

# Agenda

## Planning Committee

**Date:** Wednesday, 27 June 2018

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**Time:** 10.00

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**Venue:** Civic Space,  
Council Offices, 16 Church Street, Dumbarton

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**Contact:** Craig Stewart, Committee Officer  
Tel: 01389 737251, [craig.stewart@west-dunbarton.gov.uk](mailto:craig.stewart@west-dunbarton.gov.uk)

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

**JOYCE WHITE**

Chief Executive

Distribution:-

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

All other Councillors for information

Date of Issue: 14 June 2018

**PLANNING COMMITTEE**  
**WEDNESDAY, 27 JUNE 2018**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

**3 MINUTES OF PREVIOUS MEETING 5 - 18**

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 30 May 2018.

**4 NOTE OF VISITATIONS 19**

Submit, for information, Note of Visitations carried out on 23 May 2018.

**5 OPEN FORUM**

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

**6 PLANNING APPLICATIONS**

Submit reports by the Strategic Lead – Regulatory in respect of the following planning applications:-

- (a) DC18/096 – Erection of 89 unit residential development, associated infrastructure, landscaping, parking and drainage at the Development Site, Queen Mary Avenue, Clydebank by Miller Homes Ltd.

**21 – 33**

- (b) DC17/204 – Erection of 4 new dwelling houses at land adjacent to Three Acres, Cochno Road, Clydebank by Mr David Lindsay.

**35 – 46**

- (c) DC18/108 – Erection of single storey rear extension at 9 Hillfoot Avenue, Dumbarton by Mr J. Goldie.

**47 - 50**

**7 REVIEW OF THE PLANNING ENFORCEMENT CHARTER 51 – 70**

Submit report by the Strategic Lead – Regulatory seeking approval of the Planning Enforcement Charter.

**8 HIGH DALMUIR, CLYDEBANK; KNOXLAND SQUARE, 71 – 82  
DUMBARTON; AND LUSSET ROAD/MOUNT PLEASANT DRIVE,  
OLD KILPATRICK CONSERVATION AREAS – CHANGES TO  
CONSERVATION AREA BOUNDARIES**

Submit report by the Strategic Lead – Regulatory seeking approval of alterations to the boundaries of the High Dalmuir, Clydebank; Knoxland Square, Dumbarton; and Lusset Road/Mount Pleasant Drive, Old Kilpatrick Conservation Areas.

**9 STREET NAME FOR NEW HOUSING DEVELOPMENT 83 – 85  
SITE AT LAND ADJACENT TO No. 1 DUMBAIN ROAD,  
ALEXANDRIA**

Submit report by the Strategic Lead – Regulatory requesting the allocation of a new street name to the housing development site at land adjacent to No. 1 Dumbain Road, Alexandria.

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## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 30 May 2018 at 10.00 a.m.

**Present:** Bailie Denis Agnew and Councillors Jim Brown, Gail Casey, Karen Conaghan, Diane Docherty, Jim Finn, Marie McNair, John Mooney and Lawrence O'Neill.

**Attending:** Peter Hessett, Strategic Lead – Regulatory; Pamela Clifford, Planning & Building Standards Manager; Erin Goldie, Team Leader – Development Management; Antony McGuinness, Team Leader – Forward Planning; Bernard Darroch, Lead Planning Officer; Lorna Ramsay, Lead Planning Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

**Apology:** An apology was intimated on behalf of Councillor Douglas McAllister.

### **Councillor Jim Finn in the Chair**

### **DECLARATIONS OF INTEREST**

Bailie Denis Agnew and Councillor John Mooney declared an interest in the item under the heading 'DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde', being members of the West Dunbartonshire Health & Social Care Partnership Board.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 21 March 2018 were submitted and approved as a correct record.

With regard to Planning Application 'DC17/293 – Change of use of former school site to public open space including construction of footpath network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures at the former St Eunan's primary school site, Melfort Avenue, Clydebank by West Dunbartonshire Council', Bailie Agnew requested an update on progress and timescale in relation to the additional condition concerning an investigation of possible leaching of contamination from the site into the lane, to the rear of the terraced row of residential properties to the immediate south of the site. The Planning & Building Standards Manager advised that she was expecting

progress in the coming months but the rate of progress would largely be determined by the applicant.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 19 March 2018, a copy of which forms Appendix 1 hereto, was submitted and noted, subject to the following correction:-

In the sederunt, add Bailie Denis Agnew and Councillors Diane Docherty, Jim Finn and Marie McNair, to the names of those in attendance.

### **OPEN FORUM**

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

### **PLANNING APPLICATIONS**

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

**(1) DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde.**

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair invited Ms Beth Culshaw, Chief Officer of the West Dunbartonshire Health & Social Care Partnership Board; Gary Smithson, Hubwest Scotland; Jonathan McQuillan, Anderson Bell Christie architects and Jackie Maceira, West Dunbartonshire Access Panel, to address the Committee. All were heard in support of the application and in answer to Members' questions.

After discussion and having heard the Planning & Building Standards Manager in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

### **ADJOURNMENT**

Having heard Councillor Finn, Chair, the meeting was adjourned at 11.03 a.m. and was reconvened at 11.13 a.m. with the same Members present, as listed in the sederunt.

- (2) **DC17/230 – Erection of retail development comprising of food store and 7 retail units, with associated infrastructure works including a new access, car parking and landscaping (amended design) on land at Castle Street, Dumbarton by Lidl UK GmbH.**

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair invited Mr Grant Allan, Rapleys, agent for the applicant, Mr Cameron Hall and Gordon Rafferty, applicant, to address the Committee. All were heard in support of the application and were heard in answer to Members' questions.

After discussion and having heard the Planning & Building Standards Manager in answer to Members' questions, Councillor Conaghan, seconded by Bailie Agnew, moved:-

That the Committee grant planning permission, subject to appropriate conditions.

As an amendment, Councillor Mooney, seconded by Councillor Finn, moved:-

That the application be continued to a future meeting of the Committee, pending consideration at a future meeting of the Place and Design Panel.

On a vote being taken, 2 Members voted for the amendment and 7 for the motion, which was accordingly declared carried.

- (3) **DC18/040 – Change of use from public house to licensed restaurant with external seating area at 13-15 Overton Street, Alexandria by Frank Reilly.**

The Committee agreed to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

- (4) **DC17/232 – Demolition of existing housing and erection of residential development of 46 houses and flats on Westcliff and Talisman Avenue, Dumbarton by the Wheatley Group.**

After discussion and having heard the Planning & Building Standards Manager, the Committee agreed to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

## **STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT MILLDAM ROAD, FAIFLEY**

A report was submitted by the Strategic Lead – Regulatory seeking approval of a new street name for the housing development site at Milldam Road, Faifley.

After discussion and having heard the Planning & Building Standards Manager in further explanation and in answer to Members' questions, Bailie Agnew, seconded by Councillor Finn, moved:-

That Milldam Gardens be approved as the street name for the new development.

As an amendment, Councillor O'Neill, seconded by Councillor Mooney, moved:-

That Doublet Court be approved as the street name for the new development.

On a vote being taken, 5 Members voted for the amendment and 2 for the motion. The amendment was accordingly declared carried.

## **REDISCOVERING THE ANTONINE WALL PROJECT – SUBMISSION OF STAGE 2 HERITAGE LOTTERY FUND BID**

A report was submitted by the Strategic Lead – Regulatory seeking approval for the submission of a Stage 2 Heritage Lottery Fund application for the Rediscovering the Antonine Wall Project.

After discussion and having heard the Planning & Building Standards Manager in further explanation and in answer to Members' questions and the Strategic Lead – Regulatory in clarification of certain matters, the Committee agreed to approve the submission of the Stage 2 Heritage Lottery Fund application by West Dunbartonshire Council as lead authority.

Bailie Agnew, having failed to find a seconder for a proposed amendment, requested that his dissent be recorded in respect of this item.

The meeting closed at 12.31 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 19 MARCH 2018**

**Present:** Bailie Denis Agnew and Councillors Jim Brown, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn and Marie McNair.

(The above lists all Councillors who attended at least one site visit).

**Attending:** Pamela Clifford, Planning & Building Standards Manager and Erin Goldie, Team Leader – Development Management.

**SITE VISITS**

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

(1) Former St Eunan's primary school site, Melfort Avenue, Clydebank

DC17/293 – Change of use of former school site to public open space including construction of footpath, network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures by West Dunbartonshire Council.

(2) Land at Young's Farm, Renton Road, Dumbarton

DC17/140 – Mixed use development incorporating a football stadium and associated uses (including restaurant, hospitality and function suites), residential development, commercial and tourism development, floodlit sports pitches, access, parking, and landscaping etc. by DFC Community Stadium Company Ltd.

**DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde.**

Permission **GRANTED** subject to the following conditions:-

1. The materials to be used on the development hereby approved shall be a mix of facing brick (Crest Titan multi brick) 5mm weathered corten steel, aluminium curtain walling system (RAL 7021 Matt), 150mm pressure cap and cream mortar. All external materials shall be implemented as per the approved details unless otherwise agreed in writing with the Planning Authority.
2. Unless otherwise agreed in writing no development shall commence on site until samples of all hard surfacing and edging materials throughout the site shall be submitted for the further written approval of the Planning Authority. Such details shall include the provision of sample panels showing options for the material to be used in front of the main entrance to the health and care centre adjacent to the shared surface and public realm area at the head of the basin and shall be co-ordinated with the materials for the wider Queens Quay public areas. The agreed materials shall thereafter be implemented as approved prior to the occupation of the building.
3. Unless otherwise agreed in writing no development shall commence on site until full details of the design and location of all walls and fences to be erected on site, including the corten steel gates at the entrance to the maintenance access path, shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
4. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS), its maintenance following installation and how it connects to the wider SUDS system shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS scheme shall thereafter be formed and maintained on site prior to the occupation of the building and in accordance with the approved details.
5. The landscaping scheme approved under Drawing No.16020\_SW\_201 Rev D02 shall be implemented as approved not later than the next appropriate planting season after the occupation of the building. Details of the maintenance arrangements for the landscaping scheme shall be submitted for further approval and the landscaping shall thereafter be maintained in accordance with these details. No landscaping details or features shall be altered or removed without the prior approval of the Planning Authority.

6. Prior to the commencement of development on site, timescales for the completion of pedestrian walkways, landscaping works, hard surfaces and boundary treatments, shall be submitted for the further approval of the Planning Authority. Thereafter, such works shall be fully implemented as agreed and maintained.
7. The development shall be constructed in accordance with the proposed ground levels as shown on Drawing No. 16020\_LG\_202 Rev D02. Any alterations to these levels shall first be agreed in writing with the Planning Authority.
8. Unless otherwise agreed in writing no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken as agreed by the Planning Authority in consultation with the West of Scotland Archaeology Service.
9. Prior to work commencing on site, the arrangements to ensure that all public roads are kept free of deleterious material (wheel washers and rumble strips), shall be put in place and implemented as approved.
10. Twelve months after the commencement of use, a parking review including a methodology statement to be agreed with the Planning Authority shall be undertaken to ascertain levels of parking and to establish whether there are any parking related problems associated with the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority and any actions recommended in the review shall be implemented in a timescale agreed with the Planning Authority.
11. Notwithstanding the details shown on the approved plans, the final location and details of the substation and generator building shall be submitted for the written approval of the Planning Authority, and implemented as approved.
12. No development (other than investigative works) shall commence on site until such time as a revised remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme 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 historic 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. Notwithstanding the submitted details, details of assessment criteria and sampling frequency to demonstrate the suitability of any site-won material or imported material to be used shall be submitted to and approved by the Planning Authority prior to any such material being re-used or imported.
14. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development on site (other than that required to carry out said 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.
15. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work shall cease on that particular part of the site. At this stage, if requested, a comprehensive contaminated land 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 scheme shall be implemented as approved.
16. Unless otherwise agreed in writing no development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for the proposed use to cause noise nuisance affecting nearby properties. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. Should the approved noise attenuation scheme impose restrictions upon the way in which operations on the site are carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.
17. Unless otherwise agreed in writing no development shall take place on site until such times 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.

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 should include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 Evaluation of Human Response to Vibration in Buildings. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
19. Unless otherwise agreed in writing no development shall commence on site until a scheme for the control and mitigation of dust shall be submitted for the further approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and measures to prevent or limit the occurrence and impact of such dust. The scheme shall be implemented as approved prior to any dust-generating activities commencing on site.
20. 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.
21. Unless otherwise agreed in writing no development shall commence on site until details of sustainable travel information to be provided to patients including information screens and wayfinding signage within the new health and care centre building and elsewhere within the site shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
22. Unless otherwise agreed in writing no development shall commence on site until full details of any external lighting including floodlights shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
23. Unless otherwise agreed in writing no development shall commence on site until full details of the cycle racks, bike store and bin storage areas to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
24. Unless otherwise agreed in writing no development shall commence on site until a solar glare hazard assessment shall be submitted for the further written approval of the Planning Authority in consultation with Glasgow Airport Safeguarding. Any recommendations made within the assessment shall be implemented prior to the occupation of the building.

25. Unless otherwise agreed in writing no development shall commence on site until full details of the access barrier at the entrance to the staff car park, including its appearance and how it will operate shall be submitted for the further written approval of the Planning Authority and implemented as approved.
26. Unless otherwise agreed in writing no development shall commence on site until full details of any signage to be erected on the building and elsewhere within the boundary of the site shall be submitted for the further written approval of the Planning Authority and implemented as approved.
27. No satellite antenna, aerials or additional plant equipment shall be erected on the roof or any part of the exterior of the building without the prior approval of the Planning Authority.
28. Prior to the occupation of the building the agreed bird management proposals on the roof shall be implemented as approved.

**DC17/230 – Erection of retail development comprising of food store and 7 retail units, with associated infrastructure works including a new access, car parking and landscaping (amended design) on land at Castle Street, Dumbarton by Lidl UK GmbH.**

Permission **GRANTED** subject to appropriate conditions.

**DC18/040 – Change of use from public house to licensed restaurant with external seating area at 13-15 Overton Street, Alexandria by Frank Reilly.**

Permission **GRANTED** subject to the following conditions:-

1. 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. The development shall thereafter be completed in accordance with the approved details.
2. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected around the external seating area shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details.
3. Prior to the commencement of development on site details of the design and location of the bin stores shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the restaurant being brought into use.

4. The external seating area shall not be available for use between 9pm and 9am.
5. There shall be no amplified music or noise making equipment installed within the external seating area.

**DC17/232 - Demolition of existing housing and erection of residential development of 46 houses and flats on Westcliff and Talisman Avenue, Dumbarton by the Wheatley Group.**

Permission granted subject to the following conditions:-

1. 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 the development shall thereafter be completed in accordance with the approved details.
2. 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 the development shall thereafter be completed in accordance with the approved details.
3. 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 the development shall thereafter be completed in accordance with the approved details.
4. Prior to the commencement of development details of the design and location of the bin stores, cycle storage, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the approved properties, unless otherwise agreed in writing with the Planning Authority.
5. No house/flatted unit shall be occupied until the vehicle parking spaces associated with that house/flatted unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of any of the residential properties.
7. A landscaping scheme for 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

occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.

8. Prior to the commencement of development, full details of a play area to be provided on the land adjacent to Havoc Road shall be submitted for the written approval of the Planning Authority. The play area shall thereafter be installed prior to completion of the 20th unit within the development unless otherwise agreed in writing with the Planning Authority and maintained in accordance with the approved details.
9. Prior to the commencement of development, full details of a pedestrian link between Talisman Avenue and Havoc Road shall be submitted for the written approval of the Planning Authority. The pedestrian link shall thereafter be installed prior to completion of the 20th unit within the development unless otherwise agreed in writing with the Planning Authority and maintained in accordance with the approved details.
10. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
11. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
12. 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 BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
13. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
14. 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 shall be 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.

15. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.



## PLANNING COMMITTEE

### NOTE OF VISITATIONS – 23 MAY 2018

**Present:** Provost William Hendrie and Councillors Jim Brown, Karen Conaghan, Diane Docherty, Marie McNair and John Mooney.

(The above lists all Councillors who attended at least one site visit).

**Attending:** Pamela Clifford, Planning & Building Standards Manager, Erin Goldie, Team Leader – Development Management; Bernard Darroch, Lead Planning Officer and Lorna Ramsay, Lead Planning Officer.

### SITE VISITS

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

(1) Former Distillery site, Castle Street, Dumbarton

DC17/230 – Retail development (amended design) at Former Distillery site, Castle Street, Dumbarton by Lidl UK.

(2) 13-15 Overton Street, Alexandria

DC18/040 – Change of use from public house to licensed restaurant with external seating area at 13-15 Overton Street, Alexandria by Frank Reilly.

(3) Queens Quay, Clydebank

DC18/057 – New Clydebank health and care centre within the health quarter of the Queens Quay masterplan by NHS Greater Glasgow & Clyde.



**WEST DUNBARTONSHIRE COUNCIL****Report by Strategic Lead- Regulatory****Planning Committee: 27 June 2018**

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**DC18/096:                   Erection of 89 unit residential development, associated infrastructure, landscaping, parking and drainage at the Development Site, Queen Mary Avenue, Clydebank by Miller Homes Ltd.**

**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**    That the Committee indicate that it is **Minded to Grant** full planning permission, and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of an outstanding consultation with the Council's Roads Service and a legal agreement or other suitable mechanism to secure payment of a financial contribution.

**3.       DEVELOPMENT DETAILS**

- 3.1**    The application site is located to the west of Queen Mary Avenue, and was formerly occupied by Braidfield High School. The site is vacant and has been cleared following the demolition of the school. The site extends to 3.13 hectares and is bounded on all sides by housing. In the south west corner of the site there is an area of trees which are covered by a Tree Preservation Order (TPO) and this corner of the site is bounded by Kilbowie Cemetery. There are no significant level changes across the majority of the site, although the levels do get higher in the southern portion of the site before a significant drop in levels of up to 3m in the south western corner.
- 3.2**    Full planning permission is sought for the erection of 89 residential units comprising a mixture of terraced, semi-detached and detached houses. The properties will consist of private housing for sale and would either be

three or four bedroom properties. In total there would be 32 three bedroom properties and 57 four bedroom properties. A new access into the site from Queen Mary Avenue would be provided and there would be two internal loop roads around which the houses would be constructed. A SuDs basin would be formed near the site entrance and an area of open space would be provided within the area covered by the Tree Preservation Order. The open space would also be used to provide a play area.

- 3.3** The properties would all be two storey in height and have dedicated off street parking. The houses would be finished with render and dark grey concrete roof tiles. A design and access statement has been submitted in support of the application which demonstrates how the layout addresses the surrounding area and the level differences on site.

## **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service had not responded at the time of writing this report.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to noise, permitted hours of work on site, deliveries, piling, potential site contamination, air quality and dust control measures.
- 4.3** West Dunbartonshire Council Estates Section, Access Officer and SEPA and Scottish Water have no objection to the proposed development.

## **5. REPRESENTATIONS**

- 5.1** One representation has been submitted in relation to this application which objects to the proposal for the following reasons:
- The development will result in some properties overshadowing and overlooking an existing property on Queen Mary Avenue;
  - The plans that have been submitted are not accurate with regard to the existing garden boundaries that are shown;
  - There is a tree located outwith the development site and permission is not given for its removal, only the trimming of the tree;
  - The development will result in Scottish Water relocating an existing valve.
- 5.2** One further representation has been submitted which supports the proposal but raises concerns about the location of the play area, its

proximity to existing houses and the fact that it may encourage anti-social behaviour.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The site is identified under Policy GD2 as a redevelopment opportunity suitable for residential use. The site is also located within an Existing Residential Area, where Policy H5 seeks to preserve the character and amenity of existing residential areas. In particular, it seeks to avoid overdevelopment which would have an adverse impact on local amenity, access and parking or would be out of scale with surrounding buildings. Policy H4 sets out standards expected of residential development, requiring high quality in terms of shape, 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 in which it is located.
- 6.2** A small portion of the site is covered by a TPO and Policy E4 seeks to protect trees covered by TPO. Policy E5 seeks to ensure that trees affected by any development are fully considered as part of the planning process. Policy R2 specifies the open space provision required for all development and would allow the Council to request payment of a financial contribution where appropriate. Assessment of open space requirements has been undertaken against the more up to date document, "Our Green Network" Guidance.
- 6.3** Policy F2 relates to drainage and aims to ensure that new development does not increase the risk of flooding elsewhere and has suitable drainage infrastructure which includes SUDS measures.
- 6.4** Policy T4 relates to the accessibility of new development and requires new developments to integrate with walking, cycling, and public transport routes.
- 6.5** The proposal complies with the relevant policies contained in the adopted local plan and is fully assessed in Section 7 below.

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

### West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.

- 7.2** The majority of the site is identified under Policy BC2 as a private housing opportunity with an indicative capacity of 50 units. However, this is only an indicative site capacity and this figure is based on a development of detached houses whereas the current proposal includes both terraced and semi-detached housing. Policy BC4 supports the principle of residential development, provided there is no adverse impact on neighbouring amenity or the character of an area.
- 7.3** Part of the site includes an area identified as open space and Policy GN1 supports the retention and improvement of open space. Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating open space at a level proportionate to the scale of development and in accordance with "Our Green Network" Guidance. This guidance allows open space to be integrated within a development or where this is not possible, any identified shortfall may be addressed through a financial contribution which would be used to enhance open space provision in the local area. The proposal is assessed against these policies and guidance below.
- 7.4** Policy GN5 states that development will not be supported where it would have a detrimental impact on trees which contribute to the amenity of the surrounding area.
- 7.5** Policy DS1 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). All residential developments of more than 3 units are also expected to comply with the Residential Development: Principles of Good Design Guidance.
- 7.6** Policy DS3 requires that significant travel generating uses are located within 400 metres of the public transport network. Policy DS6 states development will not be supported where it would have a significant probability of being affected by flooding or increase the risk of flooding elsewhere, and requires SUDS to be included, where appropriate in developments.

- 7.7** It is considered that the proposals comply with the above policies and the detailed assessment is set out below.

Principle of development

- 7.8** The application site has been vacant for a number of years and redevelopment for residential purposes would contribute towards the regeneration of the surrounding area and would be consistent with the land use policies of both the adopted and proposed plan. The surrounding residential area includes a mixture of housing tenures and this proposal represents an opportunity to contribute to its regeneration. The proposed housing would be provided as private housing for sale, which is also consistent with the relevant land use allocation.

Layout, Design and Appearance

- 7.9** The layout creates a new street pattern through the use of two loop roads within the development via a single vehicular access to the site. The northern half of the site has a more traditional road layout, including dedicated footpaths whilst the southern half of the site makes use of a shared surface arrangement. The combination of the layout and road design, seeks to incorporate the principles of the 'Designing Streets' guidance and the Council's Residential Design Guidance through a more pedestrian focussed layout and the prominence of open space/landscaping within the site which is welcomed. The terraced properties in the south eastern corner of the site will look out of the development site and address Queen Mary Avenue. The road and pedestrian links ensure that the development is convenient for pedestrians and vehicles to move around. The site is only a short distance from Drumry Road which is served by buses at regular intervals.
- 7.10** The design of the buildings will contrast with the existing post war housing nearby in terms of materials, size and appearance. The proposed housing would be of contemporary design and would be two storey. The number of units on site has been reduced as a result of earlier discussions and the result is an increased area of open space and an improved relationship with the protected trees on site. The layout will address the level changes on site and there will be no amenity issues as it is not considered that there will be any unacceptable overlooking or overshadowing.
- 7.11** The use of a simple palette of materials primarily consisting of render and concrete roof tiles, will complement the mix of materials used in the surrounding area. It would also introduce a contemporary aspect to the area which would contribute positively to its regeneration. The density, layout, materials and general appearance of the development are all considered to be acceptable.

#### Landscaping and open space

- 7.12** Although the proposal includes an area of open space which will contain a play area and a SuDs feature, there is a shortfall in open space provision when compared to the Council's 'Our Green Network' guidance. As a result, the applicant will be required to pay a financial contribution of £9450. The provision of the children's play area should integrate with the existing trees on site and this can be controlled through use of an appropriate condition. The play area is positioned in a suitable location and will be overlooked by the new housing, increasing natural surveillance of the area and reducing the likelihood of any anti-social behaviour.
- 7.13** The children's play area will be located within an area covered by a TPO. Initially, it had been intended that this area would be developed for housing but the proposals have been revised to minimise any impacts on the trees covered by the TPO. However, there are three trees covered by the TPO which are proposed to be felled. One is affected by the route of the proposed road, one is in a poor state of repair and another tree is causing damage to an existing boundary wall. Although it is never desirable to lose trees protected by a TPO, this development represents an opportunity to undertake some management of the trees on site and undertake replacement planting. The loss of the trees in this instance is considered to be reasonable and acceptable subject to appropriate replanting being undertaken.

#### Roads, Parking and Drainage

- 7.14** The site will be accessed from a single point on Queen Mary Avenue and due to the number of houses proposed, a single access is considered to be acceptable. There is sufficient space to form a junction and also provide an area of landscaping at the site entrance. Within the site, the two loop roads proposed are acceptable and sufficient parking is provided throughout the development.
- 7.15** The site is not at risk of flooding, but in order to provide appropriate surface drainage for the new housing and roads, SuDS measures will be provided throughout the site.

#### Contamination

- 7.16** In order to ensure that the development is completed satisfactorily, conditions will be attached to ensure that any contamination on site is adequately addressed. The Council's Environmental Health Service is content that these conditions will allow any contaminated land issues to be resolved.

#### Pre-application consultation

- 7.17** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to submission of the application. One

public event was held and local community councils 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. The applicant has submitted a pre-application consultation statement which highlights that 35 people attended the public event. A number of concerns were raised which included site drainage, location of SuDs features, provision/location of the play area, privacy and overshadowing impacts on the surrounding transport network. These matters have been addressed as part of the planning application.

#### Place & Design Panel

- 7.18** Prior to the submission of the planning application, the proposals were presented to the Place and Design Panel for review at a later stage in the design process as the design had already progressed. It is preferable for plans to be submitted to the panel prior to layout and design details being proposed but that was not the case in this instance. The panel noted the changes that had been made since the initial plans were submitted to the Council for consideration and were broadly supportive of the proposals. The panel did enquire about whether a pedestrian link could be provided to Kilbowie Cemetery in the south western corner of the site. Whilst this has been considered, it has not been proposed by the applicant for a variety of reasons, including level differences and the positioning of protected trees. Consideration was given to forming driveways onto Queen Mary Avenue but a compromise was reached whereby the houses front directly onto Queen Mary Avenue, with parking to the rear.

#### Other Matters Raised in Representations

- 7.19** In addition to the above matters, there were a further three points raised in representations relating to the relocation of a Scottish Water Valve, the site boundary not being shown accurately and a tree located out with the site boundary. Any works out with the site boundary would require the permission of the relevant land owner and would not form part of this application. Similarly, any discrepancies concerning the site boundary and land ownership are a civil matter. The issue of relocating a Scottish Water Valve would have to be agreed between the applicant, Scottish Water and any relevant land owner. These issues are not considered material to the consideration of this application.

## **8. CONCLUSION**

- 8.1** The proposed redevelopment of the site for residential purposes is in compliance with the adopted and proposed local plans and would assist in the further regeneration of this area of Clydebank. The layout, design and materials of the development are all considered acceptable. The

development provides much needed private housing at this location which would be compatible with the immediate area.

## **9. CONDITIONS**

- 1. 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 the development shall thereafter be completed in accordance with the approved details.**
- 2. 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 the development shall thereafter be completed in accordance with the approved details.**
- 3. 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 the development shall thereafter be completed in accordance with the approved details.**
- 4. Prior to the commencement of development, details of the design and location of the street furniture and lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the approved properties, unless otherwise agreed in writing with the Planning Authority.**
- 5. No unit shall be occupied until the vehicle parking spaces associated with that unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.**
- 6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of any of the residential properties.**
- 7. A landscaping scheme for 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 occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.

8. **Prior to the commencement of development, full details of a play area to be provided on site shall be submitted for the written approval of the Planning Authority. The play area will be required to integrate with the surrounding area of protected trees and include natural play equipment and shall thereafter be installed prior to completion of the 20th unit within the development unless otherwise agreed in writing with the Planning Authority and maintained in accordance with the approved details.**
9. **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.**
10. **Prior to the commencement of development on site an air quality impact assessment in accordance with the Environmental Protection UK guidance document “Land-use Planning and Development Control: Planning for Air Quality 2017” shall be submitted to and approved by the Planning Authority. The findings of the assessment shall be implemented within a timescale agreed by the Planning Authority.**
11. **During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.**
12. **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 BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.**

- 13. 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 shall be 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.**
- 14. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.**
- 15. 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, pets, service lines and pipes;
  - ground waters and surface waters.
- c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
16. No development (other than investigative 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.
17. 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.
18. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed 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 in writing by the Planning Authority.

19. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
20. Prior to the commencement of development on site, details of measures to protect the trees on site shall be submitted for the written approval of the Planning Authority. Thereafter the agreed measures shall be implemented and remain in place at all times during construction on site unless otherwise agreed in writing with the Planning Authority.

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 12th June 2018**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Site Location Map

**Background Papers:**

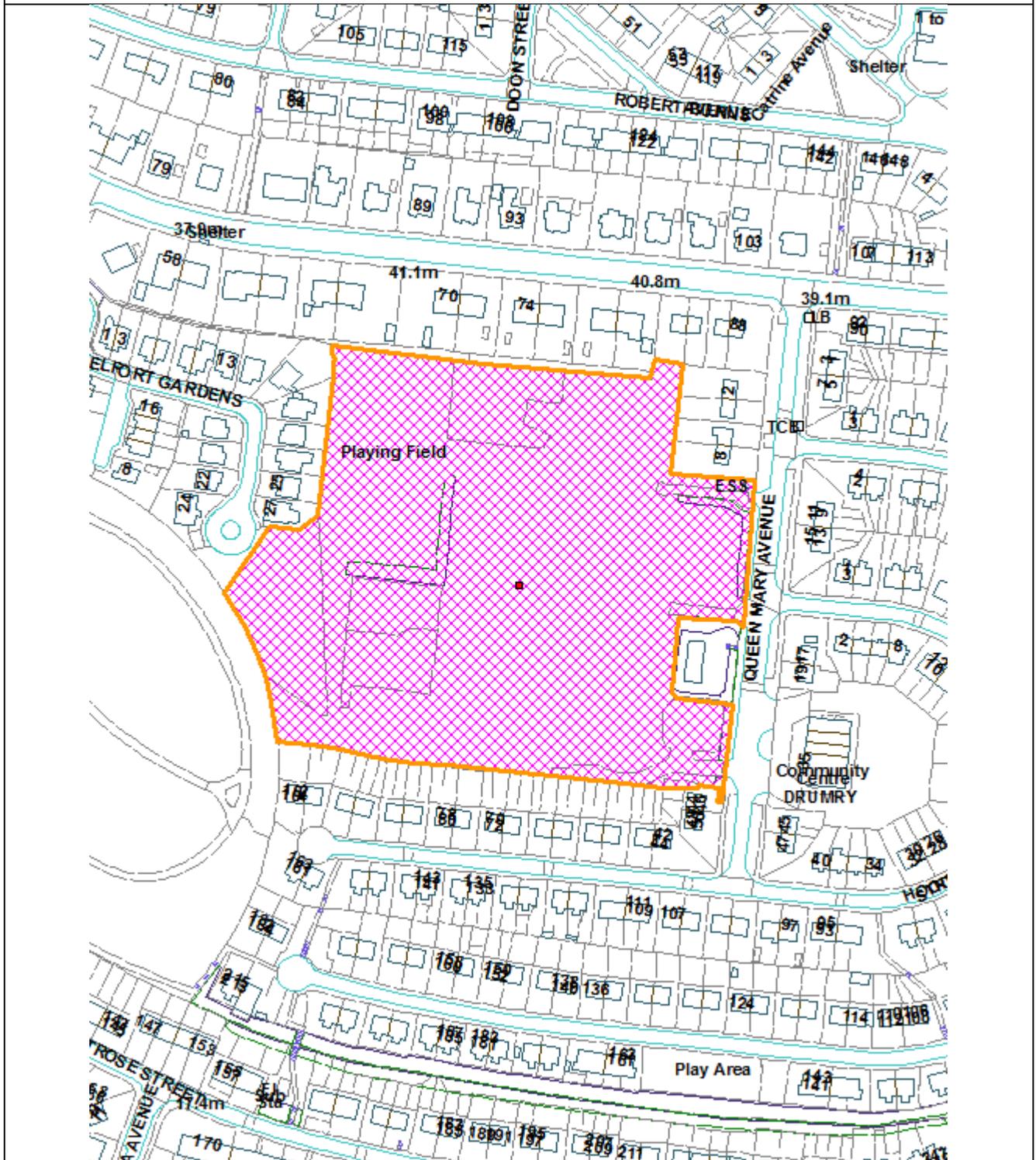
1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. Place and Design Panel Report; and
6. Representations.

**Wards affected:** Ward 5 (Clydebank Central)

DC18/096

Erection of 89 unit  
residential development,  
associated infrastructure,  
landscaping, parking and  
drainage

Development Site  
Queen Mary Avenue  
Clydebank





**WEST DUNBARTONSHIRE COUNCIL****Report by Strategic Lead- Regulatory****Planning Committee: 27 June 2018**

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**DC17/204:                   Erection of four new dwelling houses on land adjacent to Three Acres, Cochno Road, Clydebank by David Lindsay.**

**1.     REASON FOR REPORT**

- 1.1**   This application relates to a proposal which raises issues of local significance and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

**2.     RECOMMENDATION**

- 2.1**   That the Committee indicate that it is **Minded to Grant** full planning permission, and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure payment of a financial contribution towards open space provision or enhancing open space in the local area.

**3.     DEVELOPMENT DETAILS**

- 3.1**   The application site is located to the east of Cochno Road on land currently associated with Three Acres which is a residential property. The site is bounded by housing to the north, east and south east whilst there is an area of woodland and the Cochno Burn to the south west. The site extends to approximately 0.3 hectares and consists of an area of lawn. Access to the site is taken from an unadopted lane from Cochno Road which passes along the northern boundary of the site. The area of land alongside the burn and the woodland directly to the south of the site is designated as green belt and acts as a woodland corridor along Cochno Burn.
- 3.2**   Full planning permission is sought for the erection of 4 detached houses. The properties will consist of private housing for sale and would all be 1 ½ storey properties containing four bedrooms. The existing access road would be retained, with the new properties fronting onto this. Each

property would be provided with private off street parking and a front and rear garden. The properties would have a traditional scale, finished with pitched roofs containing two dormer windows on the front elevation. The materials palette will consist of a grey brick base course, white render and grey concrete roof tiles.

- 3.3** Planning Permission in Principle was previously granted for three house plots at this location and thereafter, two detailed applications were approved for two of those plots. None of these permissions were implemented and they have now all lapsed.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to a maximum of six residential units being served from a single private access.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to noise, permitted hours of work on site, deliveries, piling, potential site contamination and dust control measures.

#### **5. REPRESENTATIONS**

- 5.1** One representation from a local resident has been submitted in relation to this application which objects to the proposal for the following reasons:

- The track serving the proposed development is very narrow.
- This development will exacerbate existing congestion on Cochno Road.
- The proposal constitutes overdevelopment of the site.
- This development could set a precedent to permit further residential development on this site in the future.
- The proposal would result in the loss of a natural wildlife habitat and is therefore contrary to the local plan.
- The development could raise overlooking and overshadowing issues.

- 5.2** One further representation has been submitted from Clydebelt and does not object to the proposal but raises the following points:

- The site should be separated from the green belt by native hedging.
- The development should have an appearance which is suitable for a semi-rural setting.

- Construction work should not result in any detrimental impacts on wildlife in the surrounding area.
- The existing business on site should remove any pollution or dumped material from the vicinity of the site.
- It is assumed that the existing access road will be widened.
- Although not objecting, a lower density may be preferable and the development should blend with the nearby countryside and enhance biodiversity and wildlife in the area.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The majority of the site is located within an Existing Residential Area, where Policy H5 seeks to preserve the character and amenity of existing residential areas. In particular, it seeks to avoid overdevelopment which would have an adverse impact on local amenity, access and parking or would be out of scale with surrounding buildings. Policy H4 sets out standards expected of residential development, requiring high quality in terms of shape, 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 in which it is located.
- 6.2** Part of the site is within the green belt and is therefore covered by Policy GB1 which seeks to preserve the character of these areas and restrict development to certain types. The only part of the proposal which would encroach into the green belt are the gardens of two house located on plots 3 and 4 and this is considered acceptable at this location. It is not proposed to undertake any tree removal in the green belt.
- 6.3** Policy R2 specifies the open space provision required for all development and provides for the Council to request payment of a financial contribution where appropriate. Assessment of open space requirements has been undertaken against the more up to date document, “Our Green Network” Guidance.
- 6.4** Policy F2 relates to drainage and aims to ensure that new development does not increase the risk of flooding elsewhere and has suitable drainage infrastructure which includes SUDS measures.
- 6.5** Policy T4 relates to the accessibility of new development and requires new developments to integrate with walking, cycling, and public transport routes.
- 6.6** The proposal complies with the relevant policies contained in the adopted local plan and is assessed in Section 7 below.

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

- West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.2** The majority of the site is located within an Existing Neighbourhood where Policy BC4 supports the principle of residential development, provided there is no adverse impact on neighbouring amenity or the character of an area. Policy DS1 is also applicable and seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants rather than a specific demographic.
- 7.3** Part of the site is within the green belt and is therefore covered by Policy DS2 which seeks to preserve the character of these areas and restrict development to certain types. The only part of the proposal which would encroach into the green belt are the gardens of two houses on plots 3 and 4 and this is not considered to have a detrimental impact on the purpose of the green belt at this location. It is not proposed to undertake any tree removal in the green belt.
- 7.4** Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating open space at a level proportionate to the scale of development and in accordance with "Our Green Network" Guidance. This guidance allows open space to be integrated within a development or where this is not possible, any identified shortfall may be addressed through a financial contribution which would be used to enhance open space provision in the local area. The proposal is assessed against these policies and guidance below.
- 7.5** Policy DS1 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). All residential developments of more than 3 units are also expected to comply

with the Residential Development: Principles of Good Design Supplementary Guidance.

- 7.6** Policy DS3 requires that significant travel generating uses are located within 400 metres of the public transport network. Policy DS6 states development will not be supported where it would have a significant probability of being affected by flooding or increase the risk of flooding elsewhere, and requires SUDS to be included, where appropriate in developments.
- 7.7** It is considered that the proposals comply with the above policies and the detailed assessment is set out below.

Principle of development

- 7.8** The application site is associated with a single detached dwelling (Three Acres). While the four dwellings are proposed to be sited within a previously undeveloped part of the site, there is land, also within the application site, that includes a workshop, a number of associated vehicles, machinery and containers. Redevelopment of part of the application site for residential purposes would result in this associated area of land being tidied up and the amenity of the area being improved. The development would not have a detrimental impact on the area of land designated as Green Belt that lies to the south of the site onto which the garden areas of two properties will encroach. The surrounding residential area includes a mixture of house types and this proposal represents an opportunity to contribute additional housing at this location, which is also consistent with the relevant land use allocation. The proposed development would be consistent with the land use policies of the adopted and proposed development plans.

Layout, Design and Appearance

- 7.9** The proposed development would not be overly prominent from Cochno Road and would sit against a woodland backdrop associated with the Cochno Burn. The separation distance from the riparian trees is such that there should be no adverse impact on root systems. The layout is relatively straightforward, with the properties addressing the existing access lane. The initial proposal was for five detached houses but this has now been reduced to four, ensuring that there is no overdevelopment of the site. Due to the size of the site and the narrow access lane, it is challenging to incorporate the principles of the Scottish Government's 'Designing Streets' guidance and the Council's Residential Design Guidance through a more pedestrian focussed layout. However, the development does include an area of communal/ open space within the site which is welcomed and is located between plots 3 and 4. Planting within this area will contribute to local biodiversity and will connect with the trees to the south of the site thereby extending the woodland corridor.

**7.10** There are a variety of house types in the surrounding area and the design of the buildings will compliment those nearby and also reflect more recent housing developments on Cochno Road in terms of materials, size and appearance. The proposed housing would be of contemporary design and would be 1 ½ storey, containing front dormer windows. The layout will address the levels on site and there will be no amenity issues. It is not considered that there will not be any unacceptable overlooking or overshadowing within the development site or with existing properties in the area.

**7.11** The use of a simple palette of materials primarily consisting of render and concrete roof tiles will complement the mix of materials used in the surrounding area. It would also contribute positively to its visual appearance. The density, layout, materials and general appearance of the development are all considered to be acceptable.

#### Landscaping and open space

**7.12** Although the proposal includes an area of communal/open space, a development of this size is required to make a financial contribution in order to comply with the Council's 'Our Green Network' guidance. In total, the applicant will be required to pay a financial contribution of £5400.

#### Roads, Parking and Drainage

**7.13** The site will be accessed from a lane from Cochno Road and due to the number of houses proposed, the existing single access is considered to be acceptable. There is sufficient space to form a junction and provide access to each of the proposed properties. Due to the minimal increase in traffic which will arise from this development, it is not anticipated that there will be any additional congestion on the surrounding road network.

**7.14** The site is in close proximity to Cochno Burn but is not highlighted as being within an area at risk of flooding. In order to provide appropriate surface drainage for the new housing and access, the proposal would require to incorporate SuDS measures for the disposal of surface water from roads, parking and roof areas, and make use of permeable paving throughout the site. This can be controlled through an appropriate condition.

#### Contamination

**7.15** In order to ensure that the development is completed satisfactorily, conditions will be attached to ensure that any contamination on site is adequately addressed. The Council's Environmental Health Section is content that these conditions will allow any contaminated land issues to be resolved. To ensure that appropriate measures are taken if required, the conditions will seek to ensure that suitable remediation is undertaken.

## **8. CONCLUSION**

- 8.1** The proposed development of the site for residential purposes is in compliance with the adopted and proposed local plans. The layout, design and materials for the development are all considered acceptable and it is an appropriate form of development for this semi-rural location.

## **9. CONDITIONS**

- 1. 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 the development shall thereafter be completed in accordance with the approved details.**
- 2. 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 the development shall thereafter be completed in accordance with the approved details.**
- 3. 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 the development shall thereafter be completed in accordance with the approved details.**
- 4. Prior to the commencement of development, details of the design and location of lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the approved properties, unless otherwise agreed in writing with the Planning Authority.**
- 5. No house shall be occupied until the vehicle parking spaces associated with that unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.**
- 6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban**

**Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of any of the residential properties.**

- 7. A landscaping scheme for the site, including the site boundaries and area of open space shall be submitted for the written approval of the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.**
- 8. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.**
- 9. 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 shall be 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.**
- 10. 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, pets, service lines and pipes;
  - ground waters and surface waters.
- c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
11. No development (other than investigative 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.
12. 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.
13. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed 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 in writing by the Planning Authority.**

- 14. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.**
- 15. Prior to the commencement of development on site, a plan detailing the proposals for the tidying up of the existing site around the workshop, shall be submitted for the written approval of the Planning Authority. Thereafter the site shall be tidied up in accordance with the approved details prior to work commencing on the construction of any of the dwellinghouses hereby approved.**
- 16. Prior to the commencement of development on site, details of measures to protect trees located within and adjacent to the site shall be submitted for the written approval of the Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved details.**
- 17. No trees shall be removed either within or adjacent to the site without the prior written approval of the Planning Authority.**
- 18. Prior to the commencement of development on site, details of any site compound or storage area shall be submitted for the written approval of the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.**
- 19. Prior to the commencement of development on site, details of the existing and proposed ground levels (including a topographical survey and cross sections) shall be submitted for the written approval of the Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved details.**

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 12th June 2018**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards  
Manager  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Site Location Map

**Background Papers:**

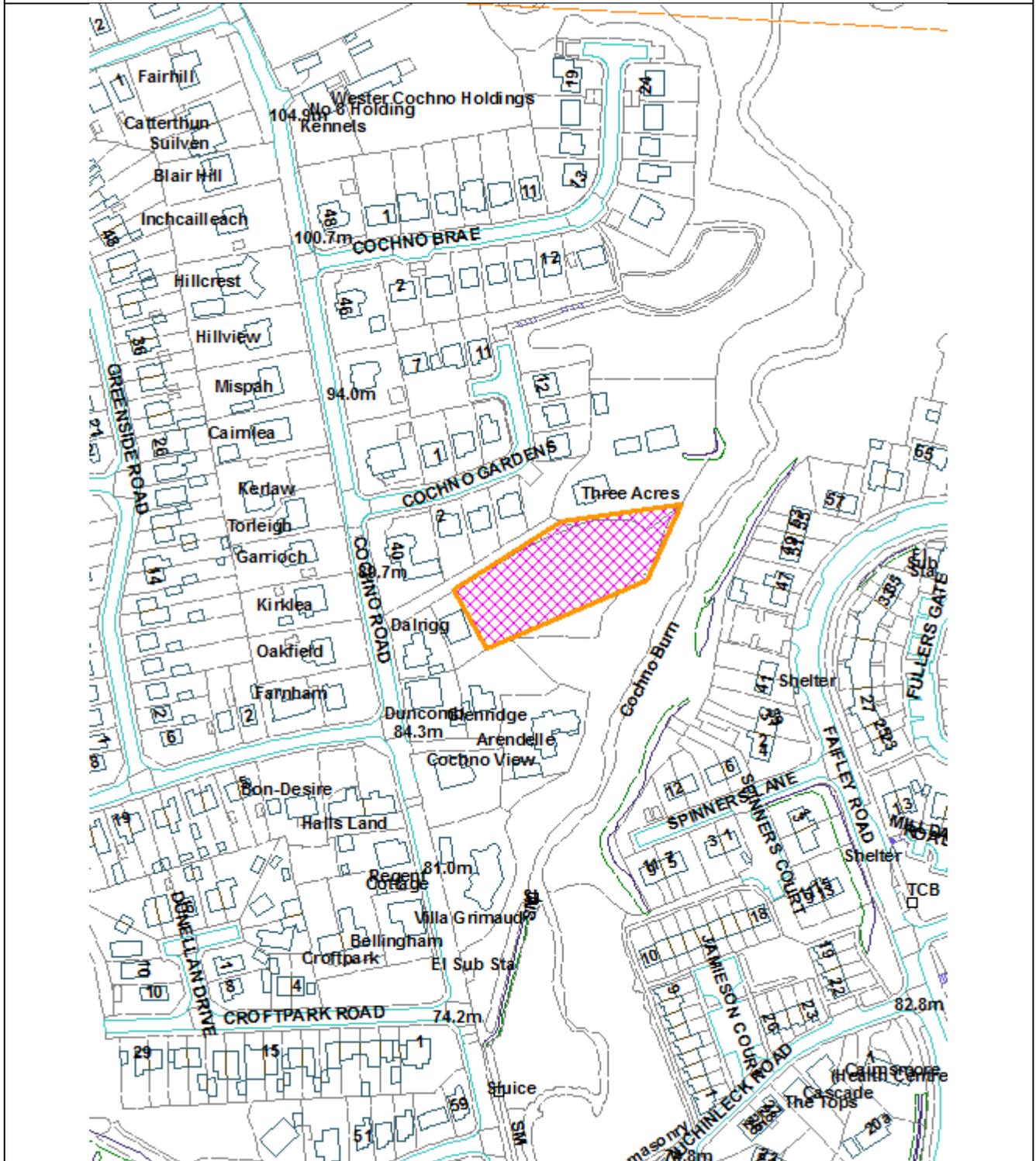
1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan  
Proposed Plan; and
5. Representations.

**Wards affected:** Ward 5 (Clydebank Central)

DC17/204

Erection of four new  
dwelling houses

Land Adjacent Three Acres  
Cochno Road  
Hardgate  
Clydebank



**WEST DUNBARTONSHIRE COUNCIL****Report by Strategic Lead- Regulatory****Planning Committee: 27 June 2018**

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**DC18/108:                   Erection of single storey rear extension at 9 Hillfoot Avenue, Dumbarton by Mr J Goldie.**

**1.     REASON FOR REPORT**

- 1.1**   This application relates to a proposal which has been submitted by a member of staff within the planning service 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**   It relates to a semi-detached house located within an existing residential area. The property fronts onto Hillfoot Avenue and is bounded by housing.
- 3.2**   Planning permission is sought for the erection of a single storey rear extension which would extend to approximately 6m x 4m. It would have a monopitch roof containing two rooflights, reaching a maximum height of 4.5m. There would be no windows on the side of the extension. On the rear elevation, there would be one window and a set of patio doors which would provide access to the garden via stairs. Internally, the extension would contain an open plan kitchen and family area. The extension would be finished in render and concrete roof tiles to match the existing building.

**4.     CONSULTATIONS**

- 4.1**   None.

## **5. REPRESENTATIONS**

5.1 None.

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

### West Dunbartonshire Local Plan 2010

6.1 The site is located within an Existing Residential Area covered by Policy H5, which aims to safeguard the character and amenity of existing residential areas. The proposed extension would be in keeping with the house and the area and complies with Policy H5.

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

### West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.

7.2 The site is within an Existing Neighbourhood, covered by Policy BC4, which indicates that development will not be supported that would significantly harm the residential amenity, character or appearance of existing neighbourhoods. The extension will be located to the rear overlooking the enclosed rear garden. It has been designed to reflect the appearance of the existing house with regard to both finishing materials and appearance. The size, location and design of the extension are all acceptable and there are no issues of overlooking or overshadowing of neighbouring properties.

## **8. CONCLUSION**

8.1 The proposed extension is acceptable and complies with the relevant policies contained in both the adopted and proposed local plans. It will not have a detrimental impact on the amenity of the neighbouring houses or surrounding residential area.

## 9. CONDITIONS

1. The materials to be used on the development hereby approved shall be render and concrete roof tiles to match the materials on the existing house.

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 7 June 2018**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager  
email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Site Location Map

**Background Papers:**

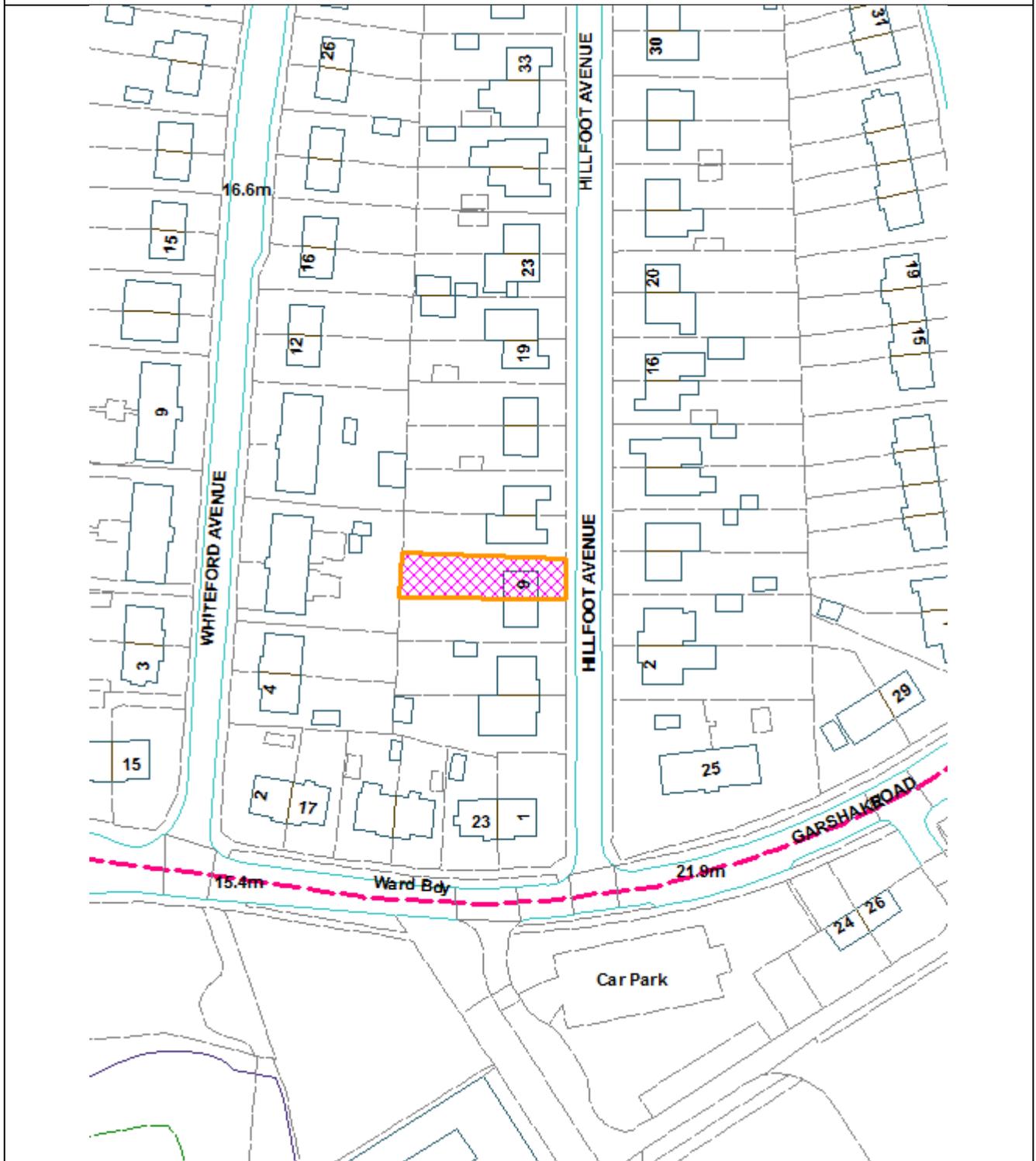
1. Application forms and plans;
2. West Dunbartonshire Local Plan 2010; and
3. West Dunbartonshire Local Development Plan Proposed Plan.

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

DC18/108

Erection of single storey  
rear extension

9 Hillfoot Avenue  
Dumbarton  
G82 3JX



**WEST DUNBARTONSHIRE COUNCIL****Report by the Strategic Lead, Regulatory****Planning Committee: 27<sup>th</sup> June 2018**

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**Subject: Review of the Planning Enforcement Charter****1. Purpose****1.1** To seek approval of the Planning Enforcement Charter.**2. Recommendation****2.1** That the Committee approves the updated Planning Enforcement Charter.**3. Background****3.1** All planning authorities require to have an Enforcement Charter which details how the Planning Authority will deal with enforcement complaints and to provide details of their enforcement powers. The Scottish Government expect the Enforcement Charter to be reviewed every two years to ensure that it reflects the up to date view of the Council of how it deals with enforcement and also to reflect any changes in enforcement legislation. One of the performance markers within the annual Planning Performance Framework (PPF), to be submitted to the Scottish Government, is an up to date Enforcement Charter. The Council's Enforcement Charter was last updated and approved by Planning Committee in March 2016.**4. Main Issues****4.1** Appendix 1 contains the updated Planning Enforcement Charter. It explains how the enforcement process works in West Dunbartonshire, the current powers available to the Council and the service standards that the Council sets itself. The aims of this charter are to explain the enforcement process and to ensure that the adopted procedures are fair and reasonable; that all interested parties are kept informed at each stage of the process; and that they are clearly made aware of anything which is required of them.**4.2** The layout of the Enforcement Charter has been updated; however, the general focus and content of enforcement procedures and guidance remain relevant and have not been changed by any new legislation in the interim. The key changes to the Charter include a new section that categorises how the Council will prioritise enforcement inquiries. This approach has been introduced by the new Compliance Officer, appointed to provide a focus on enforcement as an important area of work, and allows the number of inquiries received by the planning service to be managed appropriately. How an inquiry is prioritised depends on the nature of the alleged breach, the significance of its effects and the relative sensitivity of the site. Category 'A' is high priority,

'B' is medium priority and 'C' is low priority and examples of each are provided under each category. Time periods for the Compliance Officer to visit the site and follow up with an investigation are dependent on the priority status with high priority being turned around within 5 working days. However, if the impacts of the alleged breach are regarded as potentially significant, the Compliance Officer will visit the site as a matter of urgency. A new section on the High Hedges Scotland Act 2013 has also been included providing brief guidance on what steps are required before making application as well as the provision of a link to the full guidance.

**4.3** The Enforcement Charter again recognises the important role that the public play in reporting potential breaches of planning control and in monitoring the conditions that are imposed on certain planning consents. It also highlights the key points on Planning Enforcement as:

- ***Category of priorities***
- ***Enforcement is a discretionary power, and any enforcement action must be in the public interest;***
- ***That the planning service will work to resolve the problem, not punish the breach;***
- ***Any enforcement action will be proportionate to the scale of the breach;***
- ***The Council will not act as an arbiter for neighbour or boundary disputes.***

**4.4** The Enforcement Charter explains the information that is required when a potential breach is being reported by the public and the process which the Planning Authority will undertake when investigating possible breaches of planning control along with categories of priorities. Service Standards are provided which indicates timescales for a response to complaints and it also indicates how they can be kept informed if enforcement action is taken. Information is provided on all the Enforcement powers available to the Council including Enforcement Notices, Breach of Condition Notice, etc. and other powers such as direct action, interdict and interim interdict which only tend to be used in serious cases. A flowchart has been added which illustrates the enforcement process in a simplified form.

**4.5** The updated Enforcement Charter will ensure the Council's approach to enforcement fulfils legislative requirements, consistent, and proportionate. It will also ensure our communities are well informed about the role of enforcement. The updated Charter will be reported in the 2017/18 annual Planning Performance Framework to be submitted to the Scottish Government in July.

## **5. People Implications**

**5.1** There are no people implications.

## **6. Financial Implications**

**6.1** There are no financial implications.

## **7. Risk Analysis**

**7.1** The Council are required to have an up to date approved Enforcement Charter so that the public are aware of their enforcement powers.

## **8. Equalities Impact Assessment (EIA)**

**8.1** The application has been screened and an Equalities Impact Assessment has been carried out. This concludes that the updated Charter should be introduced. The Council has adopted guidance on communication with disabled people and those for whom English is not a first language.

## **9. Strategic Environmental Assessment**

**9.1** None.

## **10. Consultation**

**10.1** None

## **11. Strategic Assessment**

**11.1** The Enforcement Charter is considered to support the strategy priorities of the Council.

**Peter Hessett**  
**Strategic Lead, Regulatory**  
**Date: 13<sup>th</sup> June 2018**

**Person to Contact:** Pamela Clifford, Planning and Building Standards Manager,  
Email: [pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)

**Appendices:** 1. Enforcement Charter updated June 2018

**Background Papers:** Screening for Equalities Impact Assessment

**Wards Affected:** All wards.



# PLANNING ENFORCEMENT CHARTER

Planning and Building Standards Service

West  
Dunbartonshire  
COUNCIL

July 2018

# Planning Enforcement Charter

## What is Planning Enforcement?

Many types of development require planning permission or other related consents. Sometimes, either by accident or intentionally, developers or householders undertake work without the necessary permission, or fail to implement correctly the permission they have been given. This is called a breach of planning control.

Possible breaches of planning control can include:

- Carrying out physical work or changes of use of property without the required planning permission;
- Failure to comply with conditions attached to a planning permission;
- Carrying out development otherwise than in accordance with the approved plans or specifications;
- Works in breach of special planning controls, including those relating to listed buildings, conservation areas, tree preservation orders and advertisement control

Recent examples of breaches of planning control have included:

- Erection of a satellite dish on a listed building
- Developers working outwith the times specified on a condition of consent
- Non-compliance with a High Hedge Notice
- Decking in the garden of a flat without planning permission

The aims of this charter are to explain the enforcement process, and to ensure that our adopted procedures are fair and reasonable; that all interested parties are kept informed at each stage of the process; and that they are clearly made aware of anything which is required of them.

Councils have powers to take enforcement action, if it is in the public interest to do so. The Council's planning enforcement function is administered by the Development Management team. Building Standards have separate powers under the Building (Scotland) Act 2003.

## Key points on Planning Enforcement:

- Category of priority given to case;
- Enforcement is discretionary, any enforcement action must be in the public interest;
- We work to resolve the problem, not punish the breach unless the seriousness of the breach warrants action;
- Any enforcement action will be proportionate to the scale of the breach;
- The council will not act as an arbiter for neighborhood disputes

A Compliance Officer joined the Development Management Team on a part time basis in November 2017 to provide a focus on enforcement matters and ensure regular monitoring of the Council's quarry and landfill sites. The Compliance Officer makes an early assessment on potential enforcement cases using the priority categories and aims to respond within the service standard time frames in terms of visiting the site and determining the appropriate course of action as set out under the service standards section of this Charter.

## About this Charter

This charter explains how the enforcement process works in the West Dunbartonshire Council's planning authority area\*, including the enforcement powers available to the Council and the service standards which developers and objectors can expect from the Council.

The aim of the charter is to explain the enforcement process, to ensure our adopted processes are fair, reasonable and all interested parties are kept informed at each stage of the process.

Breaches of planning control are an issue concerning members of the public. We welcome any comments or suggestions on this charter on how we could improve the planning enforcement services further.

We will monitor the delivery of planning enforcement function to ensure the charter's standards are met.



*\*With the exception of the High Hedges Scotland Act 2003 planning enforcement within the boundaries of the Loch Lomond and the Trossachs National Park is the responsibility of the Loch Lomond and the Trossachs National Park Planning Authority.*

## Identifying Breaches of Planning Control

Members of the public have an important role in reporting potential breaches of planning control including the monitoring of planning conditions. Due to the large number of permissions granted each year it is not possible for the Council to actively monitor every site. Any concerns about unauthorised work or breaches of conditions can be raised with the Council by email, telephone or in person at one of the Council's offices (all contact details can be found at the end of this Charter).



When reporting a potential breach of planning control it is important to provide the following information:

- The address of the property concerned;
- The name and address of the person carrying out the breach (if known);
- Details of the alleged breach of planning control (including any times and dates if relevant);
- An explanation of any problems arising from the alleged breach; and
- Your own name, address and contact details

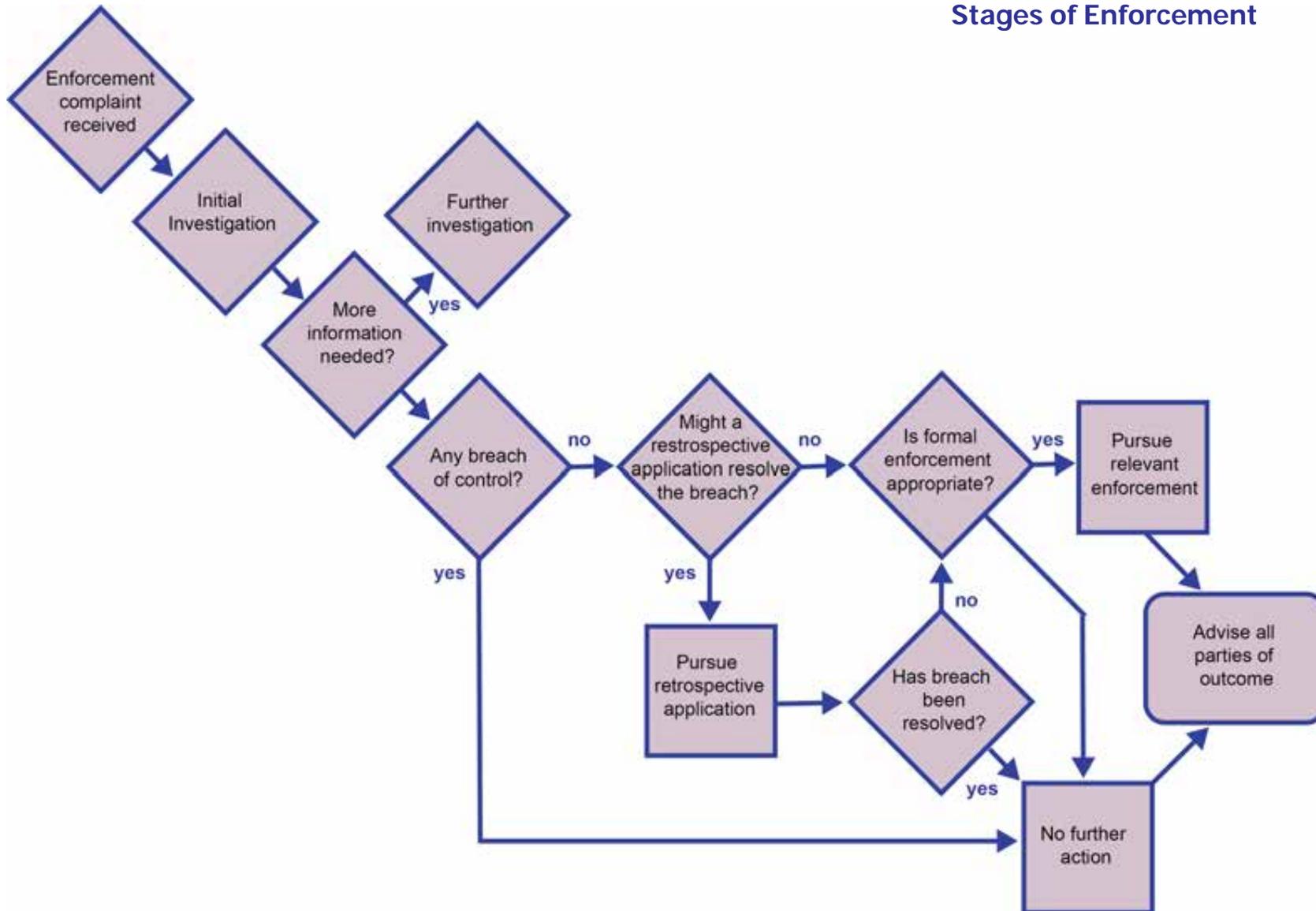


Anonymous complaints will not normally be investigated. The Council will not normally disclose who has made a complaint without that person's agreement, however developers do have the right to access certain information about their cases under the Environmental Information (Scotland) Regulations 2004 and the Freedom of Information (Scotland) Act 2002, and that information may include complaints correspondence.

Sometimes complaints arise over matters such as disputes over ownership boundaries, rights of access or damage to property. These are private legal matters over which the Council has no remit, in which case we will not investigate further. However, the Council operates a Mediation Service which may be of assistance in such situations, and details can be found at:

[www.west-dunbarton.gov.uk/community-life-and-leisure/crime-prevention-and-community-safety/neighbourhood-mediation-service](http://www.west-dunbarton.gov.uk/community-life-and-leisure/crime-prevention-and-community-safety/neighbourhood-mediation-service)

### Stages of Enforcement



## Investigating Possible Breaches of Planning Control

The extent to which enforcement action will be pursued will depend on whether the development complies with the policies of the local development plan. The decision to pursue enforcement action rests with the Council.

The information received will be first checked to ensure that it involves a possible breach of planning control. It is important that members of the public reporting breaches provide as much information about it as possible in order to help speed up the investigation. The Council will acknowledge receipt of enforcement complaints by email or letter within 5 working days, providing contact details for the Compliance Officer.

For most enforcement cases it is necessary for the Compliance Officer to visit the site and to discuss the situation with the developer. How quickly this happens will depend on the priority status given to the case (see 'Service Standards' section of this Charter).

Priority will be given to urgent situations such as a clear public safety concern or damage to a listed building. In cases where we have not been provided with the developer's contact details it can take time to track down and make contact with whoever is responsible for the alleged breach, especially in the case of vacant sites and absentee landlords.

In many cases the investigation can be concluded fairly quickly as it will be clear whether or not a breach of planning control has taken place, but in some situations this will take significant longer. Officers may have to monitor a site over an extended period to establish what is taking place or to gather evidence for any enforcement proceedings. Depending on the circumstances, occasionally complainants may be asked to keep a diary of events. The Council will keep

interested parties informed of the priority status given to the case and progress made and they should feel free to contact the Compliance Officer for an update. Progress made at each stage of the process and the decisions which have been reached will be recorded by the Compliance Officer.

Due to a high number of enforcement inquiries, each inquiry is prioritised depending on the significance of the breach to ensure an effective service is provided. The priority category depends on the nature of the breach, the significance of its effects and the relative sensitivity of the site. (Priorities are not influenced by the complainant, the subject of the complaint or the number of complaints received). The below category lists are not exhaustive but aims to provide examples of how a particular breach might be dealt with.



## Service Standards

**Category A – High Priority (visit the site within 5 working days unless the impacts of the breach are regraded as potentially significant and in such cases the Compliance Officer will visit the site as a matter of urgency)**

- Works that contravene an Enforcement Notice or otherwise counter any enforcement action already taken.
- Unauthorised works, including demolition, affecting a Listed Building or a building in a Conservation Area.
- Unauthorised works that harm, or potentially harm, sites of international or national importance, such as Sites of Special Scientific Interest or Scheduled Ancient Monuments.
- Unauthorised works that harm or remove trees protected by a Tree Preservation Order or within a Conservation Area.
- Unauthorised development that endangers members of the public.

**Category B – Medium Priority (visit the site within 10 working days)**

- Lesser breaches of Listed Building or Conservation Area control
- Non-compliance with High Hedge Notices
- Breaches, including breaches of planning conditions particularly those imposed on regeneration, housing, quarry and landfill sites
- Unauthorised development associated with quarry and landfill sites
- Unauthorised advertisements causing significant visual harm or compromising highway safety
- Unauthorised development resulting in adverse landscape and visual impacts

**Category C – Low Priority (visit the site within 15 working days)**

- Minor or technical breaches with little or no impact on public amenity
- Lesser breaches of advertisement control
- Untidy land not affecting public amenity.
- Any other alleged breach of planning control not falling into Category A or B



## Follow up response

We understand someone may simply want to alert us to a breach and leave it at that and other times someone who may be affected may want more contact and feedback on the Council's progress with the investigation. It is usually difficult to predict how long it will take to resolve a case and how this might happen. Each one is different. The outcome of each enforcement complaint will be advised to the complainant.



## Exercising Enforcement Powers

The pursuit of formal enforcement action is only considered once the existence of the breach has been established and the possibility of resolving the problem by other means has been explored. It is preferable to resolve problems through negotiation in the first instance. In general, the Council will only pursue enforcement where there is a clear breach of planning control and significantly affects public safety and public amenity. In many cases this approach is successful, so only a relatively small proportion of cases result in formal enforcement action.

The Council's Compliance Officer has powers to enter land or buildings to:

- Establish whether there has been a breach of planning control;
- Check if there has been compliance with a formal notice;
- Check if a breach has been satisfactorily resolved.



## Time Limits for Enforcement

In determining whether a breach of planning control has taken place, the Council is bound by statutory time limits. If an unauthorised development or activity has existed for a long period of time it effectively becomes immune from enforcement action.

The main time limits are known as the **Four Year Rule** and the **Ten Year Rule**:

**The Four Year Rule** applies to “unauthorized operational development”(i.e. the carrying out of building, engineering, mining or other physical works), and also the change of use to a single dwellinghouse.

**The Ten Year Rule** applies to all other development, including other changes of use and breaches of conditions.

If there has been no formal enforcement action during this time, after these time periods expire the development becomes Lawful and no further enforcement action can be taken. However, these rules may not apply in cases where there has been deception on the part of the developer (such as deliberate efforts to hide an unauthorised development or to mislead the planning authority about its use), and development which becomes lawful under these rules may not be able to intensify or expand without the need for further planning permission.

These time limits for enforcement **do not apply** to breaches of listed building, conservation area or advertising controls.





## Retrospective Applications

The outcome of many enforcement cases may be the submission of a retrospective application to regularise a breach. These are dealt with in the same way as other planning applications and are subject to the same consideration.

The invitation to submit a retrospective application in no way implies that permission will necessarily be granted. There is scope for third parties, for example, neighbours to comment if a retrospective planning application is made. A retrospective application may be submitted to regularise a breach otherwise legal and time difficulties may be experienced if sell the property.

In cases where it is considered that a development is clearly unacceptable or that it is giving rise to negative impacts upon the environment or local amenity which require to be addressed immediately a retrospective application will not normally be sought. Instead, the breach will require to be removed and enforcement action will be taken to resolve this. However the Council cannot prevent a developer submitting a retrospective application should they so wish.

## Enforcement of Advertisement Control

The display of advertisements is covered by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Many advertisements are displayed with 'deemed consent' which means they do not require consent provided they meet the various criteria and conditions set out in the regulations. One of these conditions is that the landowner has given permission for the advertisement to be displayed on their land.

Where advertisements are displayed without the required advertisement consent, or in breach of the conditions of such consent, the Council can serve an advertisement enforcement notice. This specifies what is required (such as removal of the advertisement) and the time period for compliance (usually at least 28 days, although this can be reduced to 7 days where the advertisement is detrimental to public safety or where it can be removed without any other work being required). There is a right of appeal against the notice to the Scottish Ministers.



An advertisement enforcement notice can also require that a particular piece of land should not be used to display advertisements. This remains in force even after the original advertisement is removed, so any subsequent advertising on this site would amount to a breach of the notice.

In the event of failure to comply with advertisement enforcement notice the Council has powers to remove the advertisement concerned and to seek recovery of the costs of so doing from the owner as a civil debt.

Where ad hoc banners and signs are displayed remotely from the business premises or activity to which they relate, limited opportunity will be given to the party responsible to remedy the matter voluntarily, if they can be readily identified. Direct action may be taken as the first response if there are traffic safety or site sensitivity issues.



## Monitoring of our Quarries and Landfill Sites

Quarries and landfill sites have major impacts on the landscape and restoration requirements require regular monitoring. There are two quarries within the Council area (Sheephill and Dumbuckhill) and two landfill sites (Auchencarroch and Rigangower) it has been agreed by the Council that these sites will be formally monitored on an annual basis during the month of May, in order to allow the preparation of an annual report.

These sites would be visited more frequently should this be needed, for example if complaints are received or if compliance issues come to light during the formal monitoring visit. During these site visits the current progress of the operations will be recorded and compliance with the conditions of the relevant permissions will be monitored. Also the progress of the restoration scheme will be recorded and discussed with the operator. Notes of the site visit and updated information on the compliance with conditions will be recorded in the case records.





## **Tree Preservation Orders (TPO) and Trees in Conservation Areas**

It is an offence to wilfully cut down, uproot, destroy or damage a tree which is subject to a Tree Preservation Order or within a conservation area. Prosecution may be sought in serious cases, in which case the offence is punishable by a fine of up to £20,000 on summary conviction or an unlimited fine if convicted on indictment.

Any person who has removed or damaged a protected tree without the necessary consent must plant a replacement tree of an appropriate size and species as soon as reasonably possible, unless otherwise agreed with the Council. Should they fail to do so, the Council may serve a notice requiring appropriate re-planting. There is a right of appeal against such a notice. Failure to comply with the notice may result in the Council taking direct action to carry out the re-planting and recovering the costs of doing so from the owner. Willful obstruction of this would be an offence liable to a fine of up to £1,000 on summary conviction.

## High Hedges (Scotland) Act 2013

Anyone considering applying for a High Hedge Notice must have tried to settle the issue with their neighbor before making an application. If a local authority receives an application where there is no evidence that the applicant has tried to do this, they must reject it. The steps people should have taken before applying to the local authority will depend on the circumstances of the case. However, it is not enough for an applicant to simply claim that their neighbour is unapproachable.

The following link is a guide to high hedges.  
<https://www.west-dunbarton.gov.uk/planning-building-standards/high-hedges/>



## Responsibility for Exercise of Enforcement Powers

The majority of enforcement proceedings are undertaken by the Planning Compliance officer under delegated powers; however in a small number of more significant cases authority may be sought from the Planning Committee.

Appeals against enforcement proceedings are to the Scottish Ministers, but in most cases the determination of appeals is delegated to Reporters from the Scottish Government's Directorate of Planning & Environmental Appeals.

## Information on Current Enforcement Proceedings

Details of outstanding enforcement notices, Breach of Condition Notice and Stop Notices and other formal enforcement proceedings are recorded in the Council's Enforcement Register. You can inspect the register and the documents online <https://www.west-dunbarton.gov.uk/planning-building-standards/planning-decision-notice-appeals-and-enforcement/planning-enforcement/>

## Enforcement Powers

The Planning Enforcement powers available to the Council are set out in Part IV of the Town and Country Planning (Scotland) Act 1997 and in Chapter IV of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The Planning Acts are available from The Office of Public Sector Information (OPSI) at [www.opsi.gov.uk](http://www.opsi.gov.uk).

**For ease of reference, a summary of all relevant planning legislation and associated enforcement powers is provided in Appendix 1 at the end of this document.**

Further information about enforcement can be found in the Scottish Government Circular 10/2009 <http://www.gov.scot/Publications/2009/09/16092848/0> and Planning Advice Note 54 - Planning Enforcement [www.scotland.gov.uk/Publications/1999/03/pan54](http://www.scotland.gov.uk/Publications/1999/03/pan54)

## Enforcement Contacts

Contact details for reporting suspected breaches of Planning control:  
Development Management Team  
West Dunbartonshire Council  
Email: [development.management@west-dunbarton.gov.uk](mailto:development.management@west-dunbarton.gov.uk)  
Tel: 0141 951 7941  
Address:  
16 Church Street  
Dumbarton  
G82 1QL

Contact details for general enquiries on Planning issues:  
Planning & Building Standards West  
Dunbartonshire Council  
Email: [buildingandplanning@west-dunbarton.gov.uk](mailto:buildingandplanning@west-dunbarton.gov.uk)  
Tel: 0141 951 7941

## Enquiries regarding building warrants:

Building Standards Team  
West Dunbartonshire Council  
Email: [building.standards@west-dunbarton.gov.uk](mailto:building.standards@west-dunbarton.gov.uk)  
Tel: 0141 951 7941

## Contact details for complaints regarding the level of service:

Inquiries are not formal complaints and are worked on as a case by case basis. The Planning Service is committed to providing a high quality service but if you have a concern about the way your enforcement inquiry was dealt with, please email the Planning Manager:

Ms Pamela Clifford  
Manager of Planning & Building Standards  
Email: [development.management@west-dunbarton.gov.uk](mailto:development.management@west-dunbarton.gov.uk)  
Tel: 0141 951 7938

## For general enquiries regarding the Planning system:

The Scottish Government – Planning helpline  
Tel: 0845 774 1741  
Planning Aid for Scotland provides a free and independent advice Service for individuals and community groups across Scotland - <http://www.planning-aid-scotland.org.uk> or call the helpline 0845 603 7602.

## Enquiries for planning or enforcement matters within Loch Lomond and the Trossachs National Park Planning Authority:

Email: [planning@lochlomond-trossachs.org](mailto:planning@lochlomond-trossachs.org)  
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## CONTACT DETAILS

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## OTHER FORMATS

This document can be made available on request in alternative formats such as large print, Braille, audio tape or computer disc as well as in five community languages.

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

अनुगोथ पर वह दरनवंत्र प्रन्य भाषाओं में, वडे अक्षरों की अ्याई और नूनने वाले माध्यम पर भी उपलब्ध है

ਇਹ ਦਸਤਾਵੇਜ਼ ਹਰ ਜ਼ਾਸ਼ਾਦਾ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਵਿਕਰਾਜ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی سہجے۔

هذه الوثيقة متاحة أيضا بلغات أخرى والاحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.



**WEST DUNBARTONSHIRE COUNCIL****Report by the Strategic Lead - Regulatory****Planning Committee: 27 June 2018**

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**Subject: High Dalmuir, Clydebank; Knoxland Square, Dumbarton and Lusset Road/Mount Pleasant Drive, Old Kilpatrick Conservation Areas – Changes to the Conservation Area Boundaries**

**1. Purpose**

- 1.1** To seek approval of alterations to the boundaries of the High Dalmuir, Clydebank; Knoxland Square, Dumbarton; and Lusset Road, Old Kilpatrick Conservation Areas.

**2. Recommendation**

- 2.1** It is recommended that the Committee:

- a) approves the following changes to the High Dalmuir Conservation Area boundary:
- the inclusion of 48 Duntocher Road and adjacent street trees.
- b) approves the following changes to the Knoxland Square Conservation Area boundary:
- inclusion of the original suburb of Knoxland from Wallace Street in the west to Buchanan Street in the East and from Glasgow Road in the North to Castlegreen Street in the South; and
  - inclusion of tenements on the northern side of Glasgow Road from no.129-171 and Dumbarton East Railway Station
- c) approves the following changes to the Lusset Road, Old Kilpatrick Conservation Area boundary:
- inclusion of Kilpatrick Railway Station;
  - inclusion of houses on Station Road, Dumbarton Road and Thistle Neuk; and
  - inclusion of several other buildings of historic interest on the west side of Dumbarton Road.
- d) submits Appendix 1 to the Scottish Ministers as the new boundaries of the three Conservation Areas.
- e) notes that the High Dalmuir, Knoxland Square and Lusset Road/Mount Pleasant Drive Conservation Area Appraisals (March 2018) will be a material consideration in the determination of future planning applications affecting the Conservation Areas.

### 3. Background

- 3.1 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that conservation areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Local authorities have a statutory duty to identify and designate such areas. They are also required to review existing conservation areas to ensure they are being managed effectively. Conservation Area Appraisals should be prepared by authorities to assist the management and review process.
- 3.2 High Dalmuir Conservation Area (Clydebank) was designated in 1980, Knoxland Square (Dumbarton) in 1984, and the Lusset Road and Mount Pleasant Drive Conservation Areas (Old Kilpatrick) in 1993.
- 3.3 There are five conservation areas in West Dunbartonshire, with Kirktonhill in Dumbarton being the fifth. A Conservation Area Appraisal for Kirktonhill was produced in 2016, and several boundary alterations were approved by the Planning Committee in November 2016.
- 3.4 The Scottish Civic Trust was commissioned by the Council in February 2017 to undertake appraisals of the Conservation Areas for High Dalmuir, Knoxland Square and Lusset Road and Mount Pleasant Drive, Old Kilpatrick.

### 4. Main Issues

- 4.1 The Planning Committee in October 2017 was advised that Conservation Area Appraisals for the High Dalmuir, Knoxland Square and Lusset Road and Mount Pleasant Drive, Old Kilpatrick Conservation Areas had been undertaken by the Scottish Civic Trust and approved its publication for consultation. On the basis of the appraisal, the Civic Trust recommended the following changes to the boundaries of the Conservation Areas:

#### High Dalmuir Conservation Area:

- **The inclusion of number 48 Duntocher Road:** The house, together with a number of mature trees on the street frontage and garden boundary, are attractive features that add to the context of the entry to the conservation area.

#### Knoxland Square Conservation Area:

- **The inclusion of the remainder of the original historic suburb of Knoxland:** This area comprises the Victorian suburb of Knoxland, built for the Denny shipbuilding workers. As such it is consistent with the character, appearance and age of buildings within the existing Conservation Area around Knoxland Square.
- **Inclusion of tenements on the northern side of Glasgow Road from no.129-171, and Dumbarton East Railway Station:** This row of tenements were constructed slightly later than the 'Knoxland'

tenements but are of significant quality in themselves and add to the character of the area. Dumbarton East Railway Station (1896) also makes a significant contribution to the streetscape.

#### Lusset Road, Old Kilpatrick Conservation Area

- **Inclusion of Kilpatrick Railway Station:** The station is of a similar age to earlier properties in the Conservation Area, it is of historic interest and an opportunity for future restoration.
- **Inclusion of contemporary properties immediately adjacent to Lusset Road:** A number of terraces and houses on Station Road, Dumbarton Road and Thistle Neuk are of historic and architectural interest, and are contemporary with houses in the existing Lusset Road Conservation Area.
- **Inclusion of historic properties further south on Dumbarton Road:** Several other buildings on the western side of Dumbarton Road and north of the Erskine Bridge, are of historic interest, including the B-listed former Secession Church.

4.2 No changes were proposed to the Mount Pleasant Drive Conservation Area, Old Kilpatrick.

4.3 The existing boundaries and the new boundaries suggested by the Scottish Civic Trust are shown on the map in Appendix 2.

#### Consultation

4.4 The Conservation Area Appraisals were consulted on between 23 November 2017 and 19 January 2018. The appraisals were made available on the Council's website and leaflets were sent to all of the properties within the Conservation Areas. Residents were advised of the proposed changes and were invited to a series of drop-in information sessions at:

- Dalmuir CE Centre on 23 November 2017 from 2 pm to 6.30pm;
- Napier Hall, Old Kilpatrick on Monday 4 December 2017 from 3pm to 7pm; and
- Concord Community Centre, Dumbarton on Monday 11 December 2017 from 3pm to 7pm.

The consultation and drop-in sessions were also widely advertised through the Council's website and social media.

4.5 Three exhibitions were undertaken, one in each Conservation Area. These were attended by approximately 38 local residents in total with the Scottish Civic Trust and Council officers present to answer any questions.

## Consultation Responses

- 4.6** Seven written responses were received to the consultation on the Conservation Area Appraisals and the main points raised are summarised below:

### High Dalmuir Conservation Area

- The proposed extension is welcomed. It was suggested that the proposed extension should also cover the 'streetscape' including trees, public landscaping, services such as electrical and communications boxes, bus stops, signage etc; and
- Concern was expressed about including more trees, as many of them are getting too large and causing nuisance.

### Knoxland Square Conservation Area

- There was general support for extension as the current boundaries do not reflect area's historically significant connections with Dumbarton's proud history of its shipbuilding industry. The increased size of the Conservation Area was noted as potentially increasing the chances of being eligible for a future Conservation Area Regeneration Scheme (CARS)
- The proposed extension would help create a sense of place for passing tourists to the castle and shore, and an increased civic pride and sense of wellbeing of residents living in this area.
- Responses noted that many original features have been lost (e.g. windows/roofs). Therefore, better enforcement and guidance for homeowners is required;
- It was suggested that the Council should promote the benefits of the conservation area, not just the controls which people often focus on.
- It was noted that the area has been neglected. Therefore, funding needs to be made available to help people restore buildings.
- Some residents were worried about additional costs and delays to homeowners for upgrading their properties- e.g upvc windows are much cheaper than sash and case.

### Lusset Road, Old Kilpatrick Conservation Area

- The respondent wished to see St Patrick's Church included. Although modern it is important to community life and therefore the overall context.

- 4.7** The feedback received at the drop-in consultation events was also recorded and is included at the end of each Appraisal report. Some of the points discussed/received at the public consultation events are summarised below:

### High Dalmuir Conservation Area

- Positive feedback for the inclusion of No. 48 Duntocher Road;
- Representatives of Dalmuir Community Council are keen to see the boundary extended to include homes on Methven Street and Maxwell Street, perhaps using Overtoun Road as a boundary;
- Discussion over the differing character of the houses within the conservation area and the houses on Methven Street and Maxwell Street;
- Concerns over the risks posed by trees outside Holmfield, i.e. abundance of leaves, obscuring lighting, pedestrian safety;
- Representative of Clydebank Restoration Trust discussed boundary and the belief that the boundary used to extend right around Overtoun Road – further investigation deduced this was the boundary of the Article 4 Directive;
- Further interest in including Methven Street and Maxwell Street within the Conservation Area.

### Knoxland Square Conservation Area

- Questions over how conservation area extension can benefit the area such as access to funding pots;
- Concern over the upkeep of the park/square; would be keen to see planters installed such as those which exist in Dumbarton centre;
- Praise for how well the park/square is used by a wide variety of people;
- Comment over the poor state of the buildings, and the difficulty in finding contractors to undertake work;
- More comments in favour of extending the boundary, so long as enforcement is heightened;
- Query over concrete tiles and appropriate materials for re-roofing within conservation area;
- General concern over the lack of care taken in the area despite it being a conservation area; feeling that extending the boundary is pointless if the original area wasn't well maintained and managed?;
- Favourable comments to extending the boundary due to homogenous nature of the area;
- Query over extension to Glasgow Road, and whether shopfronts could subsequently be improved;
- Suggestion over improving street signs/plaques and take opportunity to make special conservation area style signs e.g. white lettering on black

### Lusset Road, Old Kilpatrick Conservation Area

- Comment regarding trees and bushes on property boundaries;
- Discussion over implications for homeowners recommended for inclusion in the conservation area;

- Discussion regarding dug-up kerbs on Mount Pleasant Drive and subsequent damage to front walls – original granite kerbs and channels previously removed by local authority, believed to be causing drainage issues from the private gardens with retention of water damaging boundary walls;
- Original lamp standards have had original latterns removed (circa 1970s) but have had little maintenance since and require restoration;
- Favourable comments regarding extension of Lusset Road conservation area near Erskine Bridge and the canal – belief that homeowners are caretakers of its heritage (owners of No.91 Bankside House, former manse 1795).

### **Conclusion and next steps**

- 4.8** Taking into account the findings and recommendations contained within the Conservation Area Appraisals, and the responses received from members of the local community, the proposed boundary changes to High Dalmuir, Knoxland Square and Lusset Road, Old Kilpatrick, as detailed in Section 4.1 above, should be accepted.
- 4.9** As recommended in the Appraisal, and to better reflect the larger extent and character of the area, it is also recommended that the Lusset Road Conservation Area is renamed as Old Kilpatrick South Conservation Area.
- 4.10** Similarly, to reflect the larger area covered, it is recommended that the Knoxland Square Conservation Area is renamed as Knoxland Conservation Area.
- 4.11** If agreed, notification of the new conservation area boundaries (Appendix 1) will be advertised in the local newspaper and the Edinburgh Gazette and submitted to the Scottish Ministers for approval. The High Dalmuir, Knoxland Square and Lusset Road/Mount Pleasant Drive Conservation Area Appraisals (March 2018) will be a material consideration in the determination of future planning applications affecting these Conservation Areas.

## **5 People Implications**

- 5.1** There are no personnel issues associated with this report.

## **6. Financial Implications**

- 6.1** There are no financial issues associated with this report.

## **7. Risk Analysis**

- 7.1** It was not considered necessary to carry out a risk assessment on the matters covered by this report.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** A screening has been undertaken and no equalities issues have been identified.

## 9 Strategic Environmental Assessment

9.1 A pre-screening notification has been submitted to the Scottish Ministers. The boundary changes are not considered to have any significant environmental impacts; therefore an SEA will not be required.

## 10. Consultation

10.1 Details of the consultation undertaken are set out in Sections 4.4 - 4.5 above.

## 11. Strategic Assessment

11.1 It is considered to support all of the Council's strategic priorities

**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 5 June 2018**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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0141 951 7948

**Appendices:** Appendix 1 - Proposed boundaries for High Dalmuir, Knoxland Square and Lusset Road, Old Kilpatrick Conservation Areas.

Appendix 2 – Scottish Civic Trust recommended changes to High Dalmuir, Knoxland Square and Lusset Road, Old Kilpatrick Conservation Areas.

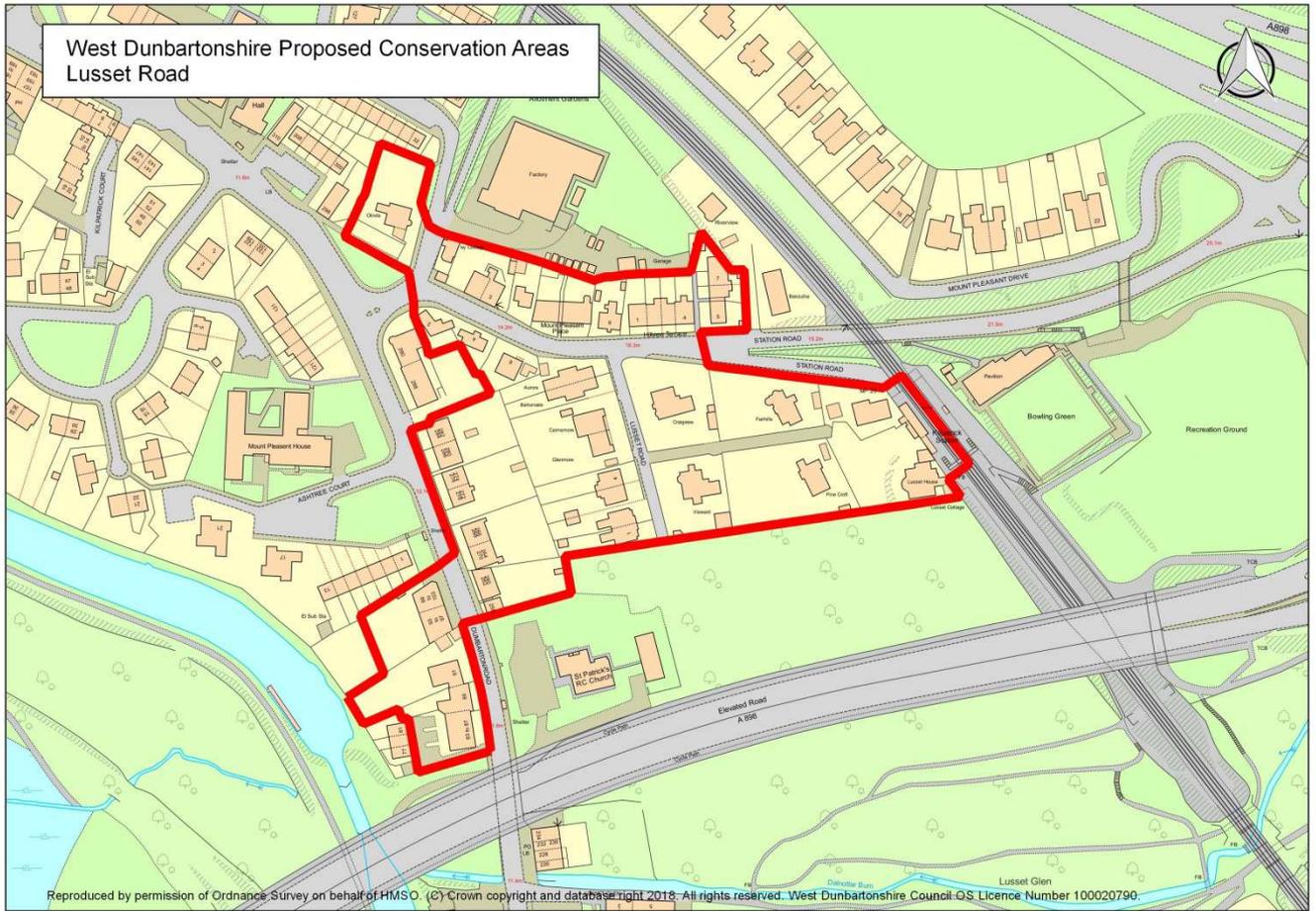
**Background Papers:** High Dalmuir, Knoxland Square and Lusset Road and Mount Pleasant Drive, Old Kilpatrick Conservation Area Appraisals, March 2018, The Scottish Civic Trust.

Report to Planning Committee on 4 October 2017 – Conservation Area Appraisals for High Dalmuir, Knoxland Square and Lusset Road/Mount Pleasant Drive, Old Kilpatrick Conservation Areas.  
Screening for Equalities Impact Assessment.

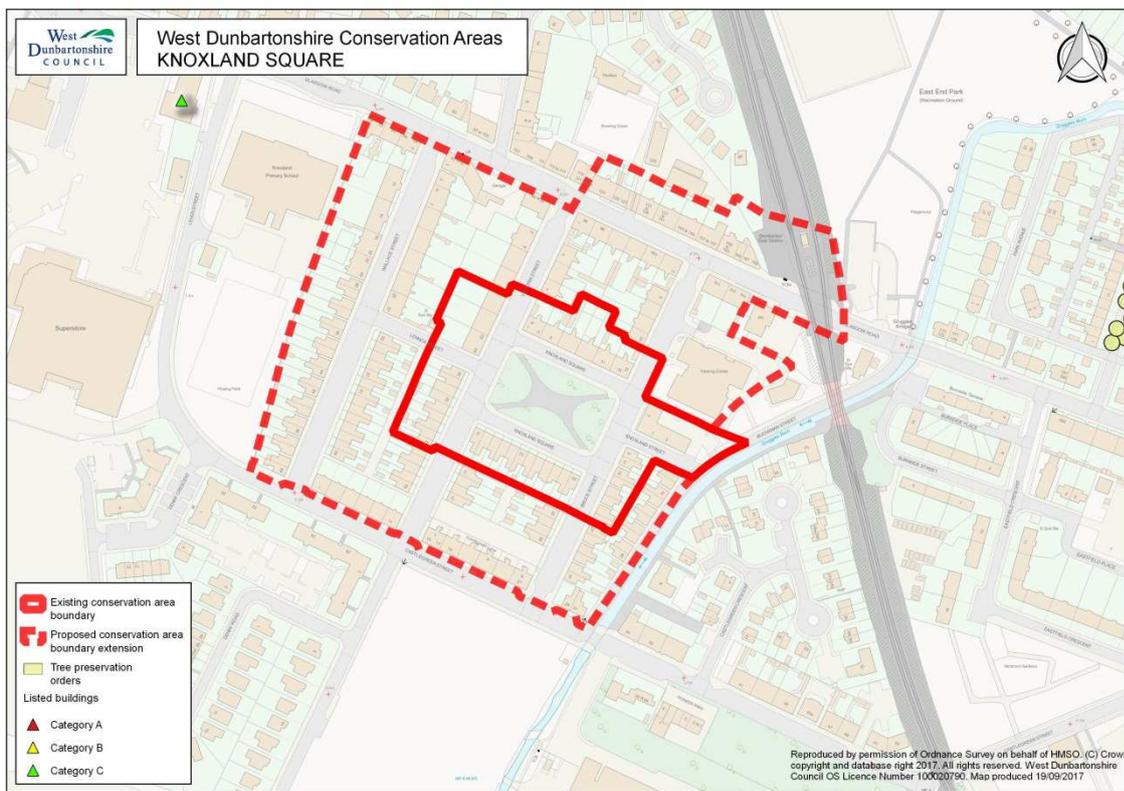
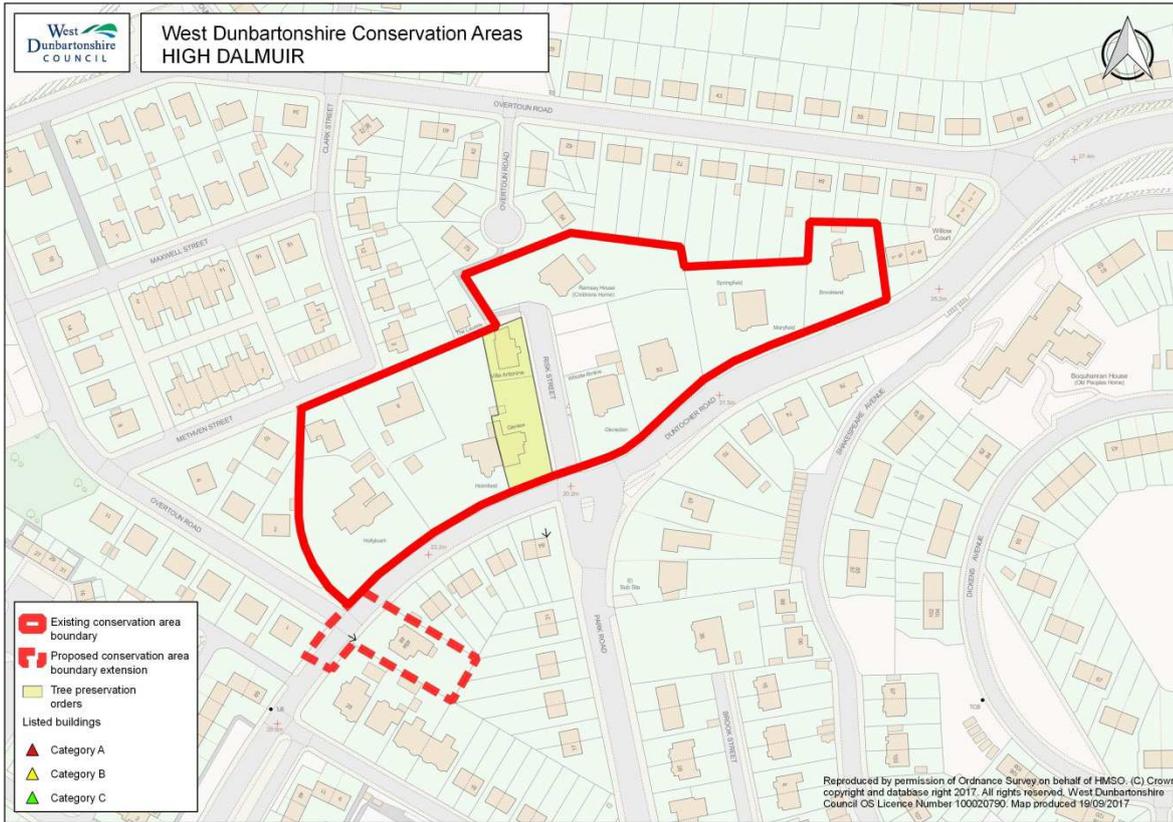
**Wards Affected:** Ward 3 – Dumbarton  
Ward 4 – Kilpatrick  
Ward 5 – Clydebank Central

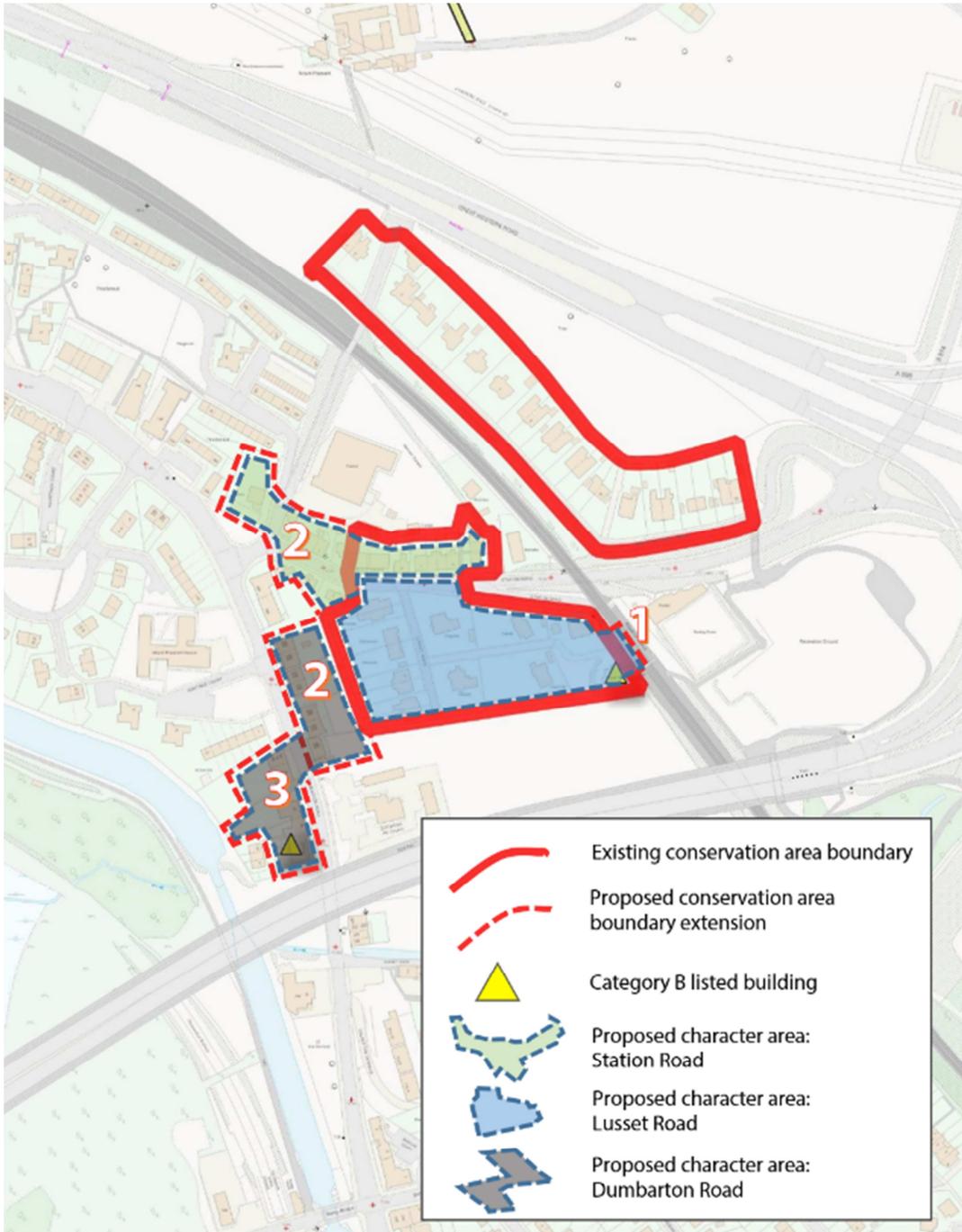
Appendix 1: Proposed new conservation area boundaries





Appendix 2: Existing conservation area boundaries and boundaries proposed by the Scottish Civic Trust Conservation Area Appraisals







**WEST DUNBARTONSHIRE COUNCIL****Report by the Strategic Lead - Regulatory****Planning Committee: 27 June 2018**

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**Subject: Street name for new housing development site at Land adjacent to No.1 Dumbain Road, Alexandria**

**1. PURPOSE**

- 1.1** To allocate a new street name to the housing development site at land adjacent to No.1 Dumbain Road, Alexandria

**2. RECOMMENDATIONS**

- 2.1** It is recommended that Dumbain Gardens to be approved as the street name.

**3. BACKGROUND**

- 3.1** Twenty-six affordable housing units are to be built with a new access to be constructed opposite the existing Dumbain Road/Manse Drive junction. .

**4. MAIN ISSUES**

- 4.1** The street name proposed for consideration is Dumbain Gardens. This is in keeping with the existing theme of the surrounding area and is a new access off existing Dumbain Road. The name proposed meets the requirement of the Council's Street Naming Policy.
- 4.2** In line with the street naming policy the elected members for Lomond Ward 1 and Balloch and Haldane Community Council were all consulted on the above street name. No comments have been received at the time of writing this report.

**5. PEOPLE IMPLICATIONS**

- 5.1** There are no people implications.

**6. FINANCIAL IMPLICATIONS**

- 6.1** There are no financial implications.

**7. RISK ANALYSIS**

7.1 There are no known risks to the Council.

## 8. EQUALITIES IMPACT ASSESSMENT (EIA)

8.1 None.

## 9. CONSULTATION

9.1 As part of the Council's Street Naming Policy elected members for Lomond Ward 1, Balloch and Haldane Community Council have been consulted.

## 10. STRATEGIC ASSESSMENT

10.1 This proposal does not impact on any of the Council's strategic priorities.

**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 6 June 2018**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendices:** None

**Background Papers:** Street Naming and Numbering policy

**Wards Affected:** Ward 1 Lomond

Housing Site adjacent to No.1 Dumbain Road, Alexandria by Cube Housing Association – Proposed New Street Name – Dumbain Gardens

