

## **WEST DUNBARTONSHIRE COUNCIL**

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

**Planning Committee: 18 December 2013**

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#### **DC13/222    Erection of petrol filling station with ancillary retail and take-away food facilities at Lomondgate Drive, Dumbarton by Euro Garages Limited**

#### **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 is therefore required to be determined by the Planning Committee.

#### **2.    RECOMMENDATION**

- 2.1**    **Grant** planning permission subject to the conditions set out in Section 9 below.

#### **3.    DEVELOPMENT DETAILS**

- 3.1**    Permission is sought for the erection of a petrol filling station within the Lomondgate development in Dumbarton. The application site forms part of a larger site which has outline consent for a mixed use commercial development comprising class 4 business uses and roadside services (Consent ref.no. DC04-546). So far, a Premier Inn hotel, Brewer's Fayre restaurant and Costa 'drive thru' coffee outlet have been built within the area allocated for roadside services and it is proposed to locate the petrol filling station next to these facilities.

- 3.1**    The application site is located within the south-eastern part of the site. Access would be taken from an existing roundabout within the site, and there would be no direct access from the A82. The single storey building would measure approximately 34 metres by 15 metres and would be positioned towards the eastern boundary of the site, with the front of the building facing west. The front of the building would incorporate a large amount of glazing, as well as timber cladding and facing brick. A combination of timber cladding, facing brick and render would be used on the side and rear elevations. Most of the parking spaces would be provided immediately in front of the building, but there would also be some parking spaces at the rear of the building and also to the north-west of the building next to the jet wash and service bays. A canopy would be erected above the fuel pumps and a second canopy would be erected above the fuel pumps at the side of the building to serve Heavy Goods Vehicles.

- 3.2** The building would have a gross internal floor area of 464 square metres. Approximately 290 square metres of this would be taken up by a shop operated by Spar, and approximately 89 square metres would be taken up by two food outlets operated by Subway and Greggs. A small amount of seating (maximum of 16 covers) would be provided within the building for customers purchasing food and drinks. Starbucks would also be represented on the site, however this would be one of the company's 'on the go' facilities and would therefore comprise only a vending coffee machine situated within the shop area. The remaining internal space would incorporate the back of house facilities and toilets. The proposed development had originally included a car wash in the north-western corner of the site; however, this was removed from the scheme to allow the provision of additional parking.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Services has no objections to the application.
- 4.2** West Dunbartonshire Council Environmental Health has no objections subject to conditions relating to hours of construction, grease traps, and unexpected contamination.
- 4.3** Transport Scotland, Scottish Environment Protection Agency, and Scottish Water have no objections to the application.

#### **5. REPRESENTATIONS**

- 5.1** None.

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

##### West Dunbartonshire Local Plan 2010

- 6.1** The site is designated as a Specialised Economic Development Site and a Roadside Services and Tourist Opportunity within the adopted Local Plan. Policy LE5B states that there will be a presumption in favour of roadside service uses and developments which contribute to the high visual and landscape amenity of the site.
- 6.2** Policy RET1 requires a sequential approach to be adopted for selecting locations for new retail development. Whilst Lomondgate is an out-of-centre location, the retail element of the development is ancillary to the petrol filling and is supported by the planning permission in principle granted in 2005 and approved masterplan for the area.
- 6.3** Policy RET3 sets out criteria for the assessment of retail development outwith town centres. Given the scale of the proposed development and the support which exists for it through the masterplan and planning permission in principle, the proposal is considered to comply with the policies of the above plan.

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

### West Dunbartonshire Local Development Plan – Proposed Plan

- 7.1** The proposal site is located within the Lomondgate and Vale of Leven Industrial Estate Changing Place. The strategy for the area supports the development of the Lomondgate Business Park (adjacent to the proposal site) and roadside services area including petrol filling station, visitor facility and further food and drink uses (Class 3). The application site is located within the roadside services area.
- 7.2** Policy GE3 supports appropriate development that will enhance roadside facilities at Lomondgate where it does not significantly impact on trade within town centres. The proposal is considered to enhance the roadside facilities at this location and the retail element is not of a scale that would have a significant impact on town centre trade.
- 7.3** Policy SC1 sets out criteria for assessing retail development outwith the network of centres or identified retail development opportunities. Given the scale of the proposed development and the support which exists for it through the masterplan and the planning permission in principle, the proposal is considered to comply with this policy.
- 7.4** Policy DS1 states that all development will be expected to contribute towards creating successful places by having regard to the six qualities of successful places. Matters concerning the location and design of the development are addressed below.
- 7.5** Policy DS3 seeks for significant trip generating uses to be within 400 metres of the public transport network. The site is within 400m of a serviced bus stop. Policy SD1 seeks for development to avoid having an adverse impact on the road network- the Council's Roads Service and Transport Scotland have no objections to the proposed development.

### Scottish Planning Policy(SPP)

- 7.6** The SPP requires a sequential approach be applied to the selection of sites for new retail development. This is considered above. The SPP states that planning authorities should support the provision of a range of roadside facilities and therefore the development would be in keeping with SPP.

### Location and Design

- 7.7** The proposed development would provide a key component in the roadside services and would be complimentary to the existing uses already on site. It would provide an additional facility for those travelling along the busy A82 and would help to strengthen the roadside services offer at this location. Provision of good roadside services will support the development of the business park which forms part of the wider Lomondgate development. This in turn will contribute towards economic regeneration of the area.

- 7.8** The building's design and finishing materials take into account the development's location at the edge of Dumbarton, with the use of timber and a large amount of glazing on the building providing a more natural feel to the development. The design of the building is modern and it will compliment the high quality of development already achieved on the Lomondgate site. The single storey building would be in keeping with the scale of its surroundings and some additional landscaping, including trees, shrubs and hedges, would be provided around the edge of the site.
- 7.9** A car wash, which had been included in the original layout, was deleted from the scheme to allow the provision of additional parking spaces within the site, requested by the Roads Service. Although the petrol filling station would have a retail element it would be ancillary to the main use as a petrol filling station, and the food outlets would have only a small amount of seating, serving a maximum of 16 customers. A condition can be used to limit the amount of customer seating as additional parking would be required for any increase in the amount of seating provided. The amount of parking proposed is considered to be appropriate for this type of development and is acceptable to the Roads Service. Environmental Health has no objections to the development provided that conditions are attached relating to hours of construction, grease traps, and unexpected contamination.

## **8. CONCLUSION**

- 8.1** The proposed petrol filling station is a key part of the Lomondgate development and it will compliment and enhance the existing roadside services, the business park and any future roadside services. The principle of a petrol filling station was agreed by the planning permission in principle and the approved masterplan for the area. It is in keeping with the adopted and emerging local plans and SPP and it will contribute towards the development of Lomondgate as an attractive location for business and the continued economic regeneration of this area of Dumbarton.

## **9. CONDITIONS**

- 01**                **Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**
- 02.**                **Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.**
- 03.**                **Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**

- 04. Prior to the commencement of works, full details of the lighting and bin store shall be submitted for the further written approval of the Planning Authority and implemented prior to the petrol filling station being brought into use.**
- 05. A landscaping scheme for the boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the building. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.**
- 06. Customer seating provision shall be limited to a maximum of four benches (providing seating for up no more than 8 people) and 8 individual seats as shown on drawing number 1281-4c. No additional seating or tables shall be provided inside or outside the building without the prior written consent of the Planning Authority.**
- 07. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority, and any piling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.**
- 08. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.**
- 09. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.**
- 10. Notwithstanding the submitted plans, the east elevation shall incorporate the use of timber cladding, details of its use shall be submitted to and approved by the Planning Authority and shall be implemented as approved.**

**Richard Cairns**  
**Executive Director of Infrastructure and Regeneration**  
**Date: 3rd December 2013**

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**Appendix:** None.

**Background Papers:**

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. Consultation responses
5. Scottish Planning Policy
6. Planning permission no: DC04-546

**Wards affected:** Ward 2 (Leven)