

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead- Regulatory****Planning Committee: 19th August 2020**

DC19/231 Proposed residential development comprising of 44 dwellings and 22 flats with associated car parking and landscaping at Muir Road, Dumbarton by Caledonia Housing Association

1. REASON FOR REPORT

- 1.1** This application relates to a major development and 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 site extends to approximately 2 hectares and is located in the Bellsmyre area of Dumbarton. The site historically housed a number of high rise six storey blocks of flats but these were demolished a number of years ago. Muir Road runs north to south through the site with shorter cul-de-sacs running off Muir Road. There is a significant change in levels across the site with a drop of 25m being evident from north to the lower southern part of the site. To the north, the site is bounded by an area of open space and access to the Bellsmyre Mountain Bike Track. There is also a play space to the north of the site which providing an informal 'kick about' area and some informal car parking is also provided. To the east of the site are existing two storey, semi-detached residential properties.
- 3.2** Planning permission is sought for 44 two and three bedroom houses and 22 one and two bedroom flats. The two flatted blocks will be three storeys in height and the cottage flats and houses will be two storeys. All will be finished in a contemporary grey multi tone textured brick with roof tiles and grey window frames. The layout retains the existing road network with the flatted units proposed to the southern end of the site, closest to Howatshaws Road together with six houses. Two blocks of cottage flats

are proposed further north within the site, along Muir Road. The remainder of the development is two storey houses sited along Muir Road. Pockets of open space are proposed with the largest area proposed at the south-western part of the site. This area makes use of the sites gradient and will incorporate children's natural play equipment, benches and appropriate landscaping.

- 3.3** Supporting technical information has been provided as part of the application and this includes a Design and Access Statement, a Pre-application Consultation Report, Phase 2 Site Investigation and a Drainage Strategy.

4.0 CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service, Greenspace Scottish Water, Glasgow Airport and SEPA have no objection to the proposed development.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to the submission of a site Investigation report.

5. REPRESENTATIONS

- 5.1** None received.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.2** Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated "Our Green Network" Planning Guidance (2015) in Section 7 below.

- 6.3** Policy T1 and T4 requires sites to integrated with sustainable travel and Policy E5 relates to trees and requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aims to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. The proposal complies with the policies of the adopted local plan and is assessed fully 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** A small parcel of land at the northern most part of the site is identified as a 'Residential Opportunity Site' with an indicative capacity for 10 units. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming. Policy BC4 supports the principle of residential development within existing residential locations, provided there is no adverse impact on neighbouring amenity or character of an area. It is considered that there will be no adverse impacts on either of these.
- 7.3** The consideration of policies DS1, GN2, SD1, DS6 and GN3 and GN5 with regards to new residential development, green network, transport, flooding and drainage and protected species and trees are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure a high design quality in housing and being suitable for a mix of occupants rather than a specific demographic.
- 7.4** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.5** 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. The Examination Report of LDP 2 was received on 22nd April 2020 and will be presented to the August Planning Committee for consideration, together with the modified Local Development Plan 2 and associated documents. The findings of the Examination Report have not materially changed the content and form of the LDP 2 policies and land allocations used in the assessment of this application.
- 7.6** In line with the allocation in LDP1, only part of this application site is identified in LDP2 under Policy H2(46) as a housing opportunity site for affordable housing. The allocated area has an indicative capacity of 10 units. The proposed development of this allocated part of the site and the surrounding residential area is acceptable for new residential development and is in accordance with Policy H2.
- 7.7** Similarly to Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. 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 (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.8** Policy GI2, BE1, FCC1, ENV1, ENV4, ENV5 and ENV6 are similar to the green network, built heritage, tree, water environment and flooding policies of the Adopted and Proposed Plan 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and Local Development Plan 1. Policies 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.
- 7.9** For applications referred to the Place and Design Panel, Policy CP4 is relevant requiring the outcomes to be taken into account and responded to by the applicant. Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. 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. It is considered that the proposals comply with the above policies as discussed below.

Principle of Development

- 7.10** Part of the site is designated within both LDP1 and LDP2 as a 'housing opportunity' site with an indicative capacity of 10 units. The remainder of the site is within an established residential area where the former housing development was located. The site has been vacant for a number of years and is largely surrounded by residential development. The redevelopment of this vacant site for residential purposes would contribute towards the regeneration of the area and would be consistent with the applicable land use policies of the adopted Local Plan and proposed plans which seek to prioritise the regeneration of vacant brownfield sites.
- 7.11** The residential development is considered to be compatible noting the surrounding area and established land uses. On this basis, the principle of residential development on this site is considered to be acceptable.

Site Layout, Design and Appearance.

- 7.12** This is a large site and its redevelopment will play a strategic part in the continuing regeneration of the Bellsmyre area. The site area is bound by Howatshaws Road to the south and the site rises to the north with levels at the top of the site being over 25 metres higher than Howatshaws Road. Despite the challenging levels, the site layout has maximised this as an opportunity and orientated a number of dwellings to benefit from the exceptional views to the south where possible. The larger blocks of flats have been sited at the southern, lower part of the site. Block 1, faces both Howatshaws Road and the main gable faces Muir Road and is 3 storeys in height with pitched roof and an L shaped footprint. Block 2, also 3 storeys with pitched roof would sit further into the site and has its main entrance facing Muir Road, with gables facing north and south. The material palette includes a grey multi tone textured brick, roof tiles and grey window frames with vertical fenestration which provides a minimal and contemporary appearance which will compliment and enhance the existing and established residential area. The three storey flatted blocks are considered to be acceptable in the site context and will provide a presence at the lower aspect of the site. In between the two flatted blocks the layout includes a walkway through a landscaped area to Glenside Road. Within this landscaped area there is a need for some retaining walls and some informal seating has also been provided. Blocks 1 and 2 are provided with some private garden ground and these areas also include refuse and cycle storage..

7.13 The layout also includes two blocks of cottage flats at the corner of the junction of Muir Road with Murroch Avenue and at the corner of the junction of Muir Road and Brackenhurst Street. The cottage flats are two storeys with pitched roof. These are simple in form with a slightly wider frontage to the proposed houses. The remainder of the development is two storey dwellings sited facing either Muir Road or the shorter roads linking into Muir Road. Their siting forms a strong building line and with the landscaping along Muir Road would create an 'avenue' type feature leading and linking to the fields to the north. Where gable walls face Muir Road the house design has been amended to include fenestration and add interests to the streetscene. Fenestration has also been added to the side elevation of plot no. 15 to provide natural surveillance to the open space and play areas. The cottage flats and two storey houses have a similar high quality matching materials palette to the two flatted blocks ensuring a coherent approach and visual links throughout the development site.

7.14 The proposed layout has been restricted by utilising the existing road layout and the topography but what is proposed successfully integrates into the area. The proposal will create a well-designed and integrated development which will address the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the Adopted and Proposed Plans alongside the Residential Development Design Guidance.

Open Space and Landscaping

7.15 As indicated above the proposal includes a number of 'pockets' of open space throughout the development. The largest space is at the southern end of the site and equals approximately 900 sqm. This larger space provides a footpath through to existing connections outwith the site. Because of the gradient a degree of retention is needed and low rising retaining walls will incorporate benches for seating. Children's natural play equipment that makes use of the level changes is also provided within this area along with landscaping and provide opportunities for exploration and exercise. This area has been designed to be well overlooked to ensure it can function as a safe and usable space. Smaller pockets of open space are provided further within the site at prominent corners which will provide more informal green spaces with tree planting which will add to the amenity and biodiversity value and attractiveness of the site. The open

space and landscaping provision proposed for the site is appropriate and will contribute to creating a sense of place and character and meets with the requirements of the Council's Green Network Guidance.

Roads, Parking, Access and Permeability

- 7.16** The road layout remains as existing. A number of 'build outs' have been added to Muir Road which will help to slow down vehicle movements. These physical measures are welcomed and can be planted with street trees to further enhance the landscape and the 'avenue' effect envisaged for Muir Road. A total of 68 car parking spaces are provided within the site and this includes 14 visitor spaces. This level of car parking is considered to be acceptable by the Council's Roads Service. The site is well served by public transport with bus routes and stops in close proximity. Cycle storage is also provided for the flatted development and this will comprise of covered and secured stores together with cycle hoops. With respect to pedestrian movement, the layout does provide pedestrian links from Howatshaws Road through to Muir Road. A pedestrian route is also proposed through the open space at the southern end of the site that will link in to the footpath to Murroch Avenue. The northern part of the site will also be free of a hard boundary treatment in order that pedestrian access can be obtained to the open space to the north of the site and signage is to be installed to raise awareness of these linkages.

Technical Matters

- 7.17** The Council's Environmental Health Service have requested a site investigation report including remediation and mitigation measures. These matters alongside others regarding noise, dust mitigation and construction activity can be addressed as planning conditions. Underground attenuation tanks, filter trenches and porous paving are proposed and a Drainage Strategy has been submitted in support of the application which is considered acceptable.

Pre-application Consultation

- 7.18** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to the submission of the application. The submitted Public Consultation Report identifies that one public event was held on the 13th June 2019 and local Community Councils, MPs and

Councillors were contacted about the proposal. A statutory notice was published in the local press advertising the public event and submission of the Proposal of Application Notice and additional consultation was undertaken by the applicant. The applicant has submitted a pre-application consultation report which highlights that between 15-18 people attended the event through the course of the day. 10 of these attendees completed feedback forms with support for this vacant site being developed for housing. Other comments made include making gardens more useable, having regard to the levels and that larger family homes should be included in the mix of housing types. It is considered that these matters have been addressed as part of the application.

Place and Design Panel

- 7.19** In June 2019, the proposed development was presented to the Place & Design Panel. The Panel felt on principle that this was a positive development for this vacant former residential site and discussed options for addressing the challenging site levels including orientation of the dwellings and minimising retention required which was taken account of. The Panel also discussed activating gables to create more natural surveillance while improving design and opportunities for maximising the views from the site. The observations of the Panel have influenced the final design of the development and the application is considered to be compliant with Policy CP4 on this basis.

8. CONCLUSION

- 8.1** The redevelopment of this vacant brownfield site for residential purposes would assist in the further regeneration of this part of the Bellsmyre and will provide a range of quality affordable housing to the area. The proposals have been subject to extensive discussions with officers at the pre-application stage and the design of the site has clearly evolved through and been informed by the feedback provided through this pre-application process together with input from the Place and Design Panel. The development will provide much needed high quality affordable housing on sustainable and well connected site.

9. CONDITIONS

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the dwellings and associated hard landscaping, to include boundary

treatments, facing stone to the retaining walls and storage facilities within the development site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved material details and palette.

2. The development hereby approved shall be constructed in accordance with the finished site levels and finished floor levels as shown on approved plan - drawing no. P-18-AG0026_700 Rev N Site Plan as proposed, proposed levels,). Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
3. Prior to the first occupation of the flats at Plot 1 and Plot 2 the cycle storage and refuse/recycling stores shall be installed in accordance with the detail shown on drawing nos.P-18-AG0026_715 Rev A – Plot 2 Bin Store Elevations, P-18-AG0026_714 Plot 1 Bin Store Elevations and P-18-AG0026_713- Rev B – Cycle Stand details. The constructed cycle stores and refuse/recycling stores shall be maintained for the lifetime of the development unless otherwise agreed by the Planning Authority.
4. The soft landscape arrangements approved under drawings L01 and L02 'Landscape Proposals (General Arrangement South & General Arrangement North)' including the associated planting schedule shall be implemented no later than the next available planting season or after occupation of the 30th property. Any trees, shrubs or plants forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed by the Planning Authority.
5. The play area and associated equipment hereby approved (drawing no P-18-AG0026_720 –Rev A Play Equipment as Proposed) shall be installed prior to the occupation of the 30th dwelling. Thereafter the play area shall be retained for the lifetime of the development.
6. No house shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed provided within the site in accordance with approved plan - drawing no. P-18-AG0026_700 Rev N Site Plan as proposed, proposed levels). The aforementioned parking shall thereafter be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.

7. Prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
8. 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.
9. Prior to the commencement of the development hereby approved details of the proposed public art, identified in the Design & Access Statement and the signage detailed on (drawing nos.L01 Landscape Proposals – General Arrangement South) shall be submitted to and approved by the Planning Authority in writing. The approved art and signage shall be installed within a timescale to be agreed by the Planning Authority and thereafter maintained for the lifetime of the development.
10. 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-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.
11. During the period of construction, all external works including piling and ancillary operations shall be carried out between the following hours and at no other time, unless otherwise agreed in writing by the Planning Authority:
 - Mondays to Fridays : 0800 – 1800
 - Saturdays: 0800 – 1300
 - Sundays and public holidays: No Working

12. 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.
13. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.
14. No development (other than investigative work) shall take place until such time as a comprehensive site investigation completed by a suitably qualified person has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model shall be formalised and these linkages shall be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted. If the risk assessment identifies any unacceptable risks, a detailed remediation strategy/plan shall be submitted to and approved in writing by the Council's Planning Authority and implemented as approved.
15. If required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed by 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.
16. 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.

17. 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 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.

18. 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 and take into account the following:

- The impact of the piling on surrounding properties.
- Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

19. Prior to the commencement of development on site maintenance details of the Sustainable Urban Drainage System (SUDS) to be installed shall be submitted for the written approval of the Planning Authority and shall be maintained in accordance with the approved details. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created.

Peter Hessett
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Date: 19th August 2020

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Appendix: Location Plan

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. 'Our Green Network' Guidance
7. Residential Development Design Guidance

Wards affected: 2