

Agenda



Planning Committee

Date: Wednesday, 6 November 2019

Time: 14.00

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

All other Councillors for information

Date of Issue: 24 October 2019

PLANNING COMMITTEE
WEDNESDAY, 6 NOVEMBER 2019

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 - 14

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 23 October 2019.

4 NOTE OF VISITATIONS 15

Submit, for information, Note of Visitations carried out on 22 October 2019.

5 OPEN FORUM

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

6 PLANNING APPLICATION 17 - 26

Submit report by the Strategic Lead – Regulatory in respect of the following planning application:-

DC19/124 – Partial change of use of land and building to specialist vehicle repairs at former Garshake Waterworks site, Garshake Road, Dumbarton by Mr L. Donnelly.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 23 October 2019 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Karen Conaghan, Ian Dickson, Marie McNair and Lawrence O'Neill.

Attending: Peter Hissett, Strategic Lead – Regulatory; Erin Goldie, Team Leader – Development Management; Ross Lee, Lead Planning Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Gail Casey, Diane Docherty, Jim Finn and Douglas McAllister.

APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor Finn, and Vice Chair, Councillor Docherty, it was unanimously agreed that Councillor Dickson would chair the meeting. Accordingly, Councillor Dickson assumed the Chair.

Councillor Dickson 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 18 September 2019 were submitted and approved as a correct record.

NOTE OF VISITATIONS

A note of Visitation carried out on 16 September 2019 was submitted for information, a copy of which forms Appendix 1 hereto.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

PLANNING APPLICATIONS

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

- (a) **DC18/107 – Installation of 6 no. floodlighting columns and 1 ground mounted floodlight at Dumbarton Football Club, Castle Road, Dumbarton by West Dunbartonshire Council.**

Having heard the Team Leader – Development Management in further explanation of the report, the Committee agreed to grant full planning permission subject to conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

- (b) **DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) at the former Allied Distillers Site, Castle Road, Dumbarton by Turnberry Homes.**

Having heard the Team Leader – Development Management in further explanation of the report, the Committee agreed to grant full planning permission subject to conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

The meeting closed at 10.10 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 16 SEPTEMBER 2019

Present: Councillors Karen Conaghan, Ian Dickson and Diane Docherty.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management and Jane Tennant, Planning Officer.

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

129 Main Street, Renton

DC19/030 – Change of use from beauty parlour to café (retrospective) by Duncan Wrethman.

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

GRANT full planning permission subject to the following conditions:-

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

DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) at the former Allied Distillers Site, Castle Road, Dumbarton by Turnberry Homes.

GRANT full planning permission subject to the following conditions:-

1. Prior to the commencement of development on site exact details and specifications of all proposed external materials of the proposed dwellings and flatted blocks, shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.

2. Prior to the commencement of development on site details of the design and location of the bin stores, cycle storage, street furniture and lighting shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
3. Prior to the commencement of development on site full details of the design and location of all walls and fences to be erected on site shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
4. Prior to the commencement of development on site full details of all hard surfaces shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
5. The approved landscaping scheme as shown on approved drawing 424.15.01a 'Landscape Proposals' shall be implemented no later than the next appropriate planting season after occupation of the first property within Phase 3. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
6. Prior to the commencement of development on site a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority. The details shall comply with Advice Note 3 and Note 8 'Potential Bird Hazards from Amenity Landscaping' and 'Building Design'. The submitted plan shall include details of:
 - Full details of soft and water landscaping as well as the species, number and spacing of trees and planting within the site.
 - Management of building including details for the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds.

The Bird Hazard Management Plan shall be implemented as approved at a timescale to be agreed with the Planning Authority. It shall remain in force for the life of the development and no subsequent alterations to the plan shall take place unless firstly approved in writing by the Planning Authority in consultation with Glasgow Airport.
7. No lighting, between the months of September to March inclusive, shall illuminate foreshore areas of the inter-tidal habitat or the Inner Clyde Special Protection Area (SPA) from the development site.
8. During the full construction period of Phase 3 the following shall be carried out on site during September to April (inclusive):

- a) Any piling undertaken shall use the Continuous Helical Displacement (CHD) method or another method for which the specified maximum noise is no greater than CHD, or does not produce significant impulse/impact noise.
- b) Static plant and machinery shall be sited in the northern portion of the Phase 3 site where possible and plant/machinery should be suitably enclosed and/or silenced in accordance with the maximum measures described in BS5228 (1999: Part 1). Details of their exact location should be submitted and approved by the Planning Authority prior to any works on Phase 3 commence and shall be implemented as approved.
9. The existing acoustic and visual screen fence located and present along the southern boundary of the application site and as implemented as part of the fulfilment of Condition 27 of planning consents DC10/065/FUL and DC16/065 shall be retained and maintained in its current position throughout all development activities taking place between the months of September to April inclusive. No alterations or modifications to its layout or design/arrangement shall be undertaken unless otherwise agreed in writing by the Planning Authority.
10. During the period of construction work on site, 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
11. During the period of construction, piling works shall be carried out between the following hours and at no other time unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800-1800
 - Saturdays: 0800-1300
 - Sundays and Public Holidays: No working
12. No piling works shall be carried out within the development site until a method statement has been submitted to and approved in writing by the Planning Authority. This shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS6472: 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.

13. 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 assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from Dumbarton Football Ground and the nearby commercial/industrial units located to the east of the development using appropriate assessment criteria. 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. The noise impact assessment measures shall be prepared by a suitably qualified person.
14. Further to condition 13 above, no residential unit shall be occupied within Phase 3 until such time as the approved noise attenuation measures relating to that unit have been completed to their finished standard and these shall be retained thereafter.
15. Prior to the commencement of development on site, a noise control method statement for the construction period shall be 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 agreed in writing by the Planning Authority.
16. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site within Phase 3 until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. This 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 in writing by the Planning Authority.
17. No development (other than investigation works) shall commence on site within Phase 3 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.

18. 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 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.
19. The presence of any previously unencountered 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 affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
20. When considered necessary by the Planning Authority a monitoring and maintenance scheme to include monitoring 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 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 in writing by the Planning Authority.
21. No development (other than investigative works) shall commence on site within Phase 3 until such time as a revision of the Investigation Report 2015 by Johnson, Poole and Bloomer, is carried out in accordance with the Land Contamination & Development Management Summary Guidance & Checklists and shall be 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 Phase 3 element of the site (irrespective of whether this contamination originates on the site)
 - b) An assessment of the potential risks (where applicable) to:

- i) Human health property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - ii) Groundwater and surface waters
 - iii) Ecological systems
 - iv) Archaeological sites and ancient monuments
 - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
22. 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 in writing by the Planning Authority prior to any such material being re-used or imported. 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. On completion of the works within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan) and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
23. Prior to the commencement of development on site within Phase, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved in writing 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 Sustainable Urban Drainage System (SUDS) shall thereafter be formed and maintained on site in accordance with the approved details.
24. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.
25. Prior to the commencement of development on site within Phase 3 details of the programme of works proposed during Spring High Tides shall be submitted to and approved in writing by the Planning Authority. These details shall demonstrate that there will be no works that exceed the current ambient noise levels within the site, except the use of vehicles (excluding plant machinery and heavy vehicles) and hand held non mechanised tools and equipment. The approved works shall be implemented as approved.

26. The development shall be constructed in accordance with the proposed ground levels as shown on Drawing No. 1120 – 130 Rev J ‘Levels Layout’. Any alterations to these levels shall be agreed in writing with the Planning Authority prior to being undertaken and shall be implemented as approved.
27. Prior to the commencement of development on site, details of any works required along the banks of Gruggies Burn shall be submitted to and approved in writing by the Planning Authority. The details shall include protection measures to ensure that any landraising/fencing near to the burn does not have an adverse impact upon wildlife and that appropriate measures are in place to prevent pollution into the watercourse. The approved details associated with these works shall be implemented as approved.
28. Prior to the commencement of development on site, details of the access arrangements to the water course (Gruggies Burn) immediate to the east of the application site for the inspection and maintenance purposes shall be submitted to and approved in writing by the Planning Authority. The approved details associated with these works shall be implemented as approved.
29. Prior to the commencement of development on site, details of the phasing of the road construction of Phase 3 to Phase 1 and Phase 2 shall be submitted to and approved in writing by the Planning Authority. These details shall ensure that:
 - a) Prior to the occupation of any house or flatted property within Phase 3, all roads and footpaths within and serving this phase shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splays and all turning heads; and
 - b) Prior to the occupation of the last ten units within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan), all roads and footpaths within and servicing this phase of development shall be completed to their final specification and adoptable standard.
30. Prior to work commencing on site, full details of the flood prevention measures recommended in the Flood Risk Assessment (FRA) by Dr J Riddell (October 2009), shall be submitted for the further approval of the Planning Authority and shall be completed prior to the occupation of any houses granted by this consent.
31. Notwithstanding the provisions of Classes 1 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order revoking and re-enacting that order, no development of the integral garages shall take place within any of the plots within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan) without the benefit of a separate planning permission.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 22 OCTOBER 2019

Present: Councillors Karen Conaghan and Ian Dickson.

Attending: Erin Goldie, Team Leader – Development Management.

SITE VISITS

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

Dumbarton Football Club, Castle Road, Dumbarton

DC18/107 – Installation of 6 no. floodlighting columns and 1 ground mounted floodlight by West Dunbartonshire Council.

Former Allied Distillers Site, Castle Road, Dumbarton

DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) by Turnberry Homes Ltd.

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead - Regulatory****Planning Committee: 6th November 2019**

DC19/124: Partial change of use of land and building to specialist vehicle repairs at former Garshake Waterworks site, Garshake Road, Dumbarton by Mr Lenny Donnelly.

1. REASON FOR REPORT

- 1.1** The application is a departure from policy and 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** **Grant** full planning permission subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application site relates to a section of the land associated with the former Scottish Water Waterworks facility. The site extends to approximately 0.4 hectares and is located immediately to the north of where Garshake Road terminates. Vehicular access to the site is taken directly from this road with the access point located on the south west corner of the site.
- 3.2** The site comprises a redundant warehouse building/shed which sits towards the north eastern portion of the site. The building is single storey with a pitched roof and is functional in appearance, treated in timber clad and with a metal roller shutter door to provide vehicular access on its northern elevation. In the centre of the site is an existing bund and a series of water tanks which are partly exposed at ground level. The site and the adjoining land/building is surrounded by perimeter security fencing.
- 3.3** A larger warehouse building and area of similar modified ground is located beyond the northern boundary of the site and whilst this also formed part of the former Garshake Waterworks facility and is also under the applicants ownership, this area is not part of the development site for this particular application. A care home and assisted living accommodation is situated to the south of the application on Garshake Road. Beyond this, the site is surrounded by a mixture of fields and woodland to the immediate west and east. An access road extends along part of the south eastern perimeter of the site with this providing access to a farm steading offset further to the south east.

- 3.4** The development proposed is for a specialist vehicle repair centre (predominantly land rovers). This is an existing business (LWS Engineering) which is currently located in Helensburgh. The applicant has advised that they have outgrown their current premises and that they are seeking to re-locate to this larger site, which will better accommodate their specialist use and business.
- 3.5** The business will operate between 9.30am to 5.30/6.00pm Monday to Friday, 10am to 5.00pm on a Saturday with the business/premises closed on Sundays and public holidays. It is proposed that works to vehicles will primarily take place within the existing building, which is to be internally refurbished to accommodate the use. Part of the land to the west of the workshop building will be used for vehicle parking for both staff and customers, with a total of 8 bays identified for this use.
- 3.6** The proposed workshop facilities and business will not be in general 'public' use. The applicant only undertakes specialist vehicle repairs and any work would be by appointment only. The applicant has outlined that they have capacity to work on up to 6 vehicles at any one time. The existing business has 3 employees excluding the applicant however the business also offers training opportunities and has indicated that they would like to develop this within this site.
- 3.7** The application is partly retrospective with the applicant having already occupied the site. Some vehicles associated with the proposed business are being stored on the land within the site and it is noted that certain internal refurbishment works have already been undertaken to the building.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service has no objections to the proposals.

5. REPRESENTATIONS

- 5.1** Nine letters of representations have been received in response to this application comprising of four letters of support and five letters of objection. A summary of the points raised are as follows:

Objection

- The application area is within the Greenbelt and is contrary to Policy GB1 of PLDP2.
- The application does not fall within any of the restricted uses set out within Policy GB1 of PLDP2 and on principle should not be supported.
- The application is contrary to Policy E8 of the Adopted Plan, which seeks to protect the local area from unsuitable redevelopment of vacant sites. The development will compromise this.

- The application is contrary to Policy BC3 of the Adopted Plan, which seeks to protect buildings which are not listed but which contribute to the character of a townscape.
- There are various urban, industrial and brownfield sites outwith the Greenbelt that would be better suited for this development.
- Regular flow of large vehicles to and from the site with associated road safety issues for pedestrians (including walkers, cyclists and horse-riders) and noise from the repair yard and buildings would be detrimental to the peaceful countryside environment.
- The new Dumbarton cemetery will be compromised by the noise, frequency and possible pollution from the development activities.
- The development site is close to a unit of 8 cottages which form a care home and support and assisted living facility for young people and those with additional needs and this would also be disadvantaged by the activity associated with the development.
- The applicant is already operating from the site and using it as a storage yard without the benefit of planning permission.
- Absence of specific details regarding the nature of the business including staffing and hours of operation which could impact residential amenity.
- The site has capacity for up to 40 car parking spaces and this will allow the applicant to expand the business with no restriction.
- Since acquiring the site, the applicant has failed to secure it and anti-social activity has increased since they have occupied the site.
- Noting the sites proximity to areas of woodland, the application should be accompanied by an environmental statement and ecological survey.
- The development will exacerbate traffic activity and impact road safety with these issues already prevalent in the area in terms of inappropriate on street parking and use of privately owned roads to access various premises.
- Fires have been started on the site and the black toxic smoke emanating from this has a significant impact for residents in the surrounding area.

Support

- Re-development of a vacant and redundant brownfield site is positive for the surrounding area.
- Proposal represents a modest and proportionate business, which will regenerate disused brownfield land.
- Continuation of the site in its current condition is not sending an appropriate message for any future businesses looking to locate within the area.
- Unless there are plans to re-use or reinstate the site as a waterworks, there is no other better use for the site particularly noting the length of time that it has lay vacant and derelict for.

- The land whilst designated, as Greenbelt by the local plans is fundamentally brownfield land and weight should be placed on this.
- The applicant through the business is securing this derelict site and building and reducing the ability for anti-social activity on the site to occur.
- The applicant requires the site to allow them to support the ongoing operation of the business.
- The current business offers employment to 3 members of staff and supports the training and development of young people interested in car repairs and the fact that this is intended to be continued should this permission be granted is positive.
- Regeneration of this dis-used brownfield site is filling the gap in the local requirement for repair and restoration of vehicles used for farm/forestry and horticultural activities in an existing workshop building will be of benefit to the area.
- The proposals represent economic investment into the site, which should be supported.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** Policy GD1 is an overarching policy and is applicable with a requirement that all new development to be of a high quality design and respect the character and amenity of the area it is to be located. Policy GD2 supports the redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses where any such proposal is compatible with surrounding land uses and be in compliance with other Local Plan policies.
- 6.2** Policy LE3 requires that proposals for industrial, business and warehousing developments which are proposed on sites outwith those designated for such uses require justification. This justification must demonstrate that the use could not be accommodated on other available industrial/business sites, that it will have significant overall economic benefits and that there will be no significant undesirable impacts on landscape and amenity or major infrastructure implications as a result of it. It must also be accessible to public transport, walking and cycling routes. Noting the proposal is for a business use, the applicant has provided a site assessment within their supporting statement, which is considered fully in the Section 7 below.
- 6.3** Policy E8 encourages the rejuvenation and restoration of identified sites. The proposed site is specifically identified in Schedule E8 as it is presently a vacant, derelict, underused site, which has opportunities for environmental improvements. This policy acknowledges the serious dereliction of the site and gives recognition within it. It sets out proportionate aspirations for the redevelopment of the site in the form of low-density development or through the re-use of existing buildings. The proposal is considered to meet with the spirit of these aspirations.

- 6.4** The site is also within designated Greenbelt and therefore Policy GB1 is relevant. It presumes against development in the Greenbelt except for certain types of development, including where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site. Development will not be permitted which would have an adverse effect on the landscape character of the local area. The proposal is considered to be contrary to this policy as it cannot be justified against the above criteria and therefore would result in a departure from this policy. This is considered further in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Policy DS2 states that development outwith the urban area will be restricted to specific identified uses and opportunities such as housing, agriculture, horticulture, forestry, leisure and tourism uses or relate to the appropriate re-use of existing buildings which it is desirable to retain for their local significance or historic or architectural character, and infrastructure with a specific locational need. Development in the Greenbelt or countryside must be suitably located, designed and landscaped to minimise impact on its setting and not undermine the purpose of the green belt at that location. The proposed use does not meet with any of the specific criteria of the policy and is therefore considered to be contrary and would represent a departure from this Plan.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.3** On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.
- 7.4** Policy GB1 states that development in the Greenbelt will be restricted to: residential development in accordance with Policy H1, agriculture/horticulture/forestry related development, rural diversification uses, leisure, recreation and tourism, and the appropriate re-use of existing buildings, which it is desirable to retain for their local significance or historic or architectural character. The proposed development does not accord with any of the criteria within this policy and is therefore considered to be contrary and would result in a departure from the Local Development Plan.

Principle of Development

- 7.5** The site historically formed part of a waterworks facility which has lain vacant and empty since 2007. From its closure until relatively recently, the site has been open and unmanaged and this has allowed it to be subject to anti-social behaviour which has further contributed to the significant deterioration of the site.
- 7.6** From review of the site in terms of its current condition, appearance and features it is not considered to represent land, which would ordinarily be associated with the typical qualities of that of greenbelt. The grouping of former waterworks buildings, infrastructure such as the water tanks and the modified ground give the area an industrial appearance and character, which does not contribute to the landscape setting or to the attractiveness of the wider greenbelt. In this regard, it is not considered that the site requires safeguarding and protection (which are the common policy aspirations for greenbelt land) but instead it warrants regeneration, re-development and investment, which is specifically required by Policy E8 of the Adopted Local Plan.
- 7.7** Although the site is within the greenbelt and is subject to assessment against the greenbelt policies within the three development plans; cognisance is given to the fact that this site is a brownfield site in need of regeneration. The reuse of brownfield land in preference to greenfield land is strongly supported in the strategies of all three development plans and also more broadly within Scottish Planning Policy.
- 7.8** Even though a site specific locational need has not been fully justified for this business and industrial development, significant weight should be given to the fact that the proposal is regenerating and redeveloping brownfield land in preference to greenfield land. In particular, albeit not specifically allocating the site for business industrial uses, Policy E8 of the adopted local plan supports the re-development and regeneration of this site.
- 7.9** Therefore, the proposal is considered to be line with these requirements and on this basis can be considered as an acceptable departure to all three development plans in relation to development in the greenbelt. The sites condition and its status as brownfield land represents a significant material consideration in this instance with the proposal to regenerate a derelict site and former industrial building to facilitate the expansion of an existing business. It is therefore considered, in this instance, that the above justification and reasoning outweighs the criteria contained within the greenbelt policies of the three development plans.

Visual Amenity

- 7.10** The general occupation of the site is viewed positively and it is considered that the proposals will be of benefit for both the site and the surrounding area noting its longstanding condition. The perimeter fencing has secured the site compound and a physical presence and activity on the site will ensure a level

of surveillance, reducing the potential for unauthorised access and anti-social behaviour to occur with this being issue that has hampered the site and contributor to its dereliction since its closure some years ago.

- 7.11** As part of the proposals, landscaping and planting is proposed along part of the south and south western boundary of the site to screen the site where it is more open from certain viewpoints on Garshake Road. This will also be of benefit to the wider redevelopment of the site with the area chosen to help to screen the proposed parking area associated with the business. This matter can be addressed by a planning condition.
- 7.12** Generally, the proposal will involve the cleaning, repair, refurbishment and reuse of a derelict building and site and will therefore result in significant environmental improvements to the area. Subject to appropriate conditions, it is not considered that there will be any significant or adverse impact on the landscape character of the area and the purpose of the greenbelt at this location will not be undermined by the development. Whilst the proposals and investment within the site will not comprehensively redevelop the site, it is considered that they will have a positive effect for the site and the surrounding area and the occupation and re-development of the site for such purposes is considered to be supported on this basis.

Residential Amenity

- 7.13** The supporting information submitted as part of the application provides details regarding the nature and operation of the business and accounts for matters such as staffing, customers, hours of operation, parking arrangements and operational activities and processes. The hours of operation and the use of the premises as a specialist car repair business can be controlled and maintained through appropriate planning conditions. This is considered to be sufficient to ensure that the residential amenity of any nearby receptive properties or uses is not compromised by the use.
- 7.14** Whilst particular concerns have been raised in some of the objections around the opportunities for expansion catered for by the relatively large curtilage around the building, noting the presence of both the existing bund and the historical water tanks within the site, this partly reduces the availability of space for parking and other activities associated with the use. It is considered that the development can be accommodated for within the site without significantly or adversely impacting upon the surrounding locality. It is also considered that the proposed use can be compatible with the surrounding area without compromising surrounding residential amenity.

Parking, Road and Traffic Matters

- 7.15** The proposed use and business will utilise the existing and historical access to the site. Parking is to be provided within the site boundary in a designated area. The Council's Roads Service have confirmed that they have no objections with both the access and the parking arrangements for the site sufficient to accommodate for the proposed use. Furthermore, they have

raised no issues with regards to additional vehicle activity on the surrounding road network.

Ecology Considerations

- 7.16** Certain points made in the representations received have questioned the absence of an ecological assessment to consider the potential for the building within the site to accommodate for bats. In response to this, the applicant has appointed a qualified ecologist to carry out a preliminary risk assessment of the building within the site.
- 7.17** Noting the design and condition of the building (hollow single-skinned metal shed) and given that no external alterations are proposed as part of the development (to change its make up), the assessment undertaken has concluded that the building generally lacks the necessary features commonly required by roosting bats to provide an environment in terms of shelter, noise, temperature and security.
- 7.18** Whilst this provides confirmation that the building is of low suitability and risk to accommodate bats, recommendations are made by the ecologist that internal modifications are undertaken under the requirements of a bat-related method statement with the necessary supervision of a licensed bat worker. This matter can be addressed as a planning condition.

8. CONCLUSION

- 8.1** The proposal will result in the regeneration and partial re-development of the former waterworks site, which has lain empty and unused since 2007. Whilst the proposed specialist vehicle repair business is not fully supported by greenbelt policies, it is considered a departure from these policies can be justified as the land constitutes a vacant and derelict brownfield site, of which its reuse is particularly supported by Policy E8 of the adopted Plan and the strategies of the two Local Development Plans.

9. CONDITIONS

- 1. The premises and site shall be used as a specialist vehicle repair business/facility only as detailed in the submitted and approved planning supporting statements (dated: 27/06/19 and 08/10/19 respectively, MH Planning Associates) and for no other purpose (including any other purpose in Class 5 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997(as amended) or any future order enactment unless otherwise agreed in writing by the Planning Authority.**
- 2. The business hereby approved shall operate only between the hours of 0930hrs to 1800hrs Monday to Friday, 1000hrs to 1700hrs on a Saturday with no working on a Sunday or West Dunbartonshire Public Holidays unless otherwise agreed in writing by the Planning Authority.**

3. Within 1 month of the date of this consent and further to approved Drawing '2019_0043-01 (Site Plan Revision B)', details of the landscaping arrangements proposed along part of the southern and south western boundary of the site shall be submitted to and approved in writing by the Planning Authority. The approved landscape arrangements shall be implemented within a timescale agreed with the Planning Authority and shall remain in force for the lifetime of the development. No subsequent alterations to the landscape arrangements shall take place unless first approved in writing by the Planning Authority.
4. No further physical internal or external refurbishment and modification works to the building within the site shall be undertaken until a 'Bat-Related Method Statement' is submitted to and approved in writing by the Planning Authority. This method statement shall stipulate for a requirement for a licensed bat worker to be present on site for the duration of any such physical internal or external refurbishment and modification works to be undertaken to the building on the site. Once approved, the applicant shall secure the implementation of the approved Bat-Related Method Statement which shall incorporate the recommendations and measures set out therewithin. It shall remain in force the duration of any such physical internal refurbishment and modification works to be undertaken to the building on the site until such works are completed in full.

Peter Hessett
Strategic Lead - Regulatory
Date: 6th November 2019

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

Appendix: None

Background Papers:

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. West Dunbartonshire LDP - Proposed Plan 2
5. Scottish Planning Policy (SPP)
6. Consultation responses
7. Representations

Wards affected: Ward 3 (Dumbarton)

Date: 24 October 2019

**Former Waterworks
Garshake Road
Dumbarton**

