

WEST DUNBARTONSHIRE COUNCIL**Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 14th February 2024**

DC22/210/PPP: Erection of three dwellinghouses (in principle) at Old Carman Water Works Site, Cardross Road, Renton by Mr J McDougal

1. REASON FOR REPORT

- 1.1** The planning application proposal is a departure from the adopted development plan. 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 in principle subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The site comprises the former Carman waterworks site which is located on Cardross Rd near Renton. To reach the site from Renton, it is necessary to take an unclassified, mostly single track road which connects the B857 Main Street in Renton with the A814 Main Rd in Cardross. The site is approximately 0.4 mile from the junction with the B857 and is located on a hairpin turn. Due to this, the site is triangular in shape and features a noticeable change in elevation between its lower and its upper parts. To the west of the site, on the other side of the road, is a forested area adjacent to Carman Hill House and Carman Reservoir. To the east, also across the road, and to the north, there are agricultural areas typically used for grazing. The site is partially overgrown and features disused water supply infrastructure in the form of three tanks and possible further associated underground facilities. There is boundary treatment present in the form of a historic stone wall; access is from the western side of the site via an iron gate.
- 3.2** The application seeks planning permission in principle for the erection of three dwellinghouses. The existing water supply infrastructure will be removed from the site to facilitate development. An indicative layout with three detached dwellinghouses, two of which would face west with the third facing east. Off street parking would be provided within driveway parking.

As the application is considered in principle, any design and layout details of the site and proposed houses provided in the submitted drawings are indicative and would be submitted at the detailed stage.

- 3.3** Improvements are proposed to the road surrounding the eastern and the southern perimeter of the site as part of this application. The existing hairpin corner at the southernmost tip of the site would be altered, widened and improved with asphalt finish to an adoptable standard. As a result, the sightlines of the sharp corner and the dimensions of the carriageway would be improved. The submission also indicates that the ownership of the corner of the site where the widened carriageway and road verge would be provided
- 3.4** In terms of planning history, the site was previously subject to a permission (DC02-332) for the formation of specialist market garden, including erection of two growing buildings and erection of dwellinghouse. Permission was later approved (DC10/025/FUL) for variation of condition 1 of permission DC02-332 to extend the time period for the commencement of development of market garden and dwellinghouse. Both of the applications have since lapsed and no development of the site has taken place.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Biodiversity Officer has no objection subject to conditions relating to all recommendations within the Preliminary Ecological Appraisal being followed, including the protection for nesting birds. Furthermore, conditions to address biodiversity enhancement and Black Grouse mitigation are required.
- 4.2** West Dunbartonshire Council Environmental Health have no objection subject to conditions relating to construction noise, contaminated land, importation and reuse of soils, lighting, Noise Impact Assessment, as well as noise control, hours of work, piling method statement, waste storage and dust control during construction.
- 4.3** West Dunbartonshire Council Roads have no objection to the proposal in respect of roads and parking together with flooding matters.
- 4.4** Scottish Water and West of Scotland Archaeological Service have no objection to the proposed development. .

5. REPRESENTATIONS

5.1 One objection was received from a neighbouring resident. The full details are contained within the planning file and are available for public viewing. However, the key points of objection can be summarised as follows:

- Neighbour notification was not issued to neighbouring property.
- The site is within the Green Belt.
- More than one house on site would be out of step with how other sites within the Green Belt were redeveloped.
- The site is in close proximity to a Local Nature Conservation Site and may impact upon this designation, other locally sensitive areas and local wildlife.
- The development may result in more people seeking to gain access to the area.
- Road realignment may encourage unsuitably sized vehicles to attempt to use the road, resulting in accidents.
- Road safety concerns in relation to Cardross Road, which is narrow, steep and used by notable levels of vehicle traffic, walkers and cyclists, heavy goods vehicles.
- There is a history of road accidents in winter conditions and speeding in all conditions.
- Access to the site may potentially be affected in the winter during icy/snowy conditions.
- Concern over insufficient turning space in the proposed western plots within the site, as shown in the proposed site drawing.
- Noise from traffic may disturb neighbouring properties.
- Inaccurate site boundary in the submitted drawings.
- Access and servicing and neighbouring property may be impacted upon.
- Concerns regarding sightlines for the new access to the proposed development.
- Concern regarding the height and finish of the boundary treatment for the site in relation to sightlines for vehicles exiting the site and privacy of the future inhabitants.
- No information is provided on bin storage and refuse collection.
- Concern over the impact of refuse collection method on the amenity of the site and its surroundings.
- Insufficient parking indicated in the drawings.
- Scale and design of the proposed dwellinghouses and utilisation of the footprint of the site and its topography.
- The scale and design of the new houses is inappropriate and overdevelopment would occur.
- It is incorrect to suggest flooding does not occur at this location.
- The position of neighbouring properties is not shown in the application submission.

- The construction of the development may impact upon access on Cardross Road and to neighbouring property.
- The site could be confused with another site of a similar name.
- It has been difficult to view the application online.

The concerns raised are considered in Section 7 below.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

National Planning Framework 4

- 6.1** 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** Policy 8 supports development within the green belt in a limited number of circumstances. These include:
- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
 - residential accommodation required for key workers in a primary industry in the vicinity of the site;
 - horticulture, including market gardening and directly connected retailing, as well as community growing;
 - essential infrastructure or new cemetery provision;
 - minerals operations and renewable energy developments;
 - intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

Additional requirements include justification is provided for the green belt location; the purpose of the green belt is not undermined by the development; the development is compatible with the surrounding countryside and landscape character; the development is of an appropriate scale, massing and external appearance and minimises visual impact; and there will be no long-term impacts on the environmental quality of the green belt.

- 6.5** 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.
- 6.6** 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.
- 6.7** 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 proposed Local Development Plan 2 as a residential development opportunity.
- 6.8** 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.
- 6.9** 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.
- 6.10** 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.

West Dunbartonshire Adopted Local Plan 2010

- 6.11** The site lies within the Green Belt and Policy GB1 states that within the areas of Green Belt shown on the Proposals Map there will be a general presumption against development other than:
- agriculture and forestry, including community woodlands; or
 - the appropriate re-use of vacant buildings which would be desirable to retain; or
 - for their local significance, historic or architectural character; or
 - outdoor recreation, leisure or tourist proposals which are appropriate for the countryside, contribute to the social and economic development of the Plan area and are not contrary to other policies and proposals contained within the Local Plan; or
 - where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site; or
 - where there is a necessity for additional land for development purposes, having regard to the requirements of the approved Structure Plan.

Development will not be permitted which would have an adverse effect on the landscape character of the local area. Proposals for new buildings, extensions or the change of use of existing buildings within the Green Belt will have to pay particular regard to design, siting, landscaping, nature conservation and protection of habitats.

- 6.12** 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 not 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.
- 6.13** Policy H4 sets out standards expected of all 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.

- 6.14** 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 Section 7 below.
- 6.15** 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.

Development Plan Conclusions

- 6.16** The site lies within the Green Belt and the construction of three dwellinghouses, not designed to accommodate key workers in a local primary industry such as agriculture, is not a form of development supported by Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. However, the site is an allocated residential development opportunity in proposed Local Development Plan 2 which reflects the Council's most up to date spatial strategy. Based on the proposed Local Development 2 site allocation, the proposed residential development would in turn be supported by Policy 16 and the Green Belt policies would not be applicable in the assessment of the application. In light of the residential development allocation within proposed Local Development Plan 2 which carries significant weight in the assessment and determination of planning applications, it is considered that the material considerations are such that a departure from Policy 8 of NPF4 and Policy GB1 of the adopted Local Plan can be justified in this instance. Subject to the full assessment set out in Section 7 below.

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 H2 supports new housing development on sites in Schedules 2 and 3. This site is an allocated residential development opportunity included in Schedule 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 complies with the relevant policies above as set out in the following assessment below.

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 at this Planning in Principle stage.
- 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. The proposal accords with the approach set out in the Guidance.

Principle of Development

- 7.11** Within the adopted Local Plan, the site is situated within the Green Belt. The erection of three dwellinghouses would not be a development supported within a Green Belt location by either Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. However, proposed Local Development Plan 2, incorporating the recommended modifications of the Examination Report received on 22 April 2020, forms the Council's most up to date spatial strategy and can therefore be afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The site is identified as a residential development opportunity within proposed Local Development Plan 2 and this allocation was supported by the Reporter in the Examination Report, and not subject to any recommended modifications.
- 7.12** Notwithstanding the position of proposed Local Development Plan 2 as the Council's most up to date spatial strategy, it remains that the adopted Local Plan does not identify the site as a development opportunity but rather a site within the Green Belt. Accordingly, Policy GB1 of the adopted Local Plan and Policy 8 of NPF4 are relevant as set out in paragraphs 6.4 and 6.11 above. In assessing whether there are any material considerations which would justify a departure from the adopted development plan, it is recognised that whilst the Council took the decision not to adopt proposed Local Development Plan 2, it remains a significant material planning consideration in the assessment of planning applications. If proposed Local Development Plan 2 had been adopted, the residential development allocation would have changed its status of the site in respect of the policy assessment within NPF4. Policy 8 would not be applicable and Policy 16 would support the development of the allocated site. Furthermore, Policy 9 of NPF4 also supports the sustainable redevelopment of brownfield sites.

- 7.13** In further considering the proposal, the indicative capacity set out in proposed Local Development Plan 2 is for three houses. Based on the indicative layout submitted, it is considered that a development of three units could be suitably accommodated on site, including accommodating the topography of the site, in a way which balances the development of an allocated site with the character of the wider Green Belt.
- 7.14** The proposal would require demolition of the existing disused water supply infrastructure within the site, predominantly in the form of underground water tanks, which has been redundant for a significant period of time. The existing site does not feature any buildings but it is noted that there are detached dwellinghouses within the locality along Carman Road. As the site has not performed its infrastructural function for some time, it remains shut off with the access gate closed and parts of the site overgrown and subject to spontaneous rewilding, all contained within the area bounded by the historic wall demarcating its limits. The redevelopment of the site would remove a disused brownfield site and, subject to the final design and layout of any new development, result in a positive impact on the visual amenity of the area. As it is understood that the water supply needs have since been superseded by other infrastructure serving the area, it is not considered that the loss of the site to a housing development would raise concerns.
- 7.15** It is considered that in this instance a departure in respect of Policy 8 of NPF4 and from Policy GB1 of the adopted Local Plan can be justified and the principle of residential development accepted on site.

Indicative design, layout and visual impact within the landscape

- 7.16** No detailed information has been submitted, however an indicative layout has been proposed. The number and size of the properties proposed is considered acceptable in this context. The setback from the road level and the screening afforded by the remaining boundary wall around the perimeter of the site, also manages the visual impact and prominence of the new development in the immediate vicinity. The properties would benefit from open outlook overlooking the Vale of Leven and the surrounding Kilpatrick Hills. This section of Carman Road, while predominantly rural in character, does feature several residential properties, with some located a distance away from the road level. The proposal is considered to be consistent with the development pattern of the area and a suitable reuse of the vacant derelict site.
- 7.17** Whilst recognising that the application is considered in principle only, it must be assessed whether a suitable development could be achieved on site. In this instance, such an assessment can be guided by the indicative layout and details submitted. The indicative details suggests the proposed houses are of one-and-a-half-storey in height.

Houses of this size would be acceptable, given the semi-open nature of the site and this is the predominant height of other houses along Carman Road outwith the urban settlement. The suggested ratio of plot size to house is considered acceptable and the properties would have an acceptable amount of private garden ground at the rear providing outdoor amenity space for the occupants. The houses would be set back from Carman Road by a reasonable distance, with sizable front curtilages fronting each of the three houses. The design indicates render houses incorporate details as timber cladding and such an approach would be considered appropriate for the Green Belt location.

- 7.18** Overall, it is considered that an appropriate, attractive outward facing development could be achieved on site that does not result in overdevelopment nor any adverse impacts on the wider landscape within this Green Belt location. Whilst the lack of detail on a variety of aspects of the development is highlighted in the objection received, this application is in principle only and does not consider the final detail of the development of the site. Conditions can guide the detailed design of the houses which will be subject of a further detailed application.

Residential amenity

- 7.19** Potential impact on neighbouring properties has been considered in relation to privacy and overshadowing. As the current application is for planning permission in principle it is not possible to assess specific details. However, based on the suggested indicative details which indicate one-and-a-half-storey houses and taking into account their position relative to neighbouring properties and within the application plot, it is considered that the site could be developed without any unacceptable overshadowing or loss of privacy would occur. This will be fully assessed at the detailed stage. Any noise and activity generated by the new houses would be typical of that emanating from a domestic setting and it is not considered that any undue noise disturbance would occur.

- 7.20** Whilst the Council's Environmental Health Service advice on the need for a noise impact assessment is noted. This will determine suitable mitigation measures are incorporated within the development to minimise noise sources that are likely to impact upon new residents. This matter can therefore be addressed by condition.

Roads and parking

- 7.21** The application site is accessed via Cardross Road, which is a single track road with some steep inclines. A variety of concerns are raised in the objection in respect of roads and access matters. The Council's Roads Service has no objections to the principle of three houses on the site, subject to the applicant providing relevant dimensioned sightline splays (noting that the national speed limit applies).

The ability for the final development detail to achieve the required sightlines is indicated in the indicative layout provided. The proposed site plan indicates that there is sufficient space for off-road parking and it therefore can be concluded the final development detail can provide adequate off-street parking. Based on the indicative layout, access to the driveways would be from Cardross Road approximately where the current gate is (upper plots) and through a new road opening (lower plot).

- 7.22** There is an opportunity for improvements to the tight hairpin bend adjacent to the site as a result of the development. The indicative layout indicates how this will be achieved as part of the development and the Council's Roads Service raise no additional requirements in this respect. Full details of the delivery of this improvement can be addressed by condition.

Accessibility

- 7.23** The site is outwith the build settlement and thus doesn't specifically promote 20 minute neighbourhoods. However, it is a development opportunity within the proposed Local Development Plan 2 and is only of a small scale. Nonetheless, the settlement of Renton lies in reasonably close proximity with a range of local facilities including public transport links within a typically 20 minute walk from the site. Despite the out-of-settlement location, the site is reasonable accessible to local facilities.

Ecology, Biodiversity and Impact on Existing Vegetation.

- 7.24** There are no environmental designations covering any part of the site and also no buildings to be demolished. It does, however, lie opposite the Carman Muir Local Nature Conservation Site (LNCS) and ecology and biodiversity considerations arise as a result of this together with the re-wilding and re-naturalisation of the site and the rural location in the Green Belt. The application assessment is informed by a preliminary ecological appraisal. This identifies a variety of habitats within the site, but that these are in poor condition. No field signs of protected species were identified, Opportunities for foraging and commuting bats were highlighted, as were limited opportunities for foraging badger. Opportunities for nesting birds were also highlighted with recommendations in respect of nesting bird surveys. The opportunity for biodiversity enhancement is highlighted.
- 7.25** The Council's Biodiversity Officer raises no concerns regarding the findings or methodology used. However, highlight survey information from the Black Grouse RSPB monitoring scheme which confirms that there are records of black grouse within 1.5 km of the proposed development site. The Biodiversity Officer highlights the requirement for mitigation in this respect. Conditions can ensure that all recommendations within the Appraisal are followed including the protection for nesting birds, biodiversity enhancement and Black Grouse mitigation.

- 7.26** Whilst the site has re-naturalised with vegetation and scrub there are no significant trees on site and no concerns arise in respect of the impact upon existing vegetation.

Flooding Matters

- 7.27** Concerns regarding flooding are raised in the objections received. Whilst proposed Local Development Plan 2 identifies the requirement for any proposals for residential development on this site to be informed by a flood risk assessment, the site is not shown on SEPA's flood maps at being at risk of either river or surface water flooding. The Council's Roads Service has considered the proposal and advises that the site is not within an area at flood risk. They do not identify any requirement for a flood risk assessment and offer no objections on flood risk grounds. Drainage arrangements can be addressed by condition.

Open space provision

- 7.28** In terms of open space provision for residential developments, this is set out within Policy GI2 of proposed Local Development Plan 2 together with the Our Green Network guidance. For small developments of less than 10 houses, a developer contribution is generally considered appropriate rather than the provision of open space within the development site itself. Open space calculations together with the level of any contribution are based on the number of bedrooms provided. As this application is considered in principle, open space requirements and developer contributions will be addressed at the detailed stage of the development.

Other Technical Matters

- 7.29** The Council's Environmental Health Service raise no concerns and 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, construction hours inclusive of site deliveries together with dust control. Scottish Water offer no objection noting current capacity within the existing network. West of Scotland Archaeological Service offer no objections and, in noting the previous development of the site, do not consider any archaeological work necessary.
- 7.30** 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.

Outstanding points of objection

- 7.31** In considering the outstanding points raised in the objection, neighbour notification is issued to any premises within 20 metres of the application site. Where there is neighbouring land with no premises, inclusive of private roads, a press advertisement is placed in accordance with the Town and Country Planning (Development Management Procedure) Regulations 2013 and this occurred in this instance. Whilst concern is raised that a neighbouring property did not receive a notification, the curtilage of this neighbouring property is around 100 metres from the application site and therefore no neighbour notification was required in terms of the regulations. The application site, inclusive of sightlines, is clearly defined in red in the submitted plans. Whilst concern is raised regarding possible confusion with a nearby premises with a similar name, the correct application site has been assessed. The submitted plans and drawings clearly indicate the position of the site within the local context and the relationship of neighbouring properties is fully understood. The online Portal has been checked and the application is available for viewing.

8. CONCLUSION

- 8.1** The site lies within the Green Belt and the construction of three dwellinghouses are not designed to accommodate key workers in a local primary industry such as agriculture, is not a form of development supported by Policy 8 of NPF4 or Policy GB1 of the adopted Local Plan. Notwithstanding this, within proposed Local Development Plan 2 that reflects the Council's most up-to-date planning policy position, it is identified as a residential development opportunity. The principle of the residential development on the site is therefore supported by proposed Local Development Plan 2, and that three houses could be accommodated within an appropriate arrangement. It is considered that significant weight can be attached to the proposed Local Development 2 site allocation in the determination of this application and that the material considerations are such that a departure from Policy 8 of NPF4 and Policy GB1 of the adopted Local Plan can be justified in this instance.
- 8.2** Overall, the proposal would allow the development of an unmanaged, previously developed site subject to a suitable design and layout which responds to the site and is appropriate for the rural landscape. An additional and welcome benefit of the development would be the improvements to the tight hairpin bend on Cardross Road adjacent to the site.

9. CONDITIONS

1. No development shall commence until such time as approval of the detailed design, layout and other matters associated with the development (hereinafter called "the matters specified in conditions") has been granted by the Planning Authority. Any application(s) for approval of matters

- specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
- a) the siting, design, external appearance and external materials of all buildings and other structures;
 - b) the means of access to the site;
 - c) the layout of the site, including all car and cycle parking areas;
 - d) the details of and timetable for the implementation of the hard and soft landscaping for the site;
 - e) details of the management and maintenance of the areas identified in (d) above;
 - f) full details of the design and location of all boundary walls and fences;
 - g) the provision of surface water drainage works incorporating Sustainable Drainage Systems (SuDS). For the avoidance of doubt, the submitted details shall be in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland;
 - h) the disposal of sewerage;
 - i) details of existing and proposed site levels;
 - j) details of the storage and collection of waste and recycling from the new dwellinghouses;
 - k) details of required sightlines and visibility splays;
 - l) biodiversity enhancement measures to be incorporated into the development;
 - m) full details of the incorporation of low and zero carbon infrastructure into the development;
 - n) details of the provision for electric vehicle charging
2. Notwithstanding condition 1 above, 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.
3. Notwithstanding conditions 1 and 2 above and unless otherwise first agreed in writing by the Planning Authority, the design and layout of the development shall generally follow the indicative details submitted and approved inclusive of siting of the dwellinghouses, one and a half storey design, pitched roof, light coloured render and use of timber cladding.
4. That with the first application for matters specified by condition application, full details of the design and implementation of the works to the hairpin bend in Cardross Road shall be submitted for the written approval of the Planning Authority. Works shall then proceed as approved.

5. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated 24 March 2023 shall be followed.
6. Notwithstanding condition 5 above, no removal of and vegetation shall take place during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority and nesting bird survey undertaken not more than 48 hours prior to the commencement of site clearance works, the findings of which shall be submitted to the Planning Authority.
7. Notwithstanding condition 3 above and prior to the commencement of works on site, full details of mitigation in respect of Black Grouse shall be submitted to and approved in writing by the Planning Authority and the agreed mitigation measures implemented as approved. The development shall then proceed as approved.
8. 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.
9. 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.
10. 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.
11. 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 strategy based on the preferred option.
12. No development (other than 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.
13. 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.
14. 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.
15. If the remediation plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale 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 by the Planning Authority.

16. 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. 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.
17. Prior to the commencement of development on the site, full details of any external lighting within the site shall be submitted to and approved in writing by the Planning Authority. The lighting shall thereafter be installed as approved.
18. The applicant shall undertake a noise assessment to determine the impact of noise from nearby noise sources on the proposed development using the principles set out in British Standard BS 4142:2014 – “Methods for rating and assessing industrial and commercial sound”, or a method agreed by the Planning Authority. Where the Level of Significance as described within the Scottish Government Document: “Technical Advice Note Assessment of Noise”, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from industrial/stationary noise shall be submitted to, and approved by, the Planning Authority.

The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the houses and shall be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of mitigation measures shall be prepared by a suitably qualified person.

19. No development shall commence on site until such time 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.

20. 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

21. 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 BS6472 '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.

22. During the period of construction no commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 08:00 or after 18:00.

23. 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 has been 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.

Pamela Clifford
Planning, Building Standards and Environmental Health Manager
Date: 14th February 2024

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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. Objection received;
7. Application nos: DC02-332, DC10/025/FUL.

Wards affected: Ward 2 (Leven)