

**WEST DUNBARTONSHIRE COUNCIL****Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 15<sup>th</sup> November 2023**

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**DC22/216/FUL:       Erection of three dwellinghouses and associated works  
at the former site of Dunclutha, Parkhall Road, Clydebank  
by Bho Nadar (Dunclutha) Ltd**

**1.       REASON FOR REPORT**

- 1.1**    The planning application raises issues that in the opinion of the appointed officer merits the determination of the application by Committee. 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 comprises a slightly irregularly shaped piece of land measuring approximately 2,905m<sup>2</sup> located on Parkhall Road, Clydebank, close to the junction with Clark Street. At this point Parkhall Road sweeps round in a U-shaped bend, and the site occupies the outside of the curve. It was previously occupied by a large detached Victorian villa, known as Dunclutha, which was demolished some years ago; its only remnants on the site are elements of the underbuilding and foundations. The vehicular access to the site has been blocked off with large concrete blocks. The site is now overgrown and has re-naturalised. The site is covered by a Tree Preservation Order (TPO) CDCTPO20, established in 1993. This was originally imposed in order to protect the larger mature trees around the perimeter boundaries of the site; however, the majority of the site itself is now covered in young and semi-mature trees, which have grown significantly since the original house occupying the site was removed. The TPO applies site wide.
- 3.2**    In terms of levels and topography, the site slopes down from Parkhall Road towards Dalmuir Golf Course, which borders the site to the north and west, and is screened from the site by a woodland area. To the south of the site are the back gardens of houses on Clark Street and Overtoun Drive, which are situated at a lower elevation than the application site. To the east of the

site, there is a further landscaped area of grass, trees and bushes. Along the south side of Parkhall Road east of the site lies a row of houses, most of which are bungalows or split-level houses. The site itself is generally level adjacent to Parkhall Road before sloping down significantly to the west. There is a level difference of approximately 6 metres between the ground level of Parkhall Road and that at the western boundary with Dalmuir Golf Course.

- 3.3** The site has a substantial planning history and has been subject to previous applications for planning permission for residential developments. Initially application DC03/319 was submitted to the Council in 2003 for a residential development comprising flatted dwellings. This was refused by the Council on a number of grounds which included issues regarding design and residential amenity concerns. The applicant at this time appealed this decision to the Scottish Ministers and the Reporter dismissed the appeal, refusing planning permission. Thereafter, a similar application for a residential flatted development with reduced units was submitted to the Council in 2006 (reference: DC06/143). This was refused for similar reasons to the previous application and the applicant once again lodged an appeal to the Scottish Ministers. The outcome of the appeal was consistent with the 2003 case with the Reporter refusing planning permission once more.
- 3.4** In 2012, application DC12/235 for a separate residential development was refused by Planning Committee on the grounds of design, layout and the impact on trees. Similar to previous applications, the applicant appealed this decision to the Scottish Ministers with this subsequently dismissed by the Reporter. In 2015, a further application for planning permission (reference: DC15/027) for a different residential development was submitted and this was once again refused by Planning Committee for the same reasons as the 2012 application. The decision this time was not appealed to the Scottish Ministers.
- 3.5** In 2020, application DC20/003 sought Planning Permission in Principle for three houses on the site. An indicative layout indicated that the vehicular access was to have been taken from Parkhall Road utilising the historic access to the site. The indicative layout indicated the positioning of three detached houses which would have been located to the north western side of the site with a central access road. This proposal was also refused by the Planning Committee for a variety of reasons including the significant loss of trees, lack of a tree survey, amenity concerns for new residents and the lack of an ecological assessment. This decision was not appealed.
- 3.6** This current application seeks planning permission for three detached houses, but this time it is submitted as a full planning application rather than an application for planning permission in principle. The proposed houses would be of a modern architectural style and each have five bedrooms.

There are two designs of houses proposed: two houses which are two-and-a-half storey (to be located in the easternmost and the central subplots) and one house which has a split level design and extends over three-and-a-half storey to the rear. (to be located in the westernmost subplot). To the front, all houses appear as two storey. Both house types are of a mostly rectangular footprint of approx. 101m<sup>2</sup>. The south-facing planes would feature rooflight windows and, the properties would feature balconies on their rear. Each one of the three new properties would have three parking spaces provided within their front curtilages and these would be accessed from a shared lane connecting to the road network at Parkhall Road where the current site access is located. The houses would be positioned in a row along the central part of the site, fronting the new shared access road. In terms of the material palette, the houses would be finished with grey slate effect concrete roof tiles, white render with smooth sandstone block detail, anthracite uPVC windows, rainwater goods made of uPVC, also in anthracite colour, and grey timber soffits and fascias. To level a part of the site, a section of cut in fill would be required within the central part of the site. The change in levels will be addressed by the split level house design and retaining walls to a maximum height of 4 metres.

#### **4. CONSULTATIONS**

- 4.1 West Dunbartonshire Council Environmental Health have no objection subject to conditions relating to construction noise, contaminated land and dust control.
- 4.2 West Dunbartonshire Council Roads have no objection to the proposal in respect of roads and parking together with flooding matters.
- 4.3 West Dunbartonshire Council Biodiversity Officer has no objection subject to conditions relating to a variety of matters on ecology, biodiversity enhancement and compensatory planting.
- 4.4 Scottish Water has no objection to the proposed development.

#### **5. REPRESENTATIONS**

- 5.1 None.

#### **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

- 6.1 National Planning Framework 4  
Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development

proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

- 6.2** Policy 3 seeks to protect biodiversity and deliver positive effects from development. It requires that local development will include appropriate measures to conserve, restore and enhance biodiversity. It is noted that measures should be proportionate to the nature and scale of development.
- 6.3** Policy 6 aims to protect and expand forests, woodland and trees. It advises that proposals will not be supported where they result in the loss of ancient woodlands, ancient and veteran trees, or individual trees of high biodiversity value. Where woodland is removed, compensatory planting is expected to be delivered.
- 6.4** As the site has been previously developed, Policy 9 addressing brownfield, vacant and derelict land applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.
- 6.5** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20 minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20 minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to affordable and accessible housing options, ability to age in place and housing diversity.
- 6.6** Policy 16 relates to quality homes with part a) supporting proposals for new homes on sites allocated for housing in Local Development Plans. The application site is allocated in the adopted Local Plan as a residential development opportunity.
- 6.7** Under part (f) of Policy 19 proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 6.8** Green infrastructure is considered through Policy 20. Proposals that result in fragmentation or net loss of existing green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in green infrastructure provision, and the overall integrity of the network will be maintained.

**6.9** Policy 22 - Flood risk and water management states that proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), and seek to minimise the area of impermeable surface. Policy 23 does not support proposals which are likely to raise unacceptable noise issues. Policy 24 supports proposals that incorporate appropriate, universal, and future-proofed digital infrastructure.

**6.10** Subject to the full assessment set out in Section 7 below, it is considered that the proposal addresses the reasons for refusal from the 2020 application and it is supported by NPF4.

West Dunbartonshire Adopted Local Plan 2010

**6.11** Policy H1 of the adopted Local Plan highlights that the sites identified in Schedules H1 and H2 represent the main opportunities for private sector housing development. The site is allocated for residential development in Schedule H2. Policy UR1 further encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy RD1 which sets out a preference for residential development on brownfield sites.

**6.12** Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy H5 safeguards and where possible enhances the character and amenity of existing residential area. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.

**6.13** Policy E1 relates to the Council's biodiversity duty with Policy E4 specifically focusing on the protection and retention of trees subject to a Tree Preservation Order (TPO). Policy E5 goes on to set out an expectation for development proposals on sites with or adjacent to, existing trees or woodlands to take account of trees at the beginning of the design process and includes a requirement for a tree survey. Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the updated position set out in in Section 7 below.

**6.14** Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. Policy DC7 supports the inclusion of on-site micro-renewable technologies.

**6.15** Subject to the full assessment set out in Section 7 below, it is considered that the proposal addresses the reasons for refusal from the 2020

application. The site is allocated as a residential development opportunity and the development proposal is supported by the adopted Local Plan.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** Policy CP1 of proposed LDP2 seeks to ensure that all development the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place. Policy H4 sets out that that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all time.
- 7.3** Policies GI2 and GI4 relate to green infrastructure. Policy GI2 requires new development to meet with the open space standards set out within the policy. Where a development has difficulty providing these standards on site, or where a relaxation of the standards can be justified, developers will require to accord with Policy GI4 and provide a contribution towards the types of projects outlined within the policy and detailed in the Green Network and Green Infrastructure Planning Guidance. GI4 sets out the requirements for Developer Contributions.
- 7.4** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport. CON3 encourages improvements to core paths and the development of new core paths and Policy CON4 sets out a need for all developments to install sufficient broadband provisions.
- 7.5** Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.

- 7.6** RE4 encourages micro-generation and heat recovery technologies within or associated with individual properties and Policy RE5 relates to low and zero carbon buildings and states that new buildings should conform to the sustainability standards.
- 7.7** Policies ENV1, ENV4, and ENV6 are all similar to the ecology and tree, water environment and flooding policies of the adopted Local Plan. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.8** It is considered that the application proposal being assessed comply with the relevant policies above as set out in the following assessment.

Creating Places Guidance and Green Network and Green Infrastructure Guidance

- 7.9** The Creating Places Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context, and sets out that this is expected for all development proposals. It is considered that the development responds to the local context and accords with the approach set out in the Guidance.
- 7.10** The Green Network and Green Infrastructure Guidance - November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement. The on-site provision follows the Guidance in respect of residential development proposals. Areas of woodland retained will be outwith individual plots and integrate. The proposal accords with the approach set out in the Guidance.

Principle of Development

- 7.11** The site is identified as a residential development opportunity in the adopted Local Plan. Whilst proposed LDP2 does not identify the site specifically as a residential development opportunity, the site is within an established residential area. NPF4 encourages the reuse of brownfield land as does the adopted Local Plan and given the site was previously occupied by a house the proposal to redevelop the site for residential development is acceptable in principle and is supported by the adopted local plan, LDP2 and NPF4.
- 7.12** The adopted Plan indicates an indicative capacity for the site of 12 units. Through the extensive planning history of refusals and appeal decisions, it is clear that a development of 12 units could not be suitably accommodated on site in a way which balances the development of an allocated site with the protection and retention of the trees subject of the TPO.

- 7.13** The site historically only accommodated a single house. In assessing the most recent planning permission in principle application it was considered that it has not been evidenced that the development could be delivered without detrimentally affecting the TPO trees or without losing a significant proportion of the remaining trees and natural habitat that has grown within the site since it was allocated within the Adopted Plan. The current application is considered in detail, informed by a tree survey report and a detailed site layout that indicates the position of trees. Furthermore, the plot sizes have been reduced following discussions with the applicant during the consideration of the application to ensure that the established mature vegetation covered by the TPO does not form part of private garden areas, but rather areas of retained woodland. This will assist in maintaining the overall integrity of amenity of the tree cover within all but the central part of the site which will accommodate the development.
- 7.14** Whilst the site has re-naturalised over time, it remains that it is a previously developed site and within a well-established residential area. It is identified as a residential development opportunity in the adopted Local Plan and the sustainable re-use of brownfield land is supported through Policy 9 of NPF4. Policy 16 also supports that development proposals for new homes on land allocated for housing in the Local Development Plan.
- 7.15** With a detailed development proposal for the site, informed by additional supporting documentation not available for the most recent planning permission in principle, and assessed in the up-to-date policy context of NPF4, it is considered that the principle of the development of the site for new housing is supported on this site.

#### Layout, Design and Appearance

- 7.16** A variety of house styles are found within the locality. The size and massing of the properties is considered acceptable in this context. The setback from the main street level and the screening afforded by the remaining trees on the site, which remain under the protection of the TPO, also reduces the visual impact and prominence of the new development within the established residential area. Furthermore, due to the difference in ground levels the visual effect on Parkhall Road is also reduced. Similarly, the style of the planned properties, given the variety of styles and vintages of the houses in this part of Parkhall, ranging from early 20<sup>th</sup> century through the interwar and post-war periods all the way up to modern refurbishments of some of the properties, is deemed to be acceptable. As such, the impact of the development on the streetscape is considered to be acceptable. The proposed plot sizes, while somewhat more generous when compared with the properties on Parkhall Rd east of the site, are considered to be appropriate for the size of the proposed dwellings and will likely contribute to the attractiveness and amenity of the proposed houses.

### Impact on Tree Preservation Order

- 7.17** Given the TPO designation covering the site and its re-naturalisation due to years of being vacant, consideration must be made in relation to the tree and nature aspect of the development. This was a key issue and concern in respect of previous residential proposals for the site. The amenity value of all the trees within the site collectively contribute to the nature, character and amenity of the area, rather than the value of any one particular specimen. On this basis, any significant removal of trees within the site or surrounding the site will adversely affect the character and appearance of the wider area.
- 7.18** A number of young self-seeded trees and saplings, which have grown within the site, would inevitably require to be removed to accommodate the construction of three houses including the associated access, parking and the house plots. Currently trees subject of the TPO are unmanaged as is the wider site on general. Whilst this has allowed the site to re-naturalise over time, the trees, shrubs and undergrowth have become very dense and entangled. This application is informed by a tree survey report which sets out the trees on site, their condition and also identifies the trees to be removed. This does not cover the removal of shrubs, undergrowth or immature trees which would not otherwise require consent from the Planning Authority. Tree removal is largely limited to the central part of the site and adjacent to Parkhall Road. Twelve individually tagged specimens are proposed to be removed. For some of these trees, the correct course of action regardless of any development proposals is removal. However, it is accepted that a small number of trees in good condition would require to be removed to accommodate the development, with five category B trees comprising Goat Willow, Hornbeam and Birch requiring to be removed. It is considered that overall, the impact of the construction of the new houses on the TPO, would be acceptable.
- 7.19** In order to further protect the integrity of the established TPO, it is considered appropriate for a management plan for the remaining TPO together with replacement compensatory planting within the site where appropriate to be brought forward by the applicant. The requirement for compensatory planting is also specifically highlighted by the Council's Biodiversity Officer. This can be addressed by condition as can the requirement for tree protection during the works.
- 7.20** Another key concern which arose in assessing the previous application was the potential for conflict to arise from the construction of new houses in a wooded setting and the potential desire of new residents to seek to maximise daylight by managing trees within their gardens, thus leading to a further loss of trees. The concern regarding a lower level of amenity for new residents due to inadequate sun penetration or daylighting by reason of site

and plot orientation and proximity to existing trees was also a concern. Through discussion with the applicant, the design of the proposed development seeks to ensure that the bulk of the trees are located outwith private garden areas. This will limit the potential for residents to remove further protected trees within their private garden areas. A management plan for the remaining area can be addressed by condition as highlighted above. Whilst it is accepted that the trees will provide an element of shading, it is not considered that in terms of the layout now submitted that this shading would be significantly detrimental to the amenity of future residents.

#### Ecology and Biodiversity

**7.21** Beyond the TPO, there are no other environmental designations covering any part of the site. There are also no buildings to be demolished. The lack of an ecological appraisal and thus lack of any consideration of wildlife and biodiversity was a key concern in assessing the previous application proposal of the site. This application is informed by an assessment set out in an ecological constraints survey. This identifies that the site will provide woodland habitat within a local context with extensive habitat for nesting birds. In terms of protected species, the site contains habitat suitable for use by foraging and commuting bats with a number of potential roosting opportunities within trees. No field signs of bats were identified on site. The site also provides for opportunities for foraging and commuting badgers with limited opportunity for sett creation. No badger or field signs of badger were identified. The Council's Biodiversity Officer raises no concerns regarding the findings or methodology used. A condition can ensure that all recommendations are followed including pre-construction checks for badgers and protection for nesting birds.

**7.22** A number of habitat enhancements have been offered by the ecologist including the approach to new planting, nesting boxes, bat boxes, and consideration for amphibians and other species such as hedgehog and insects. The Council's Biodiversity Officer advises that these measures should be implemented to ensure that the development would have a positive impact on biodiversity. A plan for the treatment of the invasive non-natives on site is also highlighted as being required and this can be addressed by condition

#### Impact on Residential Amenity

**7.23** In terms of the residential amenity, the development would be located in such a way that it would not result in overshadowing of the established houses in the area, nor would it create the same undesirable effect within the site between the proposed new houses. Overlooking levels and privacy impact within the site is considered to be acceptable; nevertheless, further consideration must be made in relation to the properties south of the plot, particularly in relation to the impact of the balconies. The balcony element of each one of the properties is acceptable from the design perspective

which aims to make the proposed homes more attractive to their prospective buyers, as the difference in levels between the site and areas south of it results in vistas of the adjacent public park and driving range. Given the distance between the proposed balconies, which would measure approx. 25m between the closest planned balcony and the nearest property in Clark St, and approx. 45m between the closest proposed balcony and the nearest property in Overtoun Rd, as well as the screening afforded by the remaining trees within the wooded area, no concerns regarding the overlooking and privacy to existing properties arises. Whilst there may be an element of intervisibility between properties within the new development, this alone would not warrant the refusal of planning permission.

#### Roads, Parking and Accessibility

- 7.24** Each house has three off-street parking spaces, accessed from a new access lane within the site. Following clarification on maneuverability and vehicle tracking within the site, the Council's Roads Service offers no objections to the proposed arrangement. There are also no concerns raised regarding the connection of the new lane to Parkhall Road. The site is within an established residential area with local shopping facilities located on Duntocher Road which is an approximately 10 minute walk from the site. A variety of other facilities are found within the wider locality.

#### Open space provision

- 7.25** In respect of open space within the proposed development, this is comprised of the retained areas of woodland within the site, which will be subject of a management plan addressed by condition as set out above. In terms of the requirements of Policy GI2 of proposed Local Development Plan 2 together with the Our Green Network guidance, the required greenspace for the number of bedrooms provided within the overall development of this site is 297sqm. The areas of woodland within this site are not recreational open space and ordinarily Policy GI4 of proposed LDP2 would require a developer contribution in respect of recreational open space for a development of less than 10 units. Whilst not areas of open space specifically laid out for recreation or public access, there would be opportunities for informal use and play within the woodland. The retained woodland is also considered to be open space providing the function of creating a setting of the development, maintaining and enhancing biodiversity and safeguarding the remaining TPO. These two areas combine to well exceed the open space requirement and with biodiversity enhancement, compensatory planting and opportunities for informal use, it is considered a departure from the requirement for a developer contribution can be justified in this instance.

#### Other Technical Matters

- 7.26** The Council's Roads Service as Flood Authority is content that there is no flood risk to the development or resulting from the development. In terms of

drainage, whilst full details are not provided, there is nothing to suggest that a suitable system cannot be provided and final details can therefore be addressed by condition.

- 7.27** The Council's Environmental Health Service raise no concerns regarding the development. Conditions are recommended to address the presence of any unexpected contamination and in respect ensuring the suitability of either re-using site won material or importing material to the site. Conditions regarding construction hours inclusive of site deliveries together with dust control are recommended. Scottish Water offer no objection noting current capacity within the existing network.
- 7.28** The requirement to incorporate zero carbon generating technologies and make provision for the connection of the development to available broadband networks can be addressed by condition.

## **8. CONCLUSION**

- 8.1** The site is identified in the adopted Local Plan as a residential development opportunity and Policy 16 of NPF4 supports the development of such opportunities. It is accepted, however, that there has always been an inherent conflict in the adopted Plan between the residential development opportunity and the TPO. The adopted Plan indicates an indicative capacity for the site of 12 units. Through the extensive planning history of refusals and appeal decisions, it is clear that a development of 12 units could not be suitably accommodated on site and balance the development of an allocated site with the protection and retention of the trees subject of the TPO.
- 8.2** This current proposal addresses the concerns raised in 2020 refusal of planning permission for three houses in terms of the lack of a Tree Survey and an ecological assessment. Both of these are provided to inform the assessment of this application and it can be concluded that the development can be provided without adversely impacting upon the TPO and ecology within the site. The detailed layout now proposed also reassures that the level of amenity for new residents in terms of daylight and sunlight would be acceptable.
- 8.3** Overall, the proposed development would allow the development of an unmanaged, previously developed site in a way that will not adversely impact upon the character and amenity of the area, established residential amenity and, most importantly, balance the development in protecting the integrity of the tree preservation order.
- 8.4** Subject to the conditions set out below, it is considered that the proposal addresses the reasons for the refusal of the previous application for the

principle of three houses in 2020 and presents no conflict with the policy requirements of NPF4, the adopted Local Plan and the proposed Local Development Plan.

## **9. CONDITIONS**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site inclusive of hard surfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in accordance with the approved material details and palette.
2. Notwithstanding the approved plans, all recommendations within the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 shall be followed. This shall include (but not be limited to) all required further survey work identified as being required for badgers. Further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and implemented as approved. For the avoidance of doubt, recommendations in respect of non-native species shall also be followed.
3. Notwithstanding condition 3, no removal of trees and vegetation shall take place during the bird nesting season March to September inclusive as identified in the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 unless first agreed in writing by the Planning Authority.
4. Notwithstanding the approved plans and condition 3 above, and prior to the commencement of works on site, a further submission which sets out how the biodiversity enhancement measures identified within the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 shall be implemented on site shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.
5. No trees shall be removed within the site beyond those specifically identified for removal on the approved plans. Any additional tree removal during construction works shall first require to be agreed in writing by the Planning Authority.
6. That prior to the commencement of works on site, tree protection measures for all trees to be retained both within or adjacent to the application site shall be erected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012, with evidence of this having been undertaken submitted to and agreed in writing by the

Planning Authority. These measures shall not remove during the course of construction work.

7. That unless otherwise agreed in writing by the Planning Authority, prior to the commencement of works on site full details of compensatory tree planting within the site shall be submitted to and approved in writing. For the avoidance of doubt these details shall include the timescale for implementation. All complementary planting shall be implemented as approved.
8. That full details of maintenance and management for the retained woodland areas within the application site but not within individual plots shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the first dwellinghouse hereby permitted. Management and maintenance shall commence upon occupation of the first dwellinghouse.
9. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
10. That prior to the commencement of works on site, full details of the proposed drainage regime shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
11. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
12. Prior to the commencement of works on site, full details of the incorporation of low and zero carbon infrastructure into the development together with the provision for electric vehicle charging shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved.
13. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.

14. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800-1800
  - Saturdays 0800-1300
  - Sundays and public holidays: No working
15. Unless otherwise approved in writing by this Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this 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 this Authority.
16. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 0800 or after 1800.
17. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate 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 approved details shall be implemented as approved.
18. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
19. On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use which shall be agreed by the Planning Authority.

**Pamela Clifford**  
**Planning, Building Standards and Environmental Health Manager**  
**Date: 15<sup>th</sup> November 2023**

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**Appendix:** Location Plan

**Background Papers:**

1. Application form, plans and supporting documents;
2. National Planning Framework 4
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan 2  
Proposed Plan 2020;
5. Consultation responses
6. Application nos: DC03/319, DC06/143, DC12/235,  
DC15/027 and DC20/003

**Wards affected:** Ward 5 – Clydebank Central