on this matter. The Scottish Ministers issued a Direction preventing the Council from adopting the Plan unless the recommendation was accepted. In April 2016 the Planning Committee took a final decision not to accept the recommendation and therefore not to adopt the Local Development Plan, and instructed that preparation of the next Local Development Plan commences. Therefore, over the last year there has been no slippage in the submission date of the Local Development Plan to the Scottish Ministers as submission had already occurred and there was no development plan engagement/ consultation exercises undertaken as none were required owing to the stage the Plan was at.

Housing figures are based on the finalised 2015 Housing Land Audit (base dated 31/3/2015). Comparison figures are from the finalised 2014 Housing Land Audit (base date 31/3/2014). Housing approvals are for the year ending 31 March 2016 and include all housing approvals on sites of 4 or more units, including changes of house types, permissions in principle and in detail. Housing completions are for the 5 year period ending 31 March 2016. Employment land figures are based on the 2016 industrial and business land monitoring (base date 31/3/2016).

Nearly 49% of all applications were subject to pre application advice which is higher than last year. All 5 major applications were subject to pre application advice which is consistent with the developer's protocol. The average number of weeks to decision for major developments increased by 5 weeks although it is still well below the national average. This increase in the timescales is due to 2 applications. One application was validated in 2010 and presented to Planning Committee within 4 months of the validation date however due to the economic situation the applicant had no immediate intention of commencing the development and did not progress the Section 75 legal agreement with any urgency. In addition the applicant was renegotiating the off-site road infrastructure works for an adjacent site which once agreed had implications for the Section 75 agreement. This application took 350 days. The second application involved an extension to Dumbuckhill Quarry which raised a number of technical issues that took time to resolve with consultees. It took 294 days to determine. The other three major applications were determined in 90 days, 41 days and 85 days respectively.

The average number of weeks for local development applications is consistent with last year's figures. This is good as these applications often involve complex issues. Further we had a major office move in March 2015 and staff were disrupted in the lead up to the move and afterwards, as we settled into the new office environment and new ways of working. Householder applications decision levels were very similar to last year.

Approval rates were very similar to last year although the delegation rate increased to 90% with increased use of delegation powers. The number of legacy cases remains very similar to last year.

A new updated Enforcement Charter was approved in March 2016. There was an increase in the number of enforcement cases, as there is more development activity on the ground.

Part 2: Defining and measuring a high-quality planning service

Quality of outcomes

New Dumbarton Council office

Development of the new Council offices in Dumbarton town centre has commenced. On completion the offices will be occupied by 500 staff. The development will incorporate a nationally important A-listed building, known as the Old Academy building, most of which was demolished in 2005 leaving only the front and side walls. The new development will involve significant works to the listed façade including the rebuilding of a pitched roof and dormer windows to replicate those on the original building, and restoration of original stonework and carvings. Behind the façade a modern extension, carefully designed to complement the listed building, will be built to provide a modern open plan office and civic space. The development also includes landscaped amenity space and a car park. Prior to the submission of the application several meetings were held with the project design team and Historic Environment Scotland to ensure that the listed façade was incorporated into the design of the new building as sympathetically as possible. The proposed design was regarded as the best option as it fully integrates the façade into the rest of the building. The new part of the building will have a more contemporary and simple design to avoid competing or clashing with the ornate façade. This development is very important as it will be one of the main civic buildings in the Council area and will bring back to life an 'A' listed building. It is hoped that it will also make a significant contribution to the regeneration of Dumbarton town centre. The Planning and Building Standards team have been involved in this development from inception and have worked hard to ensure that high quality design features and materials are retained, especially when the project team were looking for budget savings. The new office building is expected to open in 2017.



Queens Quay Design Framework

The 100 acres Queens Quay site in Clydebank is the most significant regeneration opportunity in West Dunbartonshire. The pre application consultation event was detailed in last years PPF, and this outlined the issues and information requirements for the forthcoming masterplan submission.



This year the Planning Permission in Principle application was submitted. The approved Design Framework sets out how the site is likely to be developed and identifies uses for different zones of the site, key road and path connections, and civic / open spaces. It divides the site into twelve individual development parcels incorporated within three broad land use zones of residential, mixed use, and health and care. As part of the assessment and testing of the principles of the Framework and Design and Access statement, a series of internal focus groups were held with other services of the Council and discussions were held with managers of West Dunbartonshire Leisure Trust and Libraries and Culture who have interests in property immediately adjoining the site (a new leisure centre, Clydebank Library and the Titan Crane). Discussions were also had with representatives of the Scottish Government's Planning and Architecture Division and Architecture & Design Scotland (A&DS). Their feedback and comments were fed into the Framework and Design and Access statement in order to ensure that the proposals will provide high quality of urban design within this important regeneration site for the area.

Area 5 Lomondgate, Dumbarton

This represents the final phase of a large residential development comprising over 300 houses and flats, of which 345 have already been built. It is part of a major mixed use development, which includes a Business Park, major roadside services and BBC Scotland studios including the River City set, straddling the A82 to the north west of Dumbarton, and incorporating the former J&B bottling plant. Details of this major development and the important role played by Planning and Building Standards has been included in previous Planning Performance Frameworks (2014 and 2015). Area 5 is a greenbelt addition to the original regeneration area, which has been identified through the West Dunbartonshire Local Development Plan. Fifty-eight detached and

semi-detached private houses are proposed along with green network enhancements to the surrounding grassland and woodland, which will improve biodiversity and to improve the surrounding green network and provide an attractive setting for the housing and settlement edge for Dumbarton. The development was assessed against the principles for good design of residential development set out in the Supplementary Guidance detailed in Planning Performance Framework 2015. During the processing of the application it came to light that there were significant issues regarding ground gas conditions. Complex discussions were required between the Council's Environmental Health section and the developer, and Planning and Building Standards had a significant role to play during these to ensure that an acceptable outcome was achieved, and that the mitigation measures proposed to deal with the ground conditions were proportionate, reasonable and enforceable so that the development could ultimately be delivered.

"Planning officials, primarily the Planning Manager and the Planning Officer, worked closely with the Walker Group and the wider team and were instrumental in arranging and facilitating a considerable number of discussions and meetings with Environmental Health Officers thus affording a full opportunity to the applicants to deal with the concerns raised. The Planning Manager also extended the timescales to keep the planning application live when in other circumstances a refusal could have been forthcoming." Mike Edwards Development Director Walker Group.

Kilpatrick School

Scheduled to open in 2017 and one of the Council's major capital projects, Kilpatrick School provides education for children who have additional support needs and is located within a woodland setting, in the heart of Clydebank. This is an example of a new development which had to integrate with existing buildings such as the existing hydrotherapy pool and primary school. The development site is adjacent to Auchentoshan Woods, therefore the design and location of the building were key considerations. The development was subject to detailed pre-application discussions as per the Protocol on pre-application discussions. The building has been designed to address its woodland surroundings and includes a new synthetic sports pitch, landscaping and parking. External areas will have sensory planting and soft/hard landscaping which can function as outdoor classrooms in addition to woodland and wetland exploration areas. A series of pre-application discussions took place in order to shape the development and ensure that the design and layout of the development maximized its woodland setting as well as meeting the requirements of the school.

Lomond Galleries

This is an important and distinctive listed building occupying a prominent location on Main Street, Alexandria. The property is an “A” listed building which opened in 1906 as the offices of the Argyll Motors Work factory. Before it became a shopping outlet centre in the 1990s it was vacant for almost 25 years. However, in recent years it has struggled to attract custom and many of the units are vacant. It is a complex building which could not be easily converted to other uses. Therefore, it was important to prevent the whole building from falling into disuse again and ultimately into disrepair. The centre owner’s solution was to extend the centre to provide a new anchor store to ensure the viability of the entire centre and building. This involved the construction of an extension to the north wing of the building along with internal alterations to convert this wing and the extension into a single large unit. This development had significant policy issues, primarily as it was outwith the town centre, as well as heritage/design issues. In order to create the single unit the free standing stone façade which is attached to the northern wing of the building would be taken down and the recovered stone used to construct a new northern side elevation for the existing building. Close working with Historic Environment Scotland from an early stage was required. Although the creation of a foodstore is a departure from the retail policies contained in the adopted and proposed plans, the potential benefits from the continuing use of the building and preserving the listed building were sufficient to justify supporting the development. The foodstore proposal allows the shopping centre to have a future and increases the likelihood that it will continue to operate.

Restoration of Islay Kerr House

A substantial Victorian sandstone property which formed part of the former Keil School estate in Dumbarton. The property is typical of the Kirktonhill Conservation Area Dumbarton in which it is sited. It has been derelict for more than 16 years and during this time had gradually fell into a state of disrepair and parts of the roof were open to the elements. Had work not commenced to restore the building, there was a risk that it would eventually be beyond repair and at risk of being lost. The restoration and



conversion of the property has recently been completed and the main building now consists of four large flats. As part of the work, the exterior of the building has been restored with a new slate roof installed and the stonework repaired and replaced where necessary. Although the building has been converted to flats, it has been restored to close to its original condition externally and no longer detracts from the surrounding

area. Prior to the submission of an application, detailed pre-application discussions were undertaken and Planning and Building Standards has worked very closely with the developer to ensure that the design and materials are comparable with the Conservation Area in order to deliver a high quality development which will contribute to the surrounding conservation area.

Dumbarton Walkway

One of the key actions coming out of the Dumbarton Rock and Castle Charrette (which was undertaken in February 2015) was the creation of a new waterfront path linking the Rock and Castle with the town centre. There has always been a desire that a path be created along this route, and this is reflected in the development plan. However, this requirement has added to the complexity of bringing forward development in an area which is in multiple ownership and has several other development constraints. Rather than leaving implementation to the individual developers of development sites, the Council has adopted a co-ordinating role, and will 'front-fund' the provision of the path from its Regeneration Fund and through accessing external funding from organisations such as Sustrans. Planning and Building Standards has worked very closely with the Council's Regeneration Team to ensure that the walkway proposals tie-in within the development proposals for each site. Agreements will be put in place to recover a proportionate cost of the walkway from each developer as they develop their respective sites.



Use of the Green Network Guidance

Approved in November 2015, the green network guidance is already making an impact on the way the green network is integrated into new development. The guidance is being used early in the planning process. At pre-application stage, officers routinely direct applicants to the guidance, to ensure that green network requirements are treated as fundamental elements of the design process and development viability considerations, helping to avoid obstacles further down the line. The guidance promotes the pooling of developer contributions to achieve larger, more valuable enhancements where appropriate. For example, in assessing two current proposals for housing developments in Clydebank, in close proximity to each other, successful discussions have secured two contributions totalling approximately £65,000,

which will allow for significant improvements to be made to an existing open space area in poor condition. A similar approach in Dalmuir has resulted in approximately £53,000 from two separate housing developers being pooled to provide significant enhancements to a community park.

The guidance is also making a difference to the integration of the green network within major housing developments. A proposal for housing development on Stirling Road, Bonhill has taken on board the principles of the guidance by making strong links to the existing green network around the site.

The supplementary guidance is already helping to achieve more effective internal working arrangements. The guidance supports early dialogue between developers, Planning and Building Standards and the Council's Greenspace section, to ensure that green network contributions compliment and add value to Greenspace priorities and spending plans. An effective monitoring system is also being put in place to ensure there is a transparent audit trail to monitor how financial contributions are being spent.

Pay day lenders and betting shops planning guidance

This planning guidance was prepared as part of the Scottish Government's Town Centre Planning Pilot programme in order to address growing concerns within the Council and the community about the number and clustering of pay day lending and betting shops in West Dunbartonshire's town centres. The guidance follows on from an identification of an action in the Clydebank town centre charrette report for the Council to improve its evidence base on the impact of these uses on West Dunbartonshire's economic and general well-being.

To gather this evidence, two pieces of primary research were undertaken. One involved a survey of the Council's Citizen's Panel of 1500 residents, seeking views on their attitude towards betting and pay day lending shops in town centres and their impact on community well-being. This prompted 1,028 responses – a 68% return, and two focus groups were also held. The second was footfall/customer counts of a variety of town centre uses in order that the number of visitors to pay day lending and betting shops could be compared to other uses.

The guidance provides the Council with a robust evidenced-based policy position to manage future applications for pay day lending and betting shops, the numbers of which, it was felt were already having an impact on the quality of West Dunbartonshire's town centres. It identifies areas where such uses will not be permitted and others where they will be more strictly controlled. This should result in no further deterioration in the attractiveness of the town centres owing to an increased concentration of these uses.

Quality of service and engagement

Effective Decision Making: Queens Quay Processing agreement

The delivery of the Queens Quay site is a key priority of the Council and significant resources have been deployed to engage with the developer in a number of ways to ensure effective decision making. Although there have been significant pre application discussions it was considered that a processing agreement would help to manage the project and ensure effective and efficient decision making due the scale of the development site and the complexity of the issues. The developer was willing to sign a processing agreement and it gave certainty over key stages in the development process. By tight management of the development management process, involving collaborative working with colleagues of different disciplines within the Council, the Planning Permission in Principle application (PPP) was presented to Planning Committee by the agreed target date, and within 5 months of its submission.

“On behalf of Clydeside Regeneration Limited I am pleased to report that the PPI application process we went through for the Masterplan at Queens Quay was a positive and worthwhile experience. I have consulted my colleagues and they can confirm that from the outset the consultation and application process was dealt with efficiently on an open and professional basis.

The early involvement of the major consultees in relation to the EIA was particularly important. This assisted in the smooth progression of the reports through the application process.

Queens Quay is obviously a very complex and challenging project. All the main agencies did contribute in a positive manner and I am sure we will deliver a very impressive regeneration project.

I'd like to thank you for your contribution and coordination of the application and I can genuinely say I look forward to dealing with your department throughout the duration of this project.” Paul O'Donnell Development Director Dawn Developments

Exxon/City Deal

In PPF 2015 details were provided of the West Dunbartonshire Council City Deal project which involves the construction of road network accesses and development platforms on the former Bowling oil terminal site. Planning and Building Standards continues to be represented on the Exxon Project Board and gives advice and support on key processes and procedures. This year, good progress has been made to secure access rights to the site in order to allow key studies to be undertaken and we have been liaising with the key statutory consultees such as SEPA and SNH to ensure that their requirements are being met. We will continue to offer support in terms of formulating the masterplan, achieving all necessary consents for infrastructure and ensuring key stakeholders and the community are engaged.

The City Deal is a collaborative project involving the 8 Glasgow and Clyde Valley authorities. As well as progressing the West Dunbartonshire project, Planning and Building Standards has been involved in regional governance of the City Deal scheme, primarily through the Forward Planning Team Leader's involvement in the strategic assessment of all the City Deal projects against land use strategy and development capacity considerations.

This year we have also commenced discussions with Renfrewshire Council regarding the Renfrew Riverside/Clyde Waterfront City Deal project which includes a new vehicular crossing over the River Clyde. The crossing may 'land' in West Dunbartonshire, but even if it does not, it will have significant traffic and economic impacts on the area. These discussions will increase this year as the screening and scoping for the Environmental Impact Assessment is carried out, a final location for the bridge end is decided, and a planning application is submitted.

Increasing young people's awareness of the Antonine.

The Antonine Wall is one of only 6 UNESCO World Heritage Sites in Scotland and is a one of West Dunbartonshire's most valuable heritage assets. In conjunction with the Antonine Wall Management Plan, the Proposed Local Development Plan seeks to protect the Wall and promote understanding and enjoyment of it.

Organised and facilitated by Planning and Building Standards, a project to improve the presentation of the remaining Wall rampart in Goldenhill Park, has been taken forward with a clear focus on engaging local children at nearby Goldenhill Primary School, to increase their understanding of the important heritage on their doorstep. Pupils have



benefitted from a range of activities including getting hands-on with an archaeological dig, learning about how the Wall was built by taking part in a construction role play exercise, and using tools and clay to learn about traditional roman blacksmith techniques.

Stirling Road Residential Development, Bonhill

A persistent criticism from developers is that there are significant delays between the granting of Planning Permission and Roads Construction Consent. Whilst developers are pleased if a planning application is determined promptly, it does not necessarily speed up the development process if they apply for Roads Construction Consent once Planning Permission has been granted. These delays can cause uncertainty when attempting to programme works and project manage a development. In light of these issues and following Government guidance, the applications for Roads Construction Consent and Planning Permission were submitted at the same time for a residential development of 85 houses at Stirling Road Bonhill. The Council's Roads Service was heavily involved during pre-application discussions and they were able to indicate at an early stage what their expectations would be for the planning application and Roads Construction Consent application. This provided the developer with a degree of certainty as the roads issues had been addressed at the planning stage. Due to the involvement of the Roads Service and Planning and Building Standards at a very early stage, this residential development embraced the principles of the Scottish Government Designing Streets document through the use of shared surfaces and a more pedestrian focussed layout.

Balloch charrette

LIVEinBalloch was an innovative design charrette aimed at shaping the future of Balloch. The charrette process was designed and driven by a focus on maximising engagement, with a range of communication methods used, including a clear focus on social media.

At the outset of the charrette preparation process, an advisory group was established, drawn from a cross section of the local community (including representatives from the community council, local shop owners / businesses, school PTA and local environment trust). The group were involved in decisions regarding the organisation of the charrette such as dates/times, venue and publicity and its input is considered a key contributing factor to the charrette's high turnout - a feedback survey revealed 85% of respondents found the timing and location of the charrette events to be convenient.

From the outset, LIVEinBalloch placed prime importance on maximising the number and range of people engaged. The project team that managed delivery of the charrette, involved communications officers as well as planners. Guided by a Communications Strategy, social media was used extensively to have a conversation with the community. In the three weeks prior to the first charrette event, frequent Facebook posts on the 'LIVEpark' page attracted over 350 comments, whilst over the course of the charrette over 5,500 users commented, shared or liked the 'LIVEpark' page. During the charrette period there was a 47% increase in followers of the LIVEpark facebook page. #LIVEinBalloch was used extensively on Twitter to further promote the charrette. Social

media was complemented by alternative forms of publicity: local press articles were placed; all local school children went home with a flyer; a charrette blog was regularly updated; and local businesses were personally visited to encourage participation. All these measures helped to get the message about the charrette into the community, backed up by results of the feedback survey that reveal over 70% of respondents thought the charrette was well publicised.

The number of people attending the community workshops exceeded expectations; over 250 people attended the 3 evening workshops, 3 afternoon drop-ins and final exhibition session. For a small village the size of Balloch, this is considered a real success and can be contributed at least in part to the marketing and publicity of the event.

The feedback survey carried out tells us that (i) 75% of respondents found the charrette interesting and worthwhile and (ii) 78% of respondents would recommend other communities take part in a charrette. This positive feedback demonstrates that the community agrees with the partners that the charrette was a positive and valuable process and is an excellent example of two planning authorities working together with the local community and local businesses.

Corporate working

The Planning & Building Standards Service continues to liaise closely with other services of the Council. Senior planning and roads staff continue to meet on a monthly basis to discuss live applications and proposals and to maintain the efficiency of liaisons between the services. A roads officer continues to work from the planning office on a regular basis. Bi-monthly joint liaison meetings with our Regeneration and Asset management colleagues continue, along with more frequent catch-ups on specific matters. These meetings have ensured that communications have not suffered as a result of Planning & Building Standards moving under a different Strategic Lead in the April 2016 restructure. That restructure has brought Planning & Building Standards under the same Strategic Lead as Environmental Health and Legal and this has strengthened relations with those sections of the Council. Planning is working closely with Regeneration on the project to deliver the Dumbarton walkway in partnership with waterfront developers.

Planning officers are members of the project team for some of the Council's capital projects. Most notably the Planning Manager is on the project board for the Exxon City Deal project. This site raises complex planning issues and close working with colleagues in roads, environmental health, regeneration, finance and legal is proving essential to allow it to progress. A similar grouping of services, also including the Council's Community Health and Care Partnership, have worked closely together to agree the Council's investment in the Queens Quay development and progress the site to the Planning Permission in Principle stage.

The ultimate purpose of this and all corporate working is to provide customers with greater certainty and a more efficient decision making process.

Governance

Elected Member Pre-Application Meetings – Clydebank Community Sports Hub

Procedures and a protocol for Elected Member involvement at the pre-application stage were first established during 2014-15, and were reported in PPF2014 and PPF2015 in relation to the masterplan for the redevelopment of Bowling Basin, which was the first proposal to be presented to Members as part of this procedure. The process has been developed to allow the early engagement of Members on major applications and complex developments and the procedure is offered at the pre application stage to developers. The most recent elected member pre-application meeting was for a community sports hub development in Clydebank. This was an important strategic development involving redevelopment of sports pitches and a new sports facility building which will act as a central hub for a variety of sports and clubs. However the development was set within an established residential area and issues such as traffic, noise and disturbance and general amenity issues required to be addressed.

A briefing note was produced by officers that provided details of the site and development, planning policies and main issues requiring to be addressed as part of any planning application. The Project Architect and Chair of Clydebank Community Sports Hub Board gave a short presentation of their proposals. All

Elected Members were invited to attend the presentation and were given an opportunity to highlight any additional issues which they considered the application ought to address.



This early consultation was important as it allowed Members who were Ward Members but not part of the Planning Committee to highlight issues. From the developer's perspective it highlighted matters which they needed to address in their application submission but gave them certainty and confidence in relation to less contentious issues.

The event was well attended and well received by the Elected Members and pre-application meetings are now established as a mechanism to inform Elected Members of proposals for major applications at an early stage.

"I found the pre-application meeting with members very useful. It provided a forum to present a project and receive valuable feedback from councillors who represent the community within which the project is to be built. Having the consultation some weeks prior to application allowed the design team to address concerns raised, update the design and provide additional information as appropriate." Marc Kilkenny Project Architect

"I have attended two elected members briefing meetings and was also part of the Planning Committee that approved the procedures and protocol. I have found both meetings to be very informative and beneficial as it allows Councillors to be aware of development proposals at an early stage. Elected members who are not part of the Planning Committee can also attend and ask questions about development proposals and it gives all elected members an opportunity to highlight issues which the application should address." Councillor O'Neill Convenor of the Planning Committee

West Dunbartonshire Local Development Plan

The West Dunbartonshire Local Development Plan progressed timeously to the post-Examination stage. At that stage, Councillors declined to accept a recommendation of the Examination Report and entered correspondence with the Scottish Ministers to seek to adopt the Plan without incorporating the recommendation (relating to a greenfield housing site in Clydebank). The Scottish Ministers directed that the plan should not be adopted unless the housing site was included in the Plan. Councillors have continued to reject this and a final decision was taken by Councillors (in April 2016) not to adopt the Plan and for preparation of the next Local Development Plan to commence. Throughout the formal stages of the Local Development Plan process, officers of the Council have continuously recommended to Councillors that the disputed site be included in the Plan as it was important to ensure that the Council has an up to date development plan that met Housing Supply Targets.

From an officer's perspective, it is very disappointing that it has not been possible to bring the Local Development Plan process to a final conclusion and have an up-to-date development plan. But the final decision to not adopt the Plan has allowed work on the new plan to commence. A Development Plan Scheme and Participation Statement for the new plan will be taken to Planning Committee in August 2016. This will include a detailed project plan for preparation of the Main Issues Report which is scheduled to be taken to Planning Committee in April 2017. Pre-MIR engagement with elected members that was a feature of the last plan process will be replicated, including ward-based workshops with all members, and workshops with the Planning Committee in the lead up to the Main Issues Report being taken to Committee. Also as per the previous plan process, there will be one-to-one meeting with all Key Agencies, followed by multi-agency meetings on specific issues if these prove necessary. There will also be a call-for-sites and one-to-one meetings with developer/landowner interests.

Charrette governance

The Council is aware that charrette events are not an end in themselves. Rather, they are the starting point of making better places. West Dunbartonshire Council has held four successful charrettes over the past two years, looking at Bowling Basin, Clydebank town centre, Dumbarton Rock and Castle and Balloch. Each charrette report has identified a set of actions to help deliver the charrette visions for these places.



In order to focus on delivery, the Council has established governance procedures. For the Clydebank and Dumbarton charrettes, separate charrette implementation groups have been established involving all of the parties with responsibility for delivering actions. These meet quarterly to review progress against the established actions and to determine expected progress for the next quarter. Also on a quarterly basis, a charrette governance board sits. This provides senior management with an overview on progress on both charrette action plans, and provides the officers with delivery responsibility with direction on how to progress higher profile/more complex actions. It is anticipated that the delivery of the Balloch charrette will be brought under this governance structure.

For the Bowling charrette, the Council meets with Scottish Canals every two months to discuss progress on the masterplan that emerged from the charrette. This has proven invaluable in progressing a complex project on a site which is rich in built and natural heritage and has numerous technical constraints e.g. flooding, contamination, access. To date 5 railway arches have been brought into commercial use. More railway arches are under restoration and planning permission in principle has been recently issued for development of the whole site.

Planning Enforcement Charter

The Planning Enforcement Charter was reviewed in 2015. It is an important document as it explains how the enforcement process works in West Dunbartonshire, the current powers available to the Council and the service standards that the Council sets itself. Although the layout of the Enforcement Charter has been updated, the general focus and content of the enforcement procedures and guidance are still relevant. However given the nature of enforcement complaints received in the 2 years since the previous

Enforcement Charter, a section addressing how the Council deals with ad hoc banners and signs located remotely from business premises or activity has been added. A section has also been added on how the Council monitors the quarries and landfill sites in the Council area.

The Enforcement Charter recognises the important role that the public play in reporting potential breaches of planning control and in monitoring the conditions that are placed in certain planning consents. The enforcement process can be a complicated process for the public to understand therefore it is important that key points of enforcement are highlighted, such as any enforcement action will be proportionate to the scale of the breach, that enforcement is a discretionary power and any enforcement action must be in the public interest.

eDevelopment.scot

This Council has been involved in the eDevelopment.scot project which was initiated by the Scottish Government. The project once fully implemented will provide a single point of access for users to both ePlanning and ebuildingstandards with applicants able to submit applications electronically to both services.



Within West Dunbartonshire Council ePlanning has been very successful with 70 % of planning applications being submitted electronically. It has helped to bring financial savings and more efficient business processes and provided an overall improved customer service. Applications can be received and processed more quickly and the

public can view applications and make comments from their own home without coming into the office. The issuing of electronic planning decisions is instant providing a very efficient customer service as well as providing financial savings for this Council in terms of postage costs and staff time. The ePlanning.scot element of the project was launched in January 2016 and has continued to build on the success of its ePlanning predecessor.

Since the launch of ePlanning in 2009 feedback from our customers who have used ePlanning has included questions as to why a similar service is not available for eBuilding standards. The eBuildingStandards.scot element of the project will be launched in August 2016 and we are presently transferring our internal business practices in readiness for the electronic changes.

Committee Structure

The Planning Committee continues to meet on a monthly basis with the exception of July. Major and contentious applications continue to be determined by the Planning Committee. This allows a good balance between the use of delegated powers and committee applications. In 2015/16 29 applications were determined by Planning Committee of which 19 applications involved a hearing. Types of applications determined by Committee included changes of uses, new flats, wind turbine, quarry extension and football pitches.

Site visits continue to take place before the Planning Committee for applications which are subject to objection or if the application is of local significance. A total of 17 site visits took place.

The Committee also considered 32 other reports on matters such as the Local Development Plan and Supplementary Guidance, the outcome of appeals, consultations from neighbouring authorities, the Glasgow and Clyde Valley SDP- Clydeplan, Review of the Planning System and the Draft Planning Delivery Advice: Housing and Infrastructure. The Assistant Manager of the Glasgow and Clyde Valley Authority also gave a presentation to the Planning Committee on the Clydeplan. This increased the awareness of the main issues and allowed direct input into Clydeplan.

Major Application Meetings

The fortnightly meetings between the Planning and Building Standards Manager and senior Planning Policy and Development Management staff continue to be a very valuable way to discuss the progress of major planning applications or locally significant applications. This is an opportunity to discuss detailed policy issues and development management issues at an early stage. It allows all parties to update each other on meetings which have been held or to be held in the future. It allows applications to be determined more quickly with Committee dates being programmed.

Financial Management

The service budget is monitored on a monthly basis by the Manager and the Service accountant to ensure that budgeted outturn is being achieved. The budget is discussed at Team Leader and Management Team meetings. The revenue budget continues to be heavily weighted towards employee costs and related items. The main payments to other agencies and bodies are for the Strategic Development Planning Authority, Ordnance Survey, and the Archaeology Service. The main source of external income is from application fees and related income. Planning fees for 2015/16 was £320,000. This increase in income helps to assist the Council in meeting the funding deficit.

Joint Working

The Council is a partner of the West of Scotland Archaeological Service. This shared service maintains the Historic Environment Record and offers development management advice in respect of archaeological resources to 11 planning authorities, offering a good value, high quality service. Elected members attend the Joint Committee of the Service which approves its Business Plan, annual report and accounts, and officers attend quarterly steering group meetings which monitor implementation of the business plan and finances. In March 2014 the Council gave notice of its intention to leave the Service with a view to assessing whether it offered best value. In March this year it withdrew its notice, having concluded that good value was being derived from being a member of the Service. The Council therefore remains committed to this shared service and in the coming year will be working with partner local authorities to remodel the service so that it remains sustainable and offers good value and a quality service into the future.

The Council is also a partner of the Glasgow and Clyde Valley Green Network Partnership, along with the other 7 Glasgow and Clyde Valley authorities, the Forestry Commission, SNH and the Glasgow Centre for Population Health, SEPA and Scottish Enterprise. This is the regional delivery partnership of the Central Scotland Green Network(CSGN). Through the Partnership, green network strategic development areas have been identified in the Strategic Development Plan, and CSGN Trust development officer time has been allocated to the Council to identify and implement strategic green network improvement projects.

Culture of continuous improvement

People Management

All Staff have a Performance and Development Plan (PDP) which is undertaken on annual basis in April/May and reviewed half yearly in November. Their training requirements are identified in the Service Training Plan and this is supported through both the Service and corporate budget to ensure training requirements are met. Internal training continues with the sharing of knowledge and skills between team members and with events held by the Council's Organisational Development team.

External events attended include the National Development Plan Forum, the joint SEA/HRA forum, events organised by the Improvement Service and the RTPi and included topics such as trees and Hazardous Substances. HOPS events were frequently attended including the annual conference, and the development management and development plan sub-groups.

Training and development needs will continue to be identified through Performance and Development Planning work.

Service Development Day

The annual staff service day, held in October 2015, involved visits to the nationally recognised housing development at Polnoon, East Renfrewshire and the award winning Commonwealth Games Village in the East End of Glasgow. All Planning and Building Standards staff including technical and administration staff attended. We were also joined by colleagues from the Council's Roads Service.



At Polnoon we were shown around by the Planning Officer who dealt with the application and the Development Director of Mactaggart & Mickel. They explained the background to the innovative form of development, the feedback they have received and problems and issues they required to resolved.

In the afternoon we were shown around the Commonwealth Games village by one of the principal developers. The form, layout and design of the houses, and particularly how elements of the green network were integrated into the development were of particular interest in relation to forthcoming developments in West Dunbartonshire.

The benefits of seeing such development on site are that officers are better placed to influence and seek improvements to developments forthcoming in West Dunbartonshire and developers can be directed to see the quality of development we are seeking to achieve, for example the use of informal play equipment similar to Polnoon, the use of the design features to provide interest and activity to the elevations of houses.

“The residential developments at Polnoon and the Commonwealth Games village provide good examples of Designing Streets and integrating green infrastructure into layouts. I found it useful to visit these sites to see first-hand how government guidance might be applied, and this experience has been of benefit in discussions with developers over a number of residential sites in West Dunbartonshire.” Karen McChesney Lead Planner Development Management

New ways of working – Aurora House

Following an office move in March 2015, the Planning & Building Standards team have continued to settle in to its new office environment in Aurora House, Clydebank. This offers a hot-desking environment, which has led to a significant saving on office space required to accommodate the team. A flexible working protocol was introduced by the Service during 2015/16 to encourage staff to work remotely, and this has been taken up by a number of staff. The introduction of ‘thin client’ has allowed staff easier access to their desktop and IT systems when working remotely. The hot desking environment has also allowed staff from related sections to work alongside the Planning & Building Standards team. An example of this is a Roads Engineer now sits within Planning & Building Standards at least one day a week, thus improving communications between the teams. The Service is now also sharing office space with the Environmental Health and Community Development, enhancing relationships with these teams.

Associated with the move has been a project to digitise historic planning application and building warrant files. Planning applications from 2006 onwards were already stored in electronic format, but files prior to that were still in paper format. The project involved the thinning and digitising of planning application records back to 1990. Approximately 7500 applications are being digitised containing over 200,000 A3/A4 images and approximately 15,000 large format plans. The benefits of the project are a reduction in storage space and the relevant planning application files being more accessible to staff and the public.

Customer Survey

A customer satisfaction survey introduced in February 2015 continues to be emailed with all decisions and involves 5 short questions which ask the customer to rate the service they received from Planning in general terms and then be more specific in terms of meeting timescales, responding promptly to problems and communicating clearly and

effectively. 100% of respondents rated the service they received as excellent or very good. 78% believed that the staff was excellent in terms of professionalism and being helpful.

Use of the website was very popular with 90% of respondents visiting the website. Suggestions received included improving the online forms especially for first-time applicants and the co-ordination of application submission and fee payment. The Planning and Building Standards website is identified as a service improvement for 2016-17 and the suggestions from the survey will be incorporated within the review. We continue to receive feedback from developers of our major developments and some has been included in this document.

Our Benchmarking Partners

The West of Scotland Planning Benchmarking Group is a good example of Councils working collaboratively in a cost effective way. The group (West Dunbartonshire, East Renfrewshire, Renfrewshire, East Dunbartonshire North Ayrshire and Inverclyde Councils) continues to meet every 3-4 months with a high attendance levels. It met four times between 1st April 2015 and 31st March 2016 to share good practice and benchmark on specific planning issues. The meetings are minuted and chaired by the host council. Topics discussed this year included the Planning Performance Framework, City Deal, High Hedges procedures, legal agreements and short term holiday lets in residential properties. Appendix 2 includes the full list of topics discussed at our meetings in 2015/16. When the Benchmarking Group was held in West Dunbartonshire a short presentation was given by the Technical Support Co-ordinator on how the Council is intending to take forward its Geographic Information System (GIS) in the future. Also, there was a walk about our new office, which embraces a flexible working environment. The email group continues to be used by all levels to exchange information and to get views on specific planning issues.

The Council also participates in the national (Solace) benchmarking group (including Glasgow City, Edinburgh, Dundee City, Aberdeen, Falkirk, North Lanarkshire and East and West Dunbartonshire Councils) which is held twice a year and is primarily used to discuss the Planning Performance Framework submissions together with general planning and enforcement issues.

Part 3: Supporting evidence

Part 2 of this report was compiled, drawing on evidence from the following sources

Quality of outcome

Protocol on pre application advice (Protocol 1) http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf

Protocol on Liaison meetings (Protocol 2) http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf

Payday lenders and betting shops www.west-dunbarton.gov.uk/council/public-consultations/pay-day-lenders-and-betting-shops-planning-guidance/

Green Network Guidance www.west-dunbarton.gov.uk/media/4309581/our-green-network-supplementary-guidance.pdf

Quality of service and engagement

Protocol on Processing Agreement (Protocol 4) http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf

West of Scotland Archaeology Service www.wosas.net/
Balloch Charrette www.ourlivepark.com/liveinballoch/

Governance

Elected members pre application procedures (Protocol 3) http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf

West Dunbartonshire Local Development Plan www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/local-development-plan/

Planning Enforcement Charter www.west-dunbarton.gov.uk/planning-building-standards/planning-decision-notice-appeals-and-enforcement/planning-enforcement/

Committee reports www.west-dunbarton.gov.uk/council/councillors-and-committees/minutes-agendas-and-reports/

Culture of continuous improvement

Appendix 2 Topics discussed at Benchmarking' Group 2015/16

Part 4: Service Improvement 2016-17

In the coming year we will:

- Establish a Design Forum.
- Identify and implement training requirements of Community Councils.
- Hold an annual Service Development Day.
- Implement new Committee report format.
- Hold an annual Planning and Building Standards Forum.
- Benchmark with other authorities on processes, best practice and cost.
- Review the Environmental Health Protocol.
- Review our systems performance and website.
- Promote and implement a Protocol on Legal Agreements.
- Review enforcement service.
- Consult and implement Conservation Area Appraisal for Kirktonhill Conservation Area and consider other Appraisals for Conservation Areas.
- Review and undertake individual PDPs and training implementation programme.
- Publish a Planning and Building Standards newsletter.
- Establish system for recording and monitoring developer contributions.

Delivery of our service improvement actions in 2016-17

Committed improvements and actions	Completed
Develop Spatial Plans from the Clydebank and Dumbarton Charrettes and implement action plans Governance arrangements have been set up for the Charrettes and the actions plans are being implemented –one example is the Dumbarton Walkway.	Yes
Prepare supplementary guidance on renewable energy and pay day lending and betting shops Both have been approved by Committee and is issued for consultation.	Yes
Review of Environmental Health Protocol This was commenced but was not completed due to other work commitments and Environmental Health restructuring.	Partial
Prepare a Flexible Working Protoco This has been implemented with a number of staff now working from home and more flexible.	Yes
Promote the Protocols on Processing Agreements and Elected Members involvement in the pre application stage Processing agreements actively promoted and one processing agreement signed in the period. One developer used the elected member's pre application meeting.	Yes
Promote and implement a Protocol on Legal Agreements We are working with Legal Services to make the legal agreement process more straightforward and quicker.	Partial
Formally monitor landfill and quarry sites and present report to Planning Committee A process has been established whereby all landfill and quarry sites are monitored annually and if required more frequent. A report is presented to the August Planning Committee on the outcome of the monitoring.	Yes

Committed improvements and actions	Completed
Review our pre application service This has taken place and Certificates of Lawful Use and Development are being used more frequently to determine if planning permission is required or not. We had drafted a report regarding charging for pre application advice however this has not progressed beyond the Legal stage.	Yes
Review Committee report format A review and benchmarking with other authorities regarding the Committee report format has taken place. The testing of the new layout has been delayed due to other workload commitments.	Partial
Scan and archive planning records A significant thinning of paper files has taken place in preparation of scanning.	Yes
Review our working practices to further improve performance levels This has taken place in the context of the new office environment and the new ePlanning portal.	Yes
Review our systems performance This has taken place but a further more full review is required once eBuilding Standards is implemented.	Yes
Benchmark with other authorities on processes, best practice and cost The Benchmarking Group continues to meet every 3-4 months to share best practice and to benchmark on specific planning issues.	Yes
Hold an annual Planning and Building Standards Forum This was not achieved as it was to be held as a joint event with Building Standards once eBuildingStandards went live and this was not achieved in 2015/16 due to supplier and system issues.	No
Hold an annual Service Development Day This took place in October 2015. The visit to Polnoon and the Commonwealth Games village is detailed within the report.	Yes
Progress training plan for elected members with Improvement Service This has not been progressed with the Improvement Service due to other commitments but elected members have attended training events and received direct training from officers.	Partial
Review and undertake individual PDPs and prepare training implementation programme This has been achieved with staff attending training events as per their PDP needs.	Yes

Part 5: Official Statistics

Category	Total number of decisions 2015-2016	Average timescale (weeks)	
		2015-2016	2014-2015
Major developments	5	24.6	19.8
Local developments (non-householder)	93	10.7	10.5
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	54.8% 45.2%	6.9 15.4	6.0 15.1
Householder developments	115	7.3	6.8
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	80.9% 19.1%	6.2 11.9	6.3 11.7
Housing developments			
Major	1	50.0	23.5
Local housing developments	17	13.9	13.2
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	41.2% 58.8%	6.8 18.9	5.9 15.1
Business and industry			
Major	0	n/a	11.7
Local business and industry	25	10.2	9.1
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	60% 40%	6.9 15.2	7.4 13.4
EIA developments	0	n/a	n/a
Other consents*	57	7.5	9.6
Planning/legal agreements**			
<ul style="list-style-type: none"> Major average time Local average time 	1 n/a	50 n/a	32.8 n/a
Local Reviews	1	9.2	12.0

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2015-2016		2014-2015	
		No	%	No	%
Local Reviews	1	1	(100%)	0/1	(0%)
Appeals to Scottish Ministers	3	1	(33.3%)	1/2	(50%)

C: Enforcement activity

	2015-2016	2014-2015
Cases taken up	68	38
Breaches identified	45	38
Cases resolved	27	24
Notices served	4	2
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

D: Context

The average timescale for major development of 24.6 weeks was higher than last year but below the Scottish average of 38.8 weeks. As explained in Part 1 of the report this is due to 2 legacy applications taking 350 and 294 days respectively. These were important applications economically for the local area and includes an extension to an existing quarry and a housing development by a local company on a brownfield site. This housing development application was subject to a legal agreement and although the application was presented to the Planning Committee within 4 months of submission the legal agreement took 34 weeks to conclude due to the applicant failing to progress the legal agreement and implications for an adjacent site.

The average timescales for local development and householder development are very similar to last years average timescales and are below the national average for local developments of 12.3 weeks and householder developments of 7.5 weeks.

Appeals and Local Reviews continue to remain low compared to number of applications determined. There was one local review held and timescales improved by just less than 3 weeks for decision.

Enforcement activity showed an increase from last year in terms of cases taken up and breaches identified with the number of Enforcement Notices increasing to 4.

Part 6: Workforce and Financial Information

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service				1

Tier 1 = Chief Executive, Tier 2 = Directors, Tier 3 = Heads of Service, Tier 4 = Managers

		DM	DP	Enforcement	Other
Managers	No. Posts	1	1		0.5
	Vacant				
Main grade posts	No. Posts	4	2.5		
	Vacant				
Technician	No. Posts	0.5	1		
	Vacant				
Office Support/Clerical	No. Posts	2.5	0.5		
	Vacant	1			
TOTAL		9	5		0.5

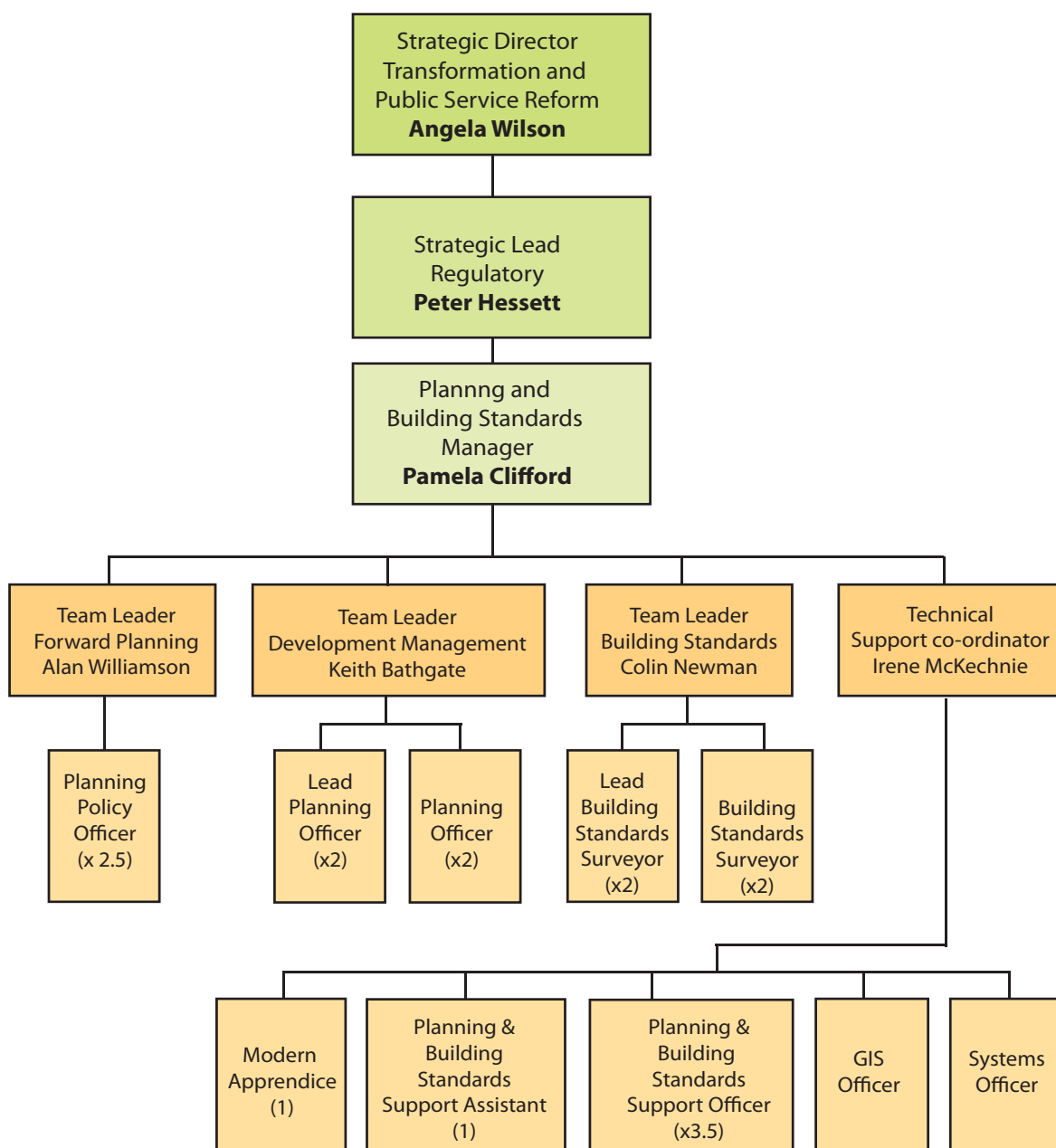
Staffing Profile	Number
Under 30	2.5
30-39	4
40-49	6
50 and over	3

Committee & site visits	Number per year
Full Council committees	4
Planning Committees	11
Area Committees (where relevant)	0
Committee site visits	17
LRB	2
LRB site visits	1

	Total Budget	Costs		Income
		Direct	Indirect	
Development management	£229,042	£230,010		£320,000
Development planning	£189,543	£179,156		
Enforcement	n/a	n/a	n/a	
Other		£211,000	£260,578	
TOTAL	917,740	409,166	260,578	£320,000

Appendix 1

Planning and Building Standards Service Structure



Appendix 2

WEST OF SCOTLAND PLANNING BENCHMARKING GROUP 2015-2016

The Benchmarking Group consists of participants from the following Councils: East Dunbartonshire, East Renfrewshire, Inverclyde, North Ayrshire, Renfrewshire & West Dunbartonshire. The Group normally meets every 3 – 4 months and met four times between 1st April 2015 and 31st March 2016 as follows: 7th April 2015 (at Renfrewshire); 28th July 2015 (at West Dunbartonshire); 6th October 2015 (at East Dunbartonshire) and 20th January 2016 (at Inverclyde). The meetings are minuted, with the host council, chairperson and minute-secretary rotating around the councils.

A wide range of topics were discussed at these meetings, including:-

1. Planning Performance Framework
2. City Deal
3. High Hedges Procedures
4. Planning Fees and Resources
5. Costing the Planning Service
6. Workload and Staffing Levels
7. Committee Report Structures
8. Standard Conditions
9. Legal Agreements
10. ePlanning/eDevelopment including the use of tablets
11. Agile Working
12. Aligning Planning and Roads Construction Consents
13. Geographical Information Systems
14. The Application of Conditions to Planning Applications by Councils
15. Joint Training
16. Part Approval & Part Refusals
17. Solar Farms
18. Pay-day Loan/Betting Offices
19. Short-Term Holiday Lets in Residential Properties
20. Changing of Descriptions in Planning Applications
21. Enforcement Charters and Issues
22. Flood Risk and Drainage Impact Assessments

The meetings allow for the sharing of experiences and of best practice. This does not necessarily lead to standardisation of practice, but allows for legislative interpretation and practice of practical issues to be shared.

Of particular note this year has been our discussions on:

- **The Planning Performance Framework** and the feedback reports which the Council's received from the Scottish Government. This allowed the sharing of experiences and practices and learning from best practice elsewhere.
- **Planning resourcing** was discussed, including experiences of making savings and raising income. The Local Government financial settlement implications were raised and charging for pre-application enquiries was also explored. The experience and results from the Costing the Planning Service exercise were discussed.
- **Staffing levels** within the authorities were explored, allowing each Council to compare staffing and performance statistics in the light of discussions on the profile and practices of each authority.
- **Geographical Information Systems** were discussed – Renfrewshire Council gave a presentation on the QGIS system that they use.
- **Agile working** experiences were shared, including the use of shared desks and mobile technology such as tablets. This allows the participants to learn from what works well (or not well) in the other authorities and to design service improvements.

Appendix 3 – Performance Markers

DRIVING IMPROVED PERFORMANCE

Performance Marker	Evidence
1 Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types	The average timescale for major development is 24.6 weeks (Scottish average of 38.8 weeks); local development is 10.7 weeks (Scottish average of 12.3 weeks) and householder development is 7.3 weeks (Scottish average of 7.5 weeks). Source http://gov.scot/Topics/Statistics/Planning/Publications/planapps2016annual
2 Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website	Protocol on Processing Agreement http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf Processing agreements offered to all applicants of major development and important local development One processing agreement signed this year. Case Study on Queens Quay and feedback from the developer on the process.
3 Early collaboration with applicants and consultees on planning applications: - availability and promotion of pre-application discussions for all prospective applications - clear and proportionate requests for supporting information	Protocol on Pre application advice http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf Case studies New Dumbarton Council offices, Kilpatrick School, Islay Kerr House, Green Network Guidance, Area 5 Lomondgate, Lomond Galleries.
4 Legal agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant' * * <i>this will require production of supporting guidance, following wider stakeholder input</i>	One legal agreement last year which took 50 weeks to conclude due to the applicant failing to progress the legal agreement. See Part 1 Contextual Statement
5 Enforcement charter updated / re-published	Case Study - Updated Enforcement Charter taking into account the nature of enforcement complaints over 2 years
6 Continuous improvement: - show progress/improvement in relation to PPF National Headline Indicators - progress ambitious and relevant service improvement commitments identified through PPF report	Development Plan –Local Development Plan case study Most development land statistics broadly stable. Increase in housing approvals and completions. Decision making timescales continue to below the Scottish average. Enforcement Charter up to date-case study Good progress made on last years service commitments Good feedback from developers and customer survey

PROMOTING THE PLAN-LED SYSTEM

Performance Marker	Evidence
7 LDP (or LP) less than 5 years since adoption	Six years since Local Plan adoption. 'Local Development Plan' case study for further information.
8 Development plan scheme demonstrates next LDP: - on course for adoption within 5-year cycle - project planned and expected to be delivered to planned timescale	Most recent Development Plan Scheme (https://www.west-dunbarton.gov.uk/media/4309983/development-plan-scheme-participation-statement-2015.pdf) relates to current Proposed Plan that will not be adopted (see 'Local Development Plan' case study). First Development Plan Scheme for next Local Development Plan being taken to August 2016 Planning Committee.
9 Elected members engaged early (pre-MIR) in development plan preparation	N/A. No pre-MIR engagement in past year. Elected members were involved early in the preparation of current proposed Local Development Plan, and this will be replicated for preparation of next plan.
10 Cross-sector stakeholders, including industry, agencies and Scottish Government, engaged early (pre-MIR) in development plan preparation	N/A. No pre-MIR engagement in past year. There was wide ranging stakeholder engagement at an early stage in the preparation of current proposed Local Development Plan, and this will be replicated for preparation of next plan.
11 Production of regular and proportionate policy advice, for example through supplementary guidance, on information required to support applications	Guidance has recently been prepared on: Pay day lenders and betting shops – see case study and https://www.west-dunbarton.gov.uk/media/4310659/pay-day-lenders-and-betting-shops-planning-guidance-consultation.pdf Green network – see 'Green Network' case study and https://www.west-dunbarton.gov.uk/media/4309581/our-green-network-supplementary-guidance.pdf Residential development - https://www.west-dunbarton.gov.uk/media/4309580/residential-development-supplementary-guidance.pdf Commuted payments for parking - https://www.west-dunbarton.gov.uk/media/4308013/commuted-payments-for-parking.pdf Renewable energy - https://www.west-dunbarton.gov.uk/media/4310794/draft-supplementary-guidance-renewable-energy.pdf

SIMPLIFYING AND STREAMLINING

Performance Marker	Evidence
12 Corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice)	<p>Case Study – Protocols on pre application advice, processing agreements and elected member involvement in pre application discussions http://www.west-dunbarton.gov.uk/media/2115391/facilitating_appropriate_development_inc_protocols_34.pdf</p> <p>Case studies – eDevelopment.scotland, Major Application meetings, corporate working, Roads Liaison meetings, Regeneration Liaison meetings, West of Scotland Archaeology Service, Glasgow and Clyde Valley Green Network Partnership and Bonhill /Stirling Road realigning planning permission and RCC.</p>
13 Sharing good practice, skills and knowledge between authorities	Case study evidence – West of Scotland Benchmarking Group and Solace Benchmarking Group

DELIVERING DEVELOPMENT

Performance Marker	Evidence
14 Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one year old	Progress being made to clear legacy cases. All 9 applicants have been contacted with 2 cases cleared during the year.
15 Developer contributions: clear expectations - set out in development plan (and/or emerging plan,) and - in pre-application discussions	Main contributions expected are towards the green network. See case study and https://www.west-dunbarton.gov.uk/media/4309581/our-green-network-supplementary-guidance.pdf

Minister for Local Government and Housing
Kevin Stewart MSP



T: 0300 244 4000
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Ms Joyce White
Chief Executive
West Dunbartonshire Council

25 November 2016

Dear Ms White

PLANNING PERFORMANCE FRAMEWORK 2015-16

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2015 to March 2016. Please find enclosed your feedback report, which is based on the evidence provided within your PPF.

I am very pleased that the quality of PPF reporting has again improved with many authorities setting out a very clear story of how the service is operating and detailing their priority actions for improvement. There have been general improvements across most of the categories however, there still remains high levels of inconsistency in planning authority decision making timescales across the country. This was also reflected through the recent publication of the statistics for the first quarter of 2016-17 which shows that certain authorities, and certain cases, are dragging the statistics down considerably. I asked officials to look into the reasons for delay in some of the lengthiest cases and will report on that to the High Level Group on Performance.

Planning performance improvement has come a long way in recent years and the PPF framework provides an excellent opportunity for authorities to set out the details behind their performance and showcase good practice and innovative ideas. I hope we can continue to work positively with authorities to improve monitoring processes and continue our collective commitment to improving services.

This is an exciting time for planning – the momentum of the independent planning review is continuing and we will be publishing a consultation outlining options for change in the winter, to inform the future Planning Bill. The consultation will cover a variety of options to enhance community involvement in planning; help deliver homes and infrastructure; simplify development planning and management processes; and focus on improving the service and reputation of planning. It is a challenging timetable but a fantastic opportunity to deliver real change.

Although there are some things that we need legislation to change, many of the panel's recommendations don't need legislation, they need a change in working practices, a recognition that planning creates the places where people work, live, learn and play. To achieve the outcomes we all want to see, authorities need to reposition planning to ensure that it sits at the very heart of the authority and has the resources available to it to make sure it provides the best service possible to developers, stakeholders and the authority in which it sits. To help achieve this we will shortly be launching a consultation on raising the planning fee maximum in an effort to move towards cost recovery. Following the planning bill we will consult further on potential reform of the fee regime.

I hope that you and your authority will actively participate as we progress, ensuring that we see real change throughout the planning community.



KEVIN STEWART

CC: Pamela Clifford, Manager of Planning

PERFORMANCE MARKERS REPORT 2015-16

Name of planning authority: **West Dunbartonshire Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Amber	<p>Major Applications At 24.6 weeks your timescales have increased from last year but remain quicker than the national average of 38.8 weeks. RAG = Amber</p> <p>Local (Non-Householder) Applications At 10.7 weeks your timescales have increased slightly but remain quicker than the 12.3 week national average. RAG = Amber</p> <p>Householder Applications At 7.3 weeks your timescales have increased however they remain quicker than the 7.5 week national average. RAG = Amber</p> <p>TOTAL RAG = Amber</p>
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>Through your Protocol on Processing Agreements you offer them for all major or complex developments. RAG=Green</p> <p>Your Protocol on Processing Agreements, within your document 'Facilitating Appropriate Development on Key Development Sites' is available online. However, it was not easy to find from your main planning pages on the website. RAG=Green</p>
3	Early collaboration with applicants and consultees <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Amber	<p>You have again demonstrated an open for business culture. The proportion of your applications subject to pre application advice has increased this reporting year to nearly half of all applications RAG=Amber</p> <p>In your case study about Lomondgate Area 5, you note there was an issue about ground gas conditions and your officers brokered discussions with Environmental Health and the developer to ensure the mitigation measures were proportionate, reasonable and enforceable whilst ensuring an acceptable outcome could be achieved RAG = Green</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission <ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Amber	<p>You concluded 1 legal agreement, which took almost a year (50 weeks), compared with last year where similarly you concluded 1 legal agreement and that took 32 weeks to sign off. You have set out that in this case given the wider economic situation the applicant was not in a hurry to conclude the agreement, and was renegotiating the off-site works for an adjacent site, which impacted on the s75. Last year you had made a Service Improvement commitment to promote and implement a Protocol on Legal Agreements – and are still working with your legal services to make the process more straightforward and quicker.</p>
5	Enforcement charter updated / re-published within last 2 years	Green	<p>Your Enforcement Charter was approved in March 2016, making it very up to date at the end of the reporting year.</p>
6	Continuous improvement: <ul style="list-style-type: none"> progress/improvement in relation to PPF National Headline Indicators; and progress ambitious and relevant service improvement commitments identified through PPF report 	Amber	<p>You have noted that whilst the average number of weeks to decision for major applications increased by 5 weeks it is still below the national average. 3 of your 5 major applications were determined in less than 90 days and you have set out the reasons for the longer timescales for the other 2 applications. Your timescales for local and householder applications are on a par with last year, and we note that you have maintained that performance despite the disruption of an office move.</p> <p>Your Enforcement Charter is up-to-date, but your development plan is not. RAG = Amber</p> <p>You had identified a fairly high number of service improvements actions for the reporting year (17), completing 70% , and making progress with the majority of the remainder, the one that was not completed was due to factors outwith your control.</p> <p>You have identified a range of interesting and innovative service improvement commitments for the coming year. RAG = Green</p>
7	Local development plan less than 5 years since adoption	Red	<p>Your LDP was 6 years old at the end of the reporting period.</p>
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> on course for adoption within 5 years of current plan(s) adoption; and project planned and expected to be delivered to planned timescale 	Amber	<p>As your authority has decided not to accept Scottish Ministers' direction, and to not adopt the LDP and move onto preparing a new LDP your timescales for having a new plan in place are lengthening, and you will not have a plan in place within the 5 year cycle. RAG= Red</p> <p>The DPS for your new LDP is to be brought to your Planning Committee in August 2016. RAG = Green</p>
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	

10	<p>Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i></p> <p><i>*including industry, agencies and Scottish Government</i></p>	N/A	
11	<p>Regular and proportionate policy advice produced on information required to support applications.</p>	Green	<p>You have produced several pieces of guidance over the reporting year including on Pay Day Lenders and Betting Shops a Town Centre Pilot, the Green Network, renewable energy, residential development and commuted sums for parking.</p>
12	<p>Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)</p>	Green	<p>You have provided clear evidence of your corporate approach to working, liaising closely with other Council services.</p> <p>In particular demonstrating close links with Roads, with a programme of regular meetings to discuss live applications and proposals and to maintain the efficiency of liaisons between the services.</p> <p>You also have close links with your Regeneration and Asset management colleagues, with general joint liaison meetings and more frequent catch-ups on specific issues, such as working closely with Regeneration to deliver the Dumbarton walkway project in partnership with the waterfront developers.</p> <p>You have also set out how you have project boards for some of the Council's capital projects such as the Exxon City Deal project , and that with the site raising a number of complex planning issues, this approach brings together colleagues from a range of Services to allow the consideration of the project to progress.</p>
13	<p>Sharing good practice, skills and knowledge between authorities</p>	Green	<p>You have set out how your staff are involved in the West of Scotland Benchmarking Group, providing a channel to share good practice on a range of planning topics between authorities, both through quarterly meetings and an email group to exchange ideas and seek thoughts on specific planning issues. You are also involved in a national Solace benchmarking group.</p> <p>Your officers also attend various national forums and conferences (including the national development plans and SEA/HRA forums, and RTPI and Improvement Service events) offering opportunities to share good practice and support staff development.</p>
14	<p>Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old</p>	Green	<p>You cleared 2 legacy cases this reporting year, taking your tally to 7, whilst this is up one compared with last year it is still a low number.</p>

15	<p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	<p>Your main requirement for developer contributions is in relation to the green network and you have produced new guidance on that. You referenced your new Green Network Guidance, approved in the reporting year.</p> <p>RAG = Green</p> <p>You have set out how your officers routinely refer your developer contributions policy during pre-application discussions to ensure green network requirements are considered as fundamental aspects of the design process and development viability discussions, noting that it promotes pooling of developer contributions to achieve, larger more valuable enhancements where appropriate.</p> <p>RAG = Green</p>
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WEST DUNBARTONSHIRE COUNCIL
Performance against Key Markers

Marker		2012-13	2013-14	2014-15	2015-16
1	Decision making timescales				
2	Processing agreements				
3	Early collaboration				
4	Legal agreements				
5	Enforcement charter				
6	Continuous improvement				
7	Local development plan				
8	Development plan scheme				
9	Elected members engaged early (pre-MIR)	N/A	N/A	N/A	N/A
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A	N/A
11	Regular and proportionate advice to support applications				
12	Corporate working across services				
13	Sharing good practice, skills and knowledge				
14	Stalled sites/legacy cases				
15	Developer contributions				

Overall Markings (total numbers for red, amber and green)

2012-13	1	6	6
2013-14	1	2	10
2014-15	2	2	9
2015-16	1	5	7

Decision Making Timescales (weeks)

	2012-13	2013-14	2014-15	2015-16	2015-16 Scottish Average
Major Development	19.2	32.4	19.8	24.6	38.8
Local (Non-Householder) Development	12.3	15.2	10.5	10.7	12.3
Householder Development	7.3	7.5	6.8	7.3	7.5



PPF5 Peer Review

PPF Report: West Dunbartonshire Council
Reviewers: Fraser Innes & Sarah Shaw
Authority: Glasgow City Council
Date: 3rd November 2016

General

Is the PPF clear and concise?

- Clear format with a number and range of suitable Case Studies.

Has there been any feedback from stakeholders on the PPF report?

- Stakeholders were asked for feedback on the case studies when compiling the PPF.

Learning Points

What are the positives to be shared?

- Use of endorsement by applicants/developers.
- Foreword by Pamela Clifford, Planning and Building Standards Manager, as well as introduction, was user friendly.
- Specific points of interest were;
 - a) 2-weekly regular liaison meetings with other consultees
 - b) Round table meetings within the service about major apps.
 - c) Case Study of Charrette Governance.

Suggestions for strengthening the next PPF?

- Put the service structure in the introduction and also indication where the planning service sits within the overall Council structure.
- Include the Council's key priorities and strategic context and where planning fits into this.
- Explain the Performance Markers at the beginning of the PPF and identify them throughout text.
- Suggest landscape format for the PPF, which gives more design and layout possibilities.
- Could use graphics to illustrate figures.

- Label Case Studies as such and possibly group into categories if possible.
- Service Improvements: Be clearer about what the achievements were (separate out from the objective more clearly) and, if partially completed, indicate whether this is continuing to this coming year.
- Could include FTE in staffing list.
- Make it easier to locate the PPF on the Council's website.
- Links to evidence throughout the document.

Issues for further discussion about PPF format or process?

Improvement Plan – Planning Performance Framework 2015-16			
Ref	Action	Milestone	Target Date
PPF1	Record and conclude legal agreements/section 69 agreements within agreed timescale	Produce a protocol on legal agreement process and timescales and get Committee approval	30/02/ 2017
		Promote protocol to developers and implement	30/03/2017
PPF2	Review all remaining legacy applications	Facilitate progression of applications.	30/3/2017
PPF3	Monitor on a monthly basis, decision making timescales for all applications	Hold regular workload meetings with Team Leader	Ongoing
		Implement Holiday Handover	Ongoing
		Identify Quick Win Applications	Ongoing
		Identify quick refusals	Ongoing
		Ensure stopping the clock is used	Ongoing
		Circulate list of applications close to target	Ongoing
		Identify applications missed target and review reasons	30/02/2017

PPF4	Accessibility of Planning documents on the website including the Planning Performance Framework	.Review accessibility of planning documents for public use on the web-site	30/03/17
PPF5	Review the presentation of Planning Performance Document 2016-17	Review format of the PPF document Investigate further use of graphic Closer align to Councils key priorities and strategic context	30/07/2017

WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Lead - Regulatory****Planning Committee: 21st December 2016**

Subject: Dumbarton Waterfront Path Planning Guidance**1. Purpose**

- 1.1** To seek approval of draft Planning Guidance on Dumbarton Waterfront path.

2. Recommendation

- 2.1** It is recommended that the Committee approves Appendix 1 as draft Planning Guidance on Dumbarton Waterfront path and that it is published for consultation.

3. Background

- 3.1** The Scottish Government Circular on Development Planning advises that local authorities may issue non-statutory planning guidance. This may be used to provide detail on a range of subject areas. Non-statutory planning guidance does not form part of the Development Plan, but may be a material consideration in terms of considering a development proposal.

4. Main Issues

- 4.1** The delivery of a waterfront path is a requirement associated with the development of the sites along Dumbarton Waterfront. The Council has a longstanding ambition for the creation of a waterfront path from Dumbarton town centre to Dumbarton Rock and Castle. This has been expressed in the Local Development Plan Proposed Plan 2015 and Dumbarton Town Centre & Waterfront – Revised Urban Strategy 2014. The creation of a new waterfront path was also identified as a priority by the community at the Dumbarton Rock and Castle Charrette 2015. To support this, the Council has allocated resources towards the early delivery of the path.

- 4.2** The Council commissioned engineering consultants to design and cost the Dumbarton Waterfront Path. The study sets out the Council's requirements for the route of the path and the materials to be used in the path's construction and the surrounding public realm. The path runs from Dumbarton Castle and follows the River Leven north and north-west to the town centre, passing through land currently understood to be in the ownership of Dumbarton Football Club and Turnberry Homes. It then turns west through land currently understood to be owned by Lidl and Cullross to connect with Riverside Lane. The path includes a spur that could link into the Morrison's superstore car park.
- 4.3** Over the last 6 months, Council officers have been in discussion with developers/landowners regarding the waterfront path. It was considered appropriate that planning guidance be produced to ensure that the path is delivered in a comprehensive manner, as quickly as possible and to the specification set out in the study report. From the developers/landowners perspective, the guidance provides details of how the Council intend to deliver the path, the costs of the path per site and the developers/landowners and Council's contribution to the costs of the path. The draft planning guidance is set out in Appendix 1 for approval.
- 4.4** The pathway proposals have been subject to a Proposal of Application Notice (PAN) and it is understood that a planning application will be submitted shortly. The study estimates the total cost of the path (at September 2016) for delivery to Council adoption standards at approximately £943,980, and the cost if delivered to the higher specification set out in the Study at approximately £1,226,980. The higher specification path involves a wider walk and cycle way and higher specification materials than the path constructed to adoption standards. The path would also include guard rails and wave walls where required, lighting columns and allowances for earthworks, site investigations and drainage works. The total cost of the path and the estimated developer costs per site are based on the cost per linear metre. The estimated costs per site is based upon a 70% cost for the developer and a 30% contribution from the Council. This ratio is being recommended as an appropriate share of the costs between developers and the Council.
- 4.5** The Council's preference is to deliver the path itself to ensure early delivery and consistence of specification and quality and will use its best endeavours to achieve this. The Council will enter a legal agreement with site owners to obtain access to the require setting out the contribution towards the cost required from the developer. However as discussions with site owners have progressed regarding development proposals for most of the sites, they have indicated a preference to deliver the path as part of their development proposals. Whilst this is not the preference of the Council, it may be appropriate for development of certain sites. The landowner/ developer will require to demonstrate that this is the best way of delivering the path. In these circumstances, the path will be to the specification set out in the study, and delivered no later than the end of December 2019. This will be a

requirement of any planning permission granted. The Council will monitor the works to ensure that the specification, finish, levels and the transition points to adjacent sites are the same as those of the path delivered by the Council. The Council will make a contribution to the section of path based on the estimated costs.

The pathway will be developed to adoptable standard and the Council will seek to adopt the path.

Next Steps

- 4.6** The guidance will be published for a consultation of at least 4 weeks. Any comments received will be reported back to Committee along with a proposed finalised version of the guidance.

5. People Implications

- 5.1** There are no personnel issues associated with this report.

6. Financial Implications

- 6.1** A budget of £1.5 m towards the delivery of the path and river edge improvements has been identified within the Councils Capital Regeneration Fund.

7. Risk Analysis

- 7.1** Without planning guidance the waterfront path may not be provided in a comprehensive manner or to the specification required by the Council.

8. Equalities Impact Assessment (EIA)

- 8.1** A screening has been undertaken and no equalities issues have been identified.

9 Strategic Environmental Assessment

- 9.1** The waterfront path is identified in the Local Development Plan which has been subject to Strategic Environmental Assessment.

10. Consultation

- 10.1** The Council's Regeneration team have been involved in the preparation of the planning guidance. The planning guidance will be subject to consultation, targeted at the developers/landowners subject to the path. Proposals for the waterfront path have been subject to a pre-application consultation process (PAN) which included a public exhibition and a pre-elected member briefing at the pre-application stage.

11. Strategic Assessment

- 11.1** The guidance is considered to support the Council's strategic priority of improving economic growth and improving environmentally sustainable infrastructure.

Peter Hessett
Strategic Lead - Regulatory
Date: 7 December 2016

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
pamela.clifford@west-dunbarton.gov.uk
0141 951 7938

Appendices: Appendix 1 – Draft Planning Guidance on Dumbarton Waterfront Path

Background Papers: Dumbarton Waterfront -Riverside Path Design Report
AECOM September 2016
West Dunbartonshire Local Development Plan Proposed Plan 2015
Dumbarton Town Centre &Waterfront-Revised Urban Strategy 2014
Dumbarton Rock & Castle Charrette Report (2015)

Wards Affected: Ward 3

Dumbarton Waterfront Path Planning Guidance

1.0 Introduction

The purpose of this guidance is to enable the delivery of a waterfront path along Dumbarton Waterfront from Dumbarton Town Centre to Dumbarton Castle.

The delivery of the waterfront path is a requirement associated with the development of various sites along Dumbarton waterfront. To support this, West Dunbartonshire Council has allocated resources to support the early delivery of the path. This guidance sets out the arrangements and mechanisms through which the Council will work with site owners to achieve this.

2.0 Background

The Council has a longstanding ambition for the creation of a waterfront path from Dumbarton town centre to Dumbarton Rock and Castle. This has been expressed most recently in the following documents:

West Dunbartonshire Local Development Plan (Proposed Plan 2015)

Within the Local Development Plan, a key component of the Dumbarton Town Centre and Waterfront Changing Place strategy is the provision of a continual waterfront path and improvement of harbour walls in all waterfront development sites. The Plan identifies Castle Street (south), Castle Road and Dumbarton Football Club as sites on which there is a requirement for a waterfront path to be provided as part of the development of the respective sites.

Dumbarton Rock & Castle Charrette Report (2015)

The Dumbarton Rock and Castle Charrette Report was approved by the Council's Infrastructure Regeneration Economic Development (IRED) Committee in September 2015. The creation of a new waterfront path is identified as a priority project in the report. The partners identified are the Council, landowners, Historic Environment Scotland, Sustrans, Scottish Natural Heritage and the Dumbarton Castle Society.

Dumbarton Town Centre & Waterfront – Revised Urban Strategy (2014)

The Dumbarton Town Centre and Waterfront – Revised Urban Strategy was approved by the Council's IRED Committee in November 2014. A waterfront park/walkway is identified as one of the Strategy's 'Large Projects' providing the following benefits: access to the river; recreational facilities, reuse of vacant and derelict land, public safety, opportunities for community involvement, major positive image change. Delivery is assigned to the Council, other public sector and the private sector.

3.0 **Engineering Consultants Study**

The Council commissioned engineering consultants (Aecom) to design and cost the Dumbarton Waterfront Path. The study sets out the Council's requirements for the route of the path and the materials to be used in the path's construction and the surrounding public realm. The path runs from Dumbarton Castle and follows the River Leven north and north-west to the town centre, passing through land currently understood to be in the ownership of Dumbarton Football Club and Turnberry Homes. It then turns west through land currently understood to be owned by Lidl and Cullross to connect with Riverside Lane. The path includes a spur that could link into the Morrison's superstore car park. The route of the path is contained in Appendix A

The study estimates the total cost of the path (at September 2016) for delivery to Council adoption standards at approximately £943,980, and the cost if delivered to the higher specification set out in the Study at approximately £1,226,980. The higher specification path involves a wider walk and cycle way and higher specification of materials than the path constructed to adoption standards. The path would also include guard rails and wave walls where required, lighting columns and allowances for earthworks, site investigations and drainage works. It should be noted that these costs exclude any repairs to quay wall, remedial works to the river's edge, and suitable street furniture.

The study recommends the following estimated costs per site and an estimated cost per site based upon a 70% cost for the developer and a 30% contribution from the Council. This ratio is being recommended as an appropriate share of the costs between developers and the Council in relation to what will be required from the developer and what the community aspire to as part of the Charrette process for a higher specification pathway. The total cost of the path and the estimated developer costs per site is based on the cost per linear metre as per the specification detailed in Appendix B.

Table 1: Total path cost per site and approximate Developer and WDC contributions

Landowner	Total Path Cost	Estimated Developer Costs	Estimated WDC Contribution
Dumbarton FC	£248,620	£174,034	£74,586
Turnberry Homes Ltd	£469,810	£328,867	£140,943
LIDL	£256,500	£179,550	£76,950
Cullross Homes Ltd	£252,050	£176,435	£75,615
Total	£1,226,980	£858,886	£368,094

4.0 **Delivery & Developer Contributions**

The Council is keen to have the waterfront path delivered as soon as possible to the specification set out in the study report. The Council's preference is to deliver the

path itself to ensure early delivery and consistence of specification and quality. The Council will enter a legal agreement with site owners to obtain access to the required land. The Council will pay for the delivery of the path with a legal agreement setting out the contribution towards the cost required from the developer. These costs will be in line with the estimated costs in Table 1. The developer/landowner will make their contribution in full following any subsequent planning application being granted for the site. A standard security clawback registered against the title will be put in place to cover off any potential uplift and to burden any future owners.

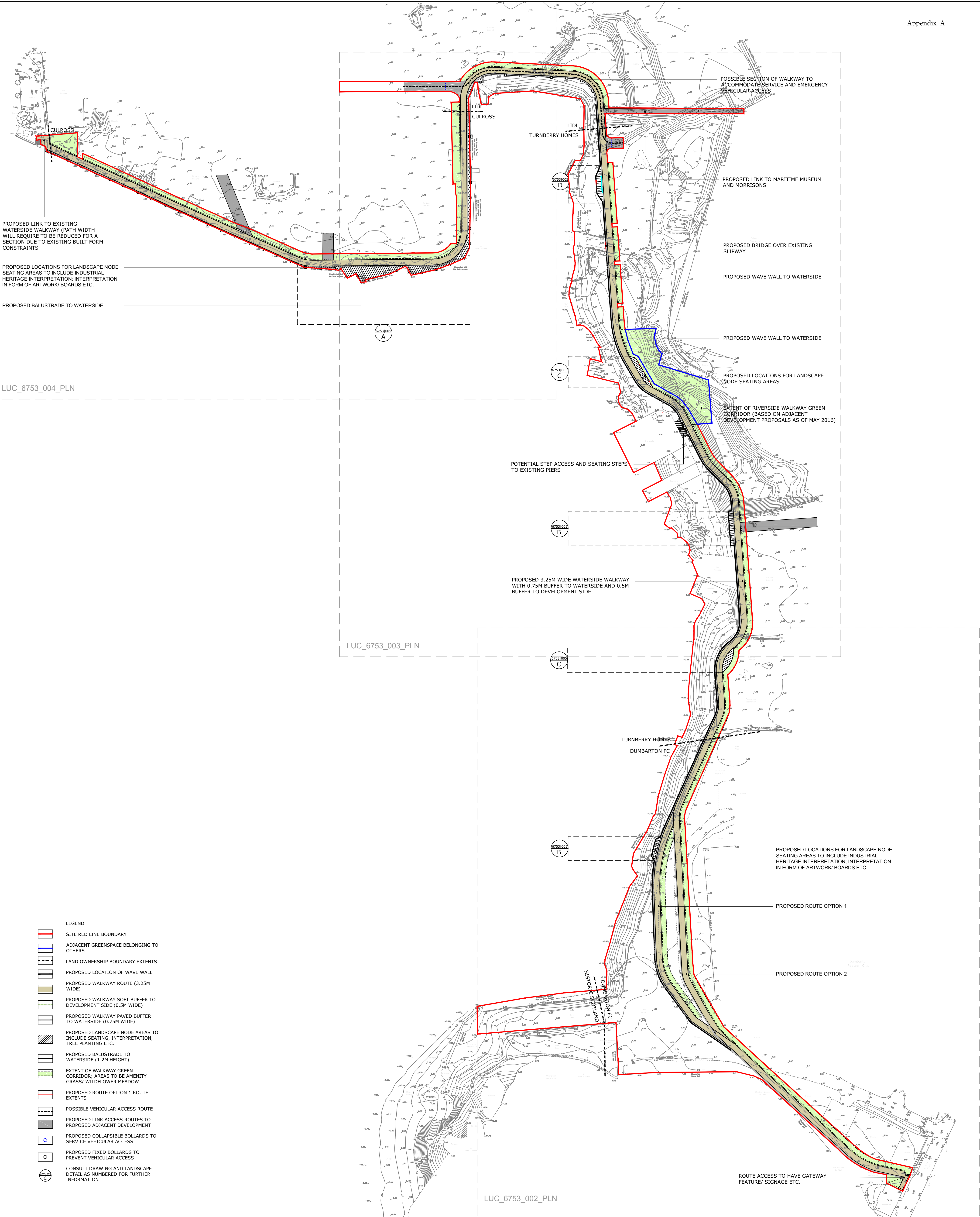
However, as discussions with site owners have progressed over the past 6 months regarding development proposals for the sites, some site owners have indicated a preference to deliver the path as part of their development proposals due to the sequence of their works and contractual arrangements for their site development. Whilst this is not the preference of the Council this may be appropriate for certain sites. The developer will require to demonstrate that this is the best way of delivering the path overall.

In these circumstances, the path will be to the specification set out in the study, and delivered no later than the end of December 2019. This will be a requirement of any planning permission granted. Details of the specification of the path are contained within Appendix A of this document. The Council will monitor the works to ensure that the specification, finish, levels and the transition points to adjacent sites are the same as sections of the path delivered by the Council. The Council will make a contribution to the section of path based on the estimated costs set out in Table 1. This contribution will be made at certain stages within the process subject to the Council being satisfied with the works. The phasing of payments will be included within the legal agreement entered into between the Council and landowner/developer, up to the maximum agreed percentage amount.

The Council will seek to ensure that necessary bonds are in place as part of any legal agreement to facilitate the completion of any section of path along the waterfront should its delivery be unduly delayed or threatened by unforeseen circumstances. The Council will also meet the costs of any necessary river edge enhancements which would improve the overall experience of the pathway.

5.0 Adoption & Maintenance

The Council will seek to adopt the pathway. The path will be developed to adoptable standard and thereafter maintained by the Council along with immediately adjoining public realm areas, determined by the Council in consultation with the respective landowners/developers.



Notes:

1. Do not scale from this drawing.
2. All dimensions must be checked on site and any discrepancies verified with landscape architect.
3. All dimensions are drawn in mm.
4. Landscape drawing only.
5. All materials/items used to be as specified or alternatives to be approved by landscape architect.

A	04.08.16	First Issue	1:1000	20M	1:1000
Iss	Date	Scale	Status	Issue	Scale

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Project
Dumbarton Riverside Walkway

Client
West Dumbartonshire Council

Title
Proposal of Application Notice
Red Line Boundary

Scale
1:1000 @ A1

Status
DRAFT

Job No.
6753

Drawing No.
LUC_6753_001_PLN

Issue
A

No not scale from this drawing
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