

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 6 December 2011

DC11/189: Amendment to condition 1 of DC04/546 (extension of timescale for mixed use commercial development) at land to north of A82 and south of Stirling Road, Dumbarton by Walker Group Ltd .

1. REASON FOR REPORT

- 1.1 This application relates to land owned by Strathleven Regeneration Company, in which the Council has an interest. Under the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

2. DEVELOPMENT DETAILS

- 2.1 This application seeks consent to extend the time period for the submission of reserved matters of condition 1 of DC04/546. The original application was for a mixed use commercial development at land north of the A82 in Dumbarton. Outline consent was granted in December 2005 with the first condition stating that the reserved matters should be submitted within 3 years of the date of the permission. Whilst some reserved matters relating to road infrastructure and roadside service buildings have been approved and implemented, others, particularly in relation to the business park area, remain outstanding. The period for submitting reserved matters was extended for a further 3 years from 2008 by permission DC08/284/FUL. As that extended period is itself about to lapse, the current application seeks to extend the period for submitting the outstanding reserved matters by a further 3 years.

3. CONSULTATIONS

- 3.1 Scottish Environment Protection Agency, Transport Scotland, West Dunbartonshire Council Environmental Health, Scottish Water, Forward Planning, and West Dunbartonshire Council Roads all have no objections.

4. REPRESENTATIONS

- 4.1 None

5. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- 5.1 The site is identified in the local plan as a Specialised Economic Development Site. Policy LE5 aims to safeguard this site for industry and business uses, and other uses which positively extend the permanent employment potential of the site. The south-eastern part of the site is also identified for roadside uses as part of the wider economic development opportunities at Kilmalid.

- 5.2** Policy LE6 Strategic Employment Locations is also relevant to the site and designates Dumbarton as a Strategic Business Centre and Core Economic Development Area. This policy identifies key locations and economic uses to encourage economic development. The previous consent was consistent with these policies, and the local plan continues to support the development of the site in accordance with the outline permission.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Principle of the Use

- 6.1** As the proposal is to vary a condition of an existing consent, only matters relevant to that condition can be taken into account in the assessment of this application. The reason for the statutory time condition is to allow periodic review of outstanding permissions in order to take account of any material changes in circumstances in the intervening period.
- 6.2** In relation to planning policy, the principal change since 2008 is the adoption of the West Dunbartonshire Local Plan 2010, however this raises no new issues and continue to support the completion of the approved development. Technical consultees have not identified any changes in relevant standards or technical requirements, and have no objections to the proposal. There have, however, been changes to the Planning regulations arising from the Planning etc. (Scotland) Act 2006 and the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2010, which have replaced outline planning permissions with permissions in principle along with other procedural changes. The new requirements arising from these changes can be addressed by conditions.
- 6.3** Since the outline consent was granted in 2005 and renewed in 2008 some development has taken place on the site. These developments include new road infrastructure, the Premier Inn hotel, Malt & Myre pub/restaurant and the under construction Costa drive-through/coffee shop. The site covers a large area (over 11 hectares) and therefore requires to be developed over a longer period of time. The downturn in the economy in the last few years has further slowed the development of the business park element. However, progress on the site has steadily continued on the roadside services front which in turn will help to support the development of the business park.

7. CONCLUSION

- 7.1** The application seeks an extension of the time period for an existing outline consent that has been renewed previously. The development of the site is a long term project which will bring economic activity and employment to the area and therefore additional time is required to allow the developers to achieve this, particularly in the current difficult economic climate. No new issues have arisen since the previous permission which would justify refusing consent, and it is considered appropriate to renew the consent for a further 3 years.

8. RECOMMENDATION

- 8.1 Grant** full planning permission to amend condition no.1 of DC04/546 and subject to conditions set out in Section 9 below.

9. CONDITIONS

- 01 Application(s) for the approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) shall be submitted to the Planning Authority within 3 years of the date of this decision notice, or (if later) within 2 years of the refusal of such an application (where that application was submitted within 3 years of the date of this decision notice, and subject to there being only one subsequent application). Such application(s) shall include:**
- a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping**
 - b) Plans of each building showing its elevations and floor plans**
 - c) Details of existing and proposed ground levels and finished floor levels**
 - d) Details of external finishing materials**
 - e) Details of the means of drainage and sewage disposal**
- The development must commence within 3 years of the date of this decision notice, or within 2 years of the date of the final approval of all foregoing matters specified in conditions (whichever is the later of these two dates).**
- 02 The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:**
- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);**
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed**
- 03 For the duration of the development taking place, the developer shall display the sign or signs provided, or copies thereof. Such sign(s) shall be displayed in a prominent place or places at or in the immediate vicinity of the site, must be readily visible to the public and any copies must be printed on a sufficiently durable material to remain legible throughout the period of development. In the event of the sign(s) being lost, damaged or removed whilst the development is ongoing, they shall be replaced at the earliest time practical.**

Informative

This permission is granted as an amendment to outline permission DC04/546 (as amended by DC08/284), and supersedes condition 1 of that consent. All other conditions of permission DC04/546 still apply.

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and Economic Development
Date: 21st November 2011

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Appendix: None

Background Papers:

1. Application forms and plans;
2. Consultation responses; and
3. West Dunbartonshire Local Plan 2010.
4. Planning app no: DC04/546 and DC08/284/FUL

Wards affected: Ward 2 (Leven)