

Agenda



Planning Committee

Date: Wednesday, 24 April 2019

Time: 10.00

Venue: Council Chambers,
Clydebank Town Hall, Dumbarton Road, Clydebank

Contact: Craig Stewart, Committee Officer
Tel: 01389 737251, 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: 8 April 2019

PLANNING COMMITTEE
WEDNESDAY, 24 APRIL 2019

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 – 20

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 20 March 2019.

4 NOTE OF VISITATIONS 21

Submit, for information, Note of Visitations carried out on 19 March 2019.

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) DC18/209 – Erection of a petrol filling station with jetwash and alterations to the car park at Clyde Retail Park, Livingstone Street, Clydebank by Asda Stores Limited.

23 – 31

- (b) DC18/245 – Remediation of the site including extraction and treatment of contaminated soils and groundwater at the former Carless Oil Terminal, Erskine Ferry Road, Old Kilpatrick by Malin Group Properties Limited.

33 – 44

- (c) DC18/273 – Erection of a 55 unit affordable housing development, community garden, associated infrastructure and landscaping at the former Aitkenbar Primary School site, Howatshaws Road, Dumbarton by West Dunbartonshire Council.

45 - 58

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Wednesday, 20 March 2019 at 10.03 a.m.

Present: Bailie Denis Agnew and Councillors Jim Brown, Karen Conaghan, Diane Docherty, Marie McNair and Lawrence O'Neill.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader - Development Management; Lisa Miller, Planning Officer; Raymond Walsh, Manager – Roads & Transportation; Sarah Hamill, Contaminated Land Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Jim Finn, Douglas McAllister and John Mooney.

Councillor Diane Docherty in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 27 February 2019 were submitted and approved as a correct record.

NOTE OF VISITATIONS

A note of Visitations carried out on 26 February 2019 was submitted for information, a copy of which forms Appendix 1 hereto.

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) **DC18/013 – Remediation of ground at former oil terminal, including excavation, treatment & replacement of soils, treatment of ground water and installation of a sheet pile wall at Dunglass Oil Depot, Dumbarton Road, Bowling by Esso Petroleum Company Limited.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager was heard in further explanation of the report.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager, the Contaminated Land Officer and Mr Martin Kilpatrick of ExxonMobil in answer to Members' questions, 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.

- (2) **DC18/207 – Construction and operation of a 250kW hydro power scheme at Land north west of Gavinburn Farm, Kilpatrick Braes by Scotia Hydro.**

The Team Leader – Development Management was heard in further explanation of the report.

The Chair invited Mr John Heaton (applicant) to address the Committee, and he was heard in support of the application. At this point in the proceedings, the Chair then invited Ms Rona Wilkinson of Silvertoun & Overtoun Community Council to address the Committee, and she was heard in support of the application. The Chair then invited Ms Karen Fyfe, objector, to address the Committee, and she was heard in respect of the application.

After discussion and having heard the Team Leader – Development Management in further explanation and 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 Docherty, Chair, the Committee agreed that the meeting be adjourned for a short comfort break.

The Committee reconvened at 11.16 a.m. with all Members listed in the sederunt in attendance.

(3) DC18/272 – Erection of 146 flatted dwellings and four commercial units, associated car parking, amenity space and landscaping at Queens Quay, Clydebank by Wheatley Group.

The Planning, Building Standards and Environmental Health Manager was heard in further explanation of the report.

The Chair then invited Mr Marc Walker, objector, to address the Committee on behalf of his wife, Linda Walker. Mr Walker was heard in respect of his wife's representation.

After consideration and having heard the Team Leader – Development Management in further explanation and 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 and to an additional condition controlling the uses of the commercial units on site.

The meeting closed at 11.38 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 26 FEBRUARY 2019

Present: Councillors Jim Brown, Jim Bollan, Ian Dickson, Diane Docherty, John Millar, Jonathan McColl, Lawrence O'Neill and Sally Page.

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

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Jim McAloon, Strategic Lead – Regeneration; Michael McGuinness, Economic Development Manager; Victor Franciso-Suarez, Capital Projects Manager; Pat Hoey, Sarah Hamill, Contaminated Land Officer; and Bernard Darroch, Lead Planning Officer.

SITE VISITS

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

(1) Dunglass oil Depot, Dumbarton Road, Bowling, G60 5AG

DC18/013 – Remediation of ground at former oil terminal, including excavation, treatment & replacement of soils, treatment of ground water and installation of a sheet pile wall by Esso Petroleum Company Limited.

(2) Main Street, Bonhill

DC18/250 – Erection of residential development comprising 6 No. Flats, 2 three storey town houses and associated parking and landscaping by John Ferrier.

DC18/013 – Remediation of ground at former oil terminal, including excavation, treatment & replacement of soils, treatment of ground water and installation of a sheet pile wall at Dunglass Oil Depot, Dumbarton Road, Bowling by Esso Petroleum Company Limited.

GRANT planning permission subject to the following conditions:-

1. No works (other than investigative works) shall commence on site until such time as a detailed implementation scheme, in accordance with the approved remediation strategy, has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall include method statements for all works to be undertaken, a timetable of works and/or details of the phasing of the works and all other site management procedures relating to the remediation of the site.
2. Remediation of the site shall be carried out in accordance with the approved remediation strategy and implementation scheme. Any amendments to the approved remediation strategy shall not be implemented unless approved in writing by the Council as Planning Authority. On completion of all the remediation works a final verification report shall be submitted to and approved in writing by the Planning Authority. This report shall include all interim reports and confirm that all the works have been carried out in accordance with the approved remediation strategy and implementation scheme. The works shall ensure that they have successfully reduced the risks to acceptable levels to ensure that the site will not qualify as contaminated land under Part IIA Environmental Protection Act 1990.
3. The presence of any previously unencountered contamination that is not covered by the Remedial Strategy which becomes evident during the remediation of the site shall be reported to the Planning Authority in writing within one week. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
4. During the period that the remediation works are carried out all works and ancillary operations outwith the following hours, shall not exceed background noise levels LA90 (1hour) when measured 3.5 metres from the façade of any residential property.

Mondays to Fridays: 08.00 – 18.00

Saturdays: 08.00 - 13 00

Sundays and public holidays: No working

5. The Planning Authority shall be informed in writing of any proposed deviation from the operating conditions specified in the Construction Environmental Management Plan (CEMP) V1.3 dated December 2018. All such deviations

shall require written approval by the Planning Authority prior to the change in operation.

6. All works on site, deliveries and vehicle movements shall be undertaken in accordance with the Traffic Management Plan contained in the Outline Construction Environmental Management Plan dated December 2018.
7. All vehicle movements to and from the site shall be scheduled to avoid school travel times (8.15-9.40am and 3.00-4.30pm).
8. The approved remediation works shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of:
 - Management of earthworks
 - Monitoring of any standing water within the site temporary or permanent
 - Reinstatement of grass areas and soft landscaping

The Bird Hazard Management Plan shall be implemented as approved. No subsequent alterations to the plan to take place unless approved in writing by the Planning Authority.

9. The remediation works hereby approved shall be undertaken at all times in accordance with the 'Outline Construction Environmental Management Plan (by WSP dated December 2018).

Notwithstanding the details contained in the 'Outline Construction Environmental Management Plan (by WSP dated December 2018), an Ecological Clerk of Works shall oversee the river wall repair works, installation of visual screen fencing and drainage outfall works, if undertaken between September to April (inclusive) in order to ensure that works adjacent to the river are progressed when redshank are not present.

10. No remediation shall take place within the site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the applicant shall ensure that the programme of archaeological works is fully implemented in accordance with the written scheme.
11. During the remediation works being undertaken on site, a regular two monthly meeting shall take place between the applicant and the Planning Authority to appraise of progress of the works.

DC18/207 – Construction and operation of a 250kW hydro power scheme at Land north west of Gavinburn Farm, Kilpatrick Braes by Scotia Hydro.

GRANT planning permission subject to the following conditions:-

1. No development shall commence on site until an updated Construction Management Plan (CMP) which sets out how the construction phase of the development will be managed. This shall be submitted to and approved in writing by, the Planning Authority.
 - a) Detailed construction methods for all aspects of the scheme (temporary access tracks, permanent tracks, site compounds, intakes, pipeline, tailrace/ outfall, powerhouse, culverts);
 - b) Schedule of mitigation
 - c) Pollution prevention safeguards and sedimentation safeguards;
 - d) Storage and disposal of materials;
 - e) Construction site facilities including the location of construction site huts, vehicle equipment, materials storage and location of parking area(s) for construction workers;
 - f) Duration, timing and phasing of works;
 - g) The width of the working corridor that construction works will be confined to (shown on a plan);
 - h) Detailed landscape mitigation and restoration techniques for the entire route
 - i) Detailed habitat mitigation and restoration targets;
 - j) Treatment and management of peats and turves;
 - k) Tree felling and tree/ root protection measures;
 - l) Core path restoration methods and specification;
 - m) Protected species mitigation (including the provision of temporary; ramps in trenches and the capping of pipes at the end of a working day);
 - n) Details of toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction of the hydro scheme;
 - o) Traffic management proposals - to minimise any conflict between construction vehicles and other road users;
 - p) Public access management proposals and advisory warning signage strategy and;
 - q) Hours of operation on site.The CMP shall be implemented as approved:
2. The development shall be undertaken in one continuous phase, with no partial implementation. Unless otherwise agreed in writing by the Planning Authority, all construction activities shall be completed within a 24-month period taken from the start date provided to the Local Planning Authority in accordance with the Notice of Initiation of Development and having regard to any other limitations on work periods set out in any other planning condition.
3. No development shall commence on site, until an invasive species management plan, for scotch broom and rosebay willow herb, shall be submitted for approval in writing, by the Planning Authority and will include:

- a) Areas to be avoided during construction are to be marked out by an ecologist;
- b) Ensure careful vegetation management during construction/operational stages to ensure that no seed dispersal or spread by vegetative means occurs;
- c) Agree a location and methodology for the storage of topsoil;
- d) Produce a post construction management plan to manage the potential impact of rapid re-colonisation of these (or other) invasive species resulting from the disturbance of the seed bed during the construction and operational phases

The plan shall be implemented as approved within a timescale to be agreed with the Planning Authority.

- 4. No construction shall commence on site until a Landscape Restoration Plan is submitted to, and approved in writing by, the Planning Authority. The plan shall detail proposals for the reinstatement and management of all areas of the scheme and shall include a turve management plan. The details to be provided shall require the pipeline route to be exposed in short sections only (to be defined and agreed) and turves associated with the construction of the pipeline shall be stored for a maximum of two weeks. The Landscape Restoration Plan shall be implemented as approved within a timescale agreed with the Planning Authority.
- 5. No development shall commence on the construction of the power house until a scheme of hard and soft landscaping works for the site of the powerhouse has been submitted to, and approved in writing by, the Planning Authority. The approved landscaping scheme shall be implemented in full prior to the initial operation of the powerhouse. Any trees or plants which within a period of five years from the completion of the development die, or for whatever reason, are removed or damaged shall be replaced in the next planting season with others of the same size and species.
- 6. No development shall commence until a detailed Public Access Management Plan has been submitted to and approved in writing by the Planning Authority. The Plan shall include:
 - a) All existing access points, paths, core paths, tracks, rights of way and other routes within and adjacent to the application site;
 - b) Exact timings, impacts and mitigation for all site vehicle movements and works affecting the Core Path. Works directly affecting the Core Path route shall be programmed to minimise disturbance during peak walking seasons/weekends/days.
 - c) Use of banksmen to manage the safe passage of users
 - d) A mitigation communication strategy - local press, businesses and community groups informed of construction operation timetables and likely disturbance to path usage;
 - e) Advisory construction warning signage strategy;

The approved Public Access Management Plan shall be implemented as approved.

7. No development shall commence on site until a photographic survey and annotated plan of all core paths that will be used by construction traffic is carried out to ascertain the pre- works standard of the paths and shall submitted for the approval in writing of the Planning Authority. Within 1 month of construction being completed all paths shall be re-surveyed and reinstated to the agreed pre-works standard.
8. No development shall commence on site until a detailed Woodland Management Plan has been submitted to and approved in writing by the Planning Authority. The Woodland Management Plan shall be prepared by a suitably qualified forestry consultant and include the following:
 - a) Plan showing trees to be felled;
 - b) Plan showing area of compensatory planting;
 - c) Detailed planting specification and timescales;
 - d) Detailed maintenance programme;
 - e) Detailed management/ protection proposals for retained trees along the penstock route;
 - f) Details of forestry consultant responsible for supervision through to establishment.

The Woodland Management Plan shall be implemented as approved. Within a timescale agreed with the Planning Authority.

9. All works shall be carried out in accordance with the approved details of the Aboricultural Impact Assessment and Method Statement (dated December 2018) for the protection of trees on site.
10. No development shall take place until such time as a noise impact assessment has been submitted to and approved in writing by the planning authority. The noise impact assessment shall include an assessment of the potential for the proposed turbine/ powerhouse to cause noise nuisance affecting nearby residential properties. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing 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.
11. During the period of construction, all works and ancillary operations shall be carried out between the following hours unless otherwise approved in writing by the planning authority:

Mondays to Fridays: 0800-1800

Saturdays: 0800-1300

Sundays & public holidays: No working

12. Prior to the commissioning of the scheme an interpretation board containing information relating to the history of the lochs and the approved hydro scheme shall be displayed at Loch Humphrey (or at alternative locations agreed with the Planning Authority) and maintained thereafter.
13. Unless as may otherwise be agreed in writing by the Planning Authority, no works shall commence on the development hereby approved until an independent Ecological Clerk of Works (ECoW) has been appointed by the developer to oversee the implementation of the relevant planning conditions and the Construction Management Plan (CMP) during the detailed design, construction, and restoration phases of the development.
14. Prior to appointing the ECoW in accordance with Condition 13 above, a 'scope of works' for that person shall be submitted to, and approved in writing by, the Planning Authority. As a minimum, the ECoW shall: be present to oversee all in-stream construction works; give advice on micro-siting project elements to protect trees and avoid important habitats, give Ecological 'toolbox talks' on emergency procedures if protected species are identified within or close to the construction corridor; ensure compliance with all wildlife legislation; undertake pre-construction checks for protected species (mammals, fish and birds); oversee implementation of all ecological mitigation, as detailed in the approved CMP; monitor restoration of the site and ensure that the agreed habitat restoration targets are achieved; and have the authority, on and off-site, to halt operations or to alter construction methods if they observe, monitor or otherwise identify that these operations are having adverse impacts on the natural heritage. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for, and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works.
15. Before the commencement of development on site, a Bird Disturbance Method Statement shall be submitted for the approval in writing of the Planning Authority. This shall include pre-construction surveys and timings, identify exclusion zones, method of surveying during construction for signs of disturbance and mitigation if birds are disturbed. The Bird Disturbance Method Statement shall be implemented as approved within a timescale to be agreed with the Planning Authority.
16. Before the commencement of development, a Peat Contingency Plan shall be submitted for the approval in writing of the Planning Authority and shall include:
 - a) A commitment to all construction activity ceasing immediately if deep peat is discovered;
 - b) On site storage options to ensure any peat is kept dry;
 - c) Details of proposed on site and off site use;
 - d) A commitment that SEPA will be contacted to obtain an appropriate level of waste management authorisation as required.

The Peat Contingency Plan shall be implemented as approved within a timescale to be agreed with the Planning Authority.

17. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the planning authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted and approved in writing by the Planning Authority prior to the commencement of development on site.
18. No development shall commence on site, until a further survey of the site for badgers is submitted for the approval in writing by the Planning Authority. If any evidence of badgers is identified then any actions arising shall be agreed by the Planning Authority and implemented as approved.
19. Notwithstanding the submitted plans, unless as may otherwise be agreed in writing by the Planning Authority, the permanent access track to the powerhouse shall not exceed 2.5 metres in width and shall include a grass central strip.
20. Prior to the commencement of the development, a 'micro siting' plan, informed by a topographical survey shall be submitted to, and approved in writing by, the Planning Authority, which shall include details of the precise route of the pipeline through the areas of woodland to the south of the site and the Haw Craig Site of Special Scientific Interest. The plan shall show details of the construction corridor at these locations and shall be implemented as approved.
21. Unless otherwise agreed in writing by the Planning Authority, only the A82 Sheephill Quarry and Gavinburn Farm accesses shall be used by construction vehicles associated with the hydro scheme.
22. A monitoring report shall be submitted to the Planning Authority setting out how the requirements of the Construction Management Plan and all other conditions of the permission are being adhered to on the site, and any issues arising, at the following intervals during the construction phase:
 - a) Every month for the first 6 months (taken from the start date given in the Notice of Initiation), and
 - b) Every two months for the remaining period of construction. Unless otherwise agreed in writing by the Planning Authority, the monitoring reports shall include an update on construction progress, photographs, and an update from the ECoW.
23. Unless otherwise agreed in writing by the Planning Authority, in the event of the scheme not generating electricity for a continuous period of twelve months with no realistic expectation of resumption in the foreseeable future, the site shall be reinstated within a period of two years in accordance with the scheme to be submitted to, and approved in writing by the Planning Authority, following the expiry of such a period of cessation or within such timescales as

agreed in writing by the Planning Authority. Reinstatement shall include a methodology for the removal of the above ground infrastructures and restoration of the ground and restoration of the natural water regime to normal flows.

DC18/272 – Erection of 146 flatted dwellings and four commercial units, associated car parking, amenity space and landscaping at Queens Quay, Clydebank by Wheatley Group.

GRANT planning permission subject to the following conditions, and subject also to an additional condition controlling the uses of the commercial units on site:-

1. The materials to be used on the development hereby approved shall be a mix of Michelmersh Porcelain White Smooth and Ibstock Bradgate Light Buff facing brick, matching mortars, Ash and Lacey aluminium rainscreen, Lineal F System in grey (RAL 7022) and gold (RAL 1036) and grey Aluminium clad (Aluclad) timber windows (Ral 7022). All external materials shall be implemented as per the approved plans unless otherwise agreed in writing by the Planning Authority.
2. Prior to the commencement of development on site, details of the location, material and colour of all rainwater goods shall be submitted for the approval in writing of the Planning Authority. Thereafter the rainwater goods shall be installed as approved.
3. If any materials, including windows, require to be replaced at any time during the lifetime of the building then this shall be carried out in accordance with the approved materials specification detailed in conditions 1 and 2 above unless otherwise agreed in writing by the Planning Authority.
4. Notwithstanding the provisions of Class 4a of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) no satellite dishes, aerials or telecommunications apparatus shall be installed on the front or rear elevations of the buildings hereby permitted. For the avoidance of any doubt, the installation of any such equipment shall be permitted within the roof space only and shall not project above the parapets.
5. Unless otherwise agreed in writing no commercial unit shall be occupied until full details of the signage to be erected on the unit is submitted for the written approval of the Planning Authority and implemented as approved.
6. Unless otherwise agreed in writing by the Planning Authority, no development shall commence on site until samples of all hard surfacing and edging materials throughout the housing site shall be submitted for the written approval of the Planning Authority. Such details shall include the provision of sample panels showing options for the material to be used in the pends of site A and shall be co-ordinated with the materials for Titan Boulevard. The agreed materials shall thereafter be implemented as approved prior to the occupation of first flatted unit.

7. Unless otherwise agreed in writing, no development shall commence on site until full details of the design and location of all walls, fences and gates to be erected on site shall be submitted for the approval in writing of the Planning Authority and implemented prior to the occupation of the building.
8. The approved landscaping scheme for the entire development, including the picnic seating area in the courtyard of site A, shall be implemented not later than the next appropriate planting season after the first occupation of the first flatted unit and shall thereafter be maintained in accordance with these details. No landscaping details or features shall be altered or removed without the prior written approval of the Planning Authority.
9. The SUDS hereby approved, shall be designed to ensure that any 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 any buildings and in accordance with the approved details.
10. Twelve months after the first occupation of the residential developments, 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. Prior to the occupation of the first flat, full details of the car club and rent a bike schemes shall be submitted for the approval in writing of the Planning Authority. This shall include details of the car club and rent a bike operators and details of the management, maintenance and operation of the schemes. Thereafter, no more than 88 flats in site A shall be occupied until the car club and rent a bike schemes are fully operational and the schemes shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.
12. Prior to the occupation of first flat, details of the proposed management of the two designated car club spaces, for the sole use of the car club vehicles, shall be submitted to and approved in writing by the Planning Authority. Thereafter, no more than 88 flats in site A shall be occupied until the car club parking spaces are implemented as approved and in accordance with the management Page 61 details agreed under the terms of this condition and shall be available for use at all times and be delineated on site.
13. Prior to the occupation of the first flatted unit in either site A or B the respective parking areas shall be completed to the final approved finished surface and spaces shall be delineated and available for car parking use at all times.

14. Prior to the occupation of the first flat, a residential information pack shall be submitted for the approval in writing of the Planning Authority. It shall include the following information:
- a. details of local bus and rail timetables and electronic links;
 - b. a map illustrating routes to access public transport and walking distances;
 - c. a map of the local cycling network in relation to the development site;
 - d. details of car sharing websites;
 - e. Information on electric vehicle charging availability within the site;
 - f. details of operation and management of car club and rent a bike schemes available to residents as detailed in conditions 13 and 14 above;
 - g. details of private bicycle storage arrangements on site.

Thereafter, the approved information pack shall be provided within every flatted unit prior to its occupation.

15. Prior to the occupation of the first flatted unit, the infrastructure required for electric vehicle charging shall be installed in accordance with the approved plans.
16. Prior to the occupation of the first flatted unit an updated bird hazard management plan shall be submitted for the approval in writing of the planning authority and implemented in accordance with the approved details.
17. No development (other than investigative works) shall commence on site until such time as an updated report on the nature and extent of contamination of the site has been submitted to and approved in writing by the Planning Authority. An appraisal of remedial options, including a detailed remediation scheme based on the preferred option is required.
18. No development (other than investigative works) shall commence on site until such time as a 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 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.
19. 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.

20. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
21. No development shall take place on site until such time as an updated noise impact assessment has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include:
 - a. an assessment of the potential for the proposed use of the new commercial units to cause noise nuisance affecting residential properties.
 - b. an assessment of the potential for occupants of the development to experience noise nuisance from nearby existing sources, using BS 4142: 1997 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas'

Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation measures 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.

22. 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.

23. During the period of construction, all works shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800-1800
Saturdays: 0800-1300
Sundays and public holidays: No working
24. 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 6472-1: 2008 '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.
25. No development shall take place on site until such time as details of the design of the lights have been submitted to and approved in writing by the Planning Authority. The lights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position, design or specification shall be subject to the prior written approval of the Planning Authority.
26. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
27. Details for the storage and the collection of waste arising from the approved housing and commercial developments shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior to the occupation of the approved development and thereafter be maintained thereafter.
28. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.
29. Prior to the commencement of development on site, details of any flue system/ extraction system shall be submitted to and approved by the Planning Authority. The submitted details shall include the noise output and filter system. The approved flue/extraction system shall be implemented prior to the use being brought into use and shall be maintained thereafter.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 19 MARCH 2019

Present: Bailie Denis Agnew and Councillors Karen Conaghan and Diane Docherty.

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

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management; and Lisa Miller, Planning Officer.

SITE VISITS

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

(1) Queens Quay, Clydebank

DC18/272 – Erection of 149 flatted dwellings and four commercial units, associated car parking, amenity space and landscaping at Queens Quay, Clydebank by Wheatley Group.

(2) Land north west of Gavinburn Farm, Kilpatrick Braes

DC18/207 – Construction and operation of a 250kW hydro power scheme at Land north west of Gavinburn Farm, Kilpatrick Braes by Scotia Hydro.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regulatory

Planning Committee: 24 April 2019

DC18/209: Erection of a petrol filling station with jetwash and alterations to the carpark at the Clyde Retail Park, Livingstone Street, Clydebank by Asda Stores Limited.

1. REASON FOR REPORT

- 1.1** The application is subject to an objection from a Community Council and a significant volume of representations. Under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application site relates to an area currently used as a car park for the Clyde Retail Park in Clydebank. The area of the site is 4150m² and is bounded by Argyll Road and ASDA and the Clyde shopping centre to the west, the Clyde Retail Park to the east and Livingstone Street to the south. The car park is one of five designated parking areas for the retail park and it also acts as an overspill car park for the Asda store and for the retail park units. Vehicular access to the car park is from Livingstone Street to the east of Argyll Road and a pedestrian underpass under Argyll Road connects the car park with the Asda store.
- 3.2** The proposal would comprise a four pump, eight filling position petrol filling station (PFS) which would include an automated 'pay-at-pump' system, a jetwash, air/water dispenser and an unmanned control room. Fuel would be stored underground in 2 No. 2500mm double skinned galvanised steel, 75,000 litre fuel storage tanks in a reinforced concrete base and delivered via four pump islands each with 2 fuel dispensers. It is intended that the Petrol Filling Station would be fully automated,

unmanned and operate for 24hrs each day. There would be no retail provision offered at the station. The PFS would not provide various different types of fuel such as BIO, liquid petroleum gas (LPG) or higher grade fuel and would only offer standard petrol and diesel.

- 3.3 The PFS design would include a traditional forecourt canopy of green and black and display the standard corporate Asda brand logo. Hard and soft landscaping would be provided including a variety of shrubs and trees planted along the sites southern and western boundary. All traffic using the PFS would access the facility via the car park using the junction on Livingstone Street. A total number of 81 out of 292 parking spaces would be lost leaving a capacity of 211 spaces on this specific area of car parking for the wider retail park.
- 3.4 The application is accompanied by the following supporting documents: Transport Statement and Car Park Occupancy and Traffic Forecasting Note.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service support of the proposal and are satisfied that the loss of parking is acceptable as there is adequate parking provision within the Clyde Shopping Centre area to justify this loss. They are also satisfied with the access and associated drainage arrangements.
- 4.2 West Dunbartonshire Council Environmental Health Service has no objection to the proposal subject to conditions relating to contaminated land and construction hours.
- 4.3 The Scottish Environmental Protection Agency, Scottish Water and Glasgow Airport has no objection to the proposal.
- 4.4 West Dunbartonshire Council Trading Standard's Service has no objection to the proposal.

5. REPRESENTATIONS

- 5.1 Seven letters of objection from local residents and Linvale and Drumry Community Council have been submitted and 66 letters of support submitted by the applicant were gathered following a customer consultation event in the Clydebanks Asda store. The points of objection and support can be summarised as follows:

Points of objection

- The proposal will create more congestion and exacerbate existing traffic problems on the Argyll Road, Coldstream Road and Livingstone Street junctions with the roundabout to the west of the site.
- The roundabout is too small to cope with the increase in traffic that will be created by the proposal.
- Pedestrian safety concerns as a result of additional traffic.
- The proposal will reduce parking and have a negative effect on the Clyde Shopping Centre.
- Access and egress to the petrol filling station site is unclear from the plans.
- Asda currently has insufficient parking and relies on the overspill parking where the petrol filling station is proposed.
- Asda currently have to use car marshals at peak times because of their parking shortfall.
- Alternative locations such as the former playdrome site should have been considered by ASDA.
- There is no provision for electric vehicle charging.
- The methodology of the Transport Assessment submitted by the applicant is flawed. The proposal is outwith the ASDA site which will result in separate journeys to the petrol filling station.
- There is no demand for a petrol filling station at this location. There are 4 within 2 miles of the site

Points of support

- The petrol filling station is a much needed facility for the area.
- It will be used by people who are already in the area shopping at ASDA or the Clyde Shopping Centre so it will not create additional traffic or journeys.
- It is unlikely people will make a dedicated trip just to purchase fuel.
- It will allow customers to purchase fuel as part of their shopping trip.
- The Transport Assessment justifies the loss of parking spaces which can be absorbed into the broader over provision of parking in the area.

The points of objection and support are addressed in Section 7 below.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The proposed site is located within the Clyde Retail Park which is identified as a commercial centre. Policy RET 2(a) relates to retail and/or leisure developments within commercial centres, whilst Policy GD1 outlines the need for all new development to be of a high design quality and to maintain or enhance the character and amenity of the surrounding area, whilst not having an adverse impact traffic and access. The development proposals are considered to comply with these policies as discussed in section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.

- 7.2** The site is located within the Clyde Retail Park which is identified as a commercial centre. Policy SC 1 relates to retail developments within commercial centres and requires proposals to be in a sequentially preferred location and not to have an unacceptable impact on a sequentially preferred town centre. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient, and easy to get to and move around, safe, pleasant and welcoming. Policy SD 1 states that new development should avoid adversely affecting the road network, by complying with the Roads Development Guidelines, avoiding unacceptable congestion; and providing or contributing to necessary improvements to the transport network as a result of the development. The development proposals are considered to comply with these policies as discussed below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.3** On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.

- 7.4** The proposed site is also identified within a commercial centre in LDP2. Policy SC 1 relates to retail developments within commercial centres and requires proposals to be in a sequentially preferred location and not to have an unacceptable impact on a sequentially preferred town centre. Policy CP 1 sets out the general expectations for the quality of new development and sustainable design which supports proposals which reduce carbon emissions. Policy CP 2 is not applicable to this type of development. Policy CON1 requires the proposal to accord with Designing Streets and the National Roads Development Guidelines. Policy RE5 supports proposals that incorporate low and zero carbon generating technologies. The development proposals are considered to comply with these policies.

Principle of development

- 7.5** The application site is situated within a defined 'Commercial Centre' and is part of an established retail area which is located directly adjacent to the defined 'Town Centre' boundary of Clydebank. The proposed use is commonly associated with such area and on principle, the development is considered to represent a complimentary addition which is compatible for this location and for the surrounding environment. The site for the proposal is representative of a sequentially preferred location and by virtue of the nature of the use it would compliment the facilities provided in the adjacent town centre. No such other facilities of this nature are provided in the immediate vicinity. On this basis, the proposals are considered to be compliant with Policy RET 2A of the adopted plan which lends support to complimentary retail/leisure proposals within identified Commercial Centres which do not impact upon town centres in an adverse manner. In terms of Policy SC1 of LDP 1 and LDP 2 the proposed site represents a desirable and appropriate location for the development, complying with the criteria of these policies and the agreed sequential approach.

Roads, parking and drainage

- 7.6** In order to accommodate the development, the loss of 81 car parking spaces would be an inevitable consequence and in this regard the Council's Road Service as part of their initial consultation response requested the submission of a Parking Survey that was subsequently provided. Whilst it is noted that the development will compromise the overall provision and availability of parking for the surrounding locality, this consideration has to be balanced within the context of the overall assessment and conclusions of the Parking Survey report. In this instance, the assessment of the survey establishes that in overall terms there is already a sufficient level and over provision of car parking spaces within the locality to support the surrounding retail and commercial uses and environment. The reports conclude that this overprovision and availability of parking can comfortably accommodate and absorb for the reduction of parking spaces which would arise through the development.

As a result, the development would not lead to a significant or adverse loss of parking spaces to an unacceptable degree and the Council's Roads Service has advised that they have no objections to the proposals. Equally the Council's Roads Service has no objections to the proposal on traffic, access or congestion grounds.

- 7.7** There is no current provision of any electric charging points for electric vehicles as part of the proposals but a condition has been attached requiring this to be incorporated as part of the development. Policies CON1, CP1, RE5 and the associated commentary within the proposed LDP 2 in relation to 'Connectivity' and 'Sustainability' alongside Sections 275 and 289 of Scottish Planning Policy (SPP 2014) convey a need for developments to accommodate and facilitate (where appropriate) for the provision of infrastructure necessary to support positive changes in transport technologies and reduce carbon emissions. Noting the nature of the development, which is predominantly car dependant, the requirement for the inclusion of an electric car charging point/unit is considered to represent a reasonable addition for the development in line with these policies. With regards to drainage arrangements for the petrol filling station, both the Council's Roads Service and Scottish Water have advised that they have no objections to the provisions proposed.

Layout, design and appearance

- 7.8** The proposals are of a generally standardised arrangement and noting the nature and function of the development itself, the proposed development would be in keeping with the commercial centre to which it relates. As part of the development, there is also a provision of both hard and soft landscaping proposed. The landscape plan provided indicates that the site is to be predominantly hard landscaped around the forecourt with the soft landscaping areas to be situated around the perimeter of the site boundary.

8. CONCLUSION

- 8.1** The proposed development will provide an additional facility within the centre of Clydebanks and provides an appropriate location for this type of use. Whilst the development will lead to some loss of car parking spaces, sufficient justification has been provided in support of their loss as the reduced available car parking spaces can be both accommodated and absorbed given an overprovision within the wider locality. This has been accepted by the Council's Roads Service.
- 8.2** On balance, the proposed site represents a desirable and appropriate location for the development, complying with the criteria of the land use policies of the Council.

9. CONDITIONS

- 1. 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.**
- 2. 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 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.**
- 3. Prior to the commencement of works on site, details of an electric charging point/unit within the site shall be submitted to and approved in writing by the Planning Authority. The electric charging point/unit shall thereafter be installed on site prior to the petrol filling station becoming operational and shall be maintained in accordance with the details approved.**

Peter Hessel
Strategic Lead- Regulatory
Date: 5th April 2019

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan (LDP 1);and

5. West Dunbartonshire Local Development Plan
2 Proposed Plan (LDP 2);

Wards affected:

Ward 5

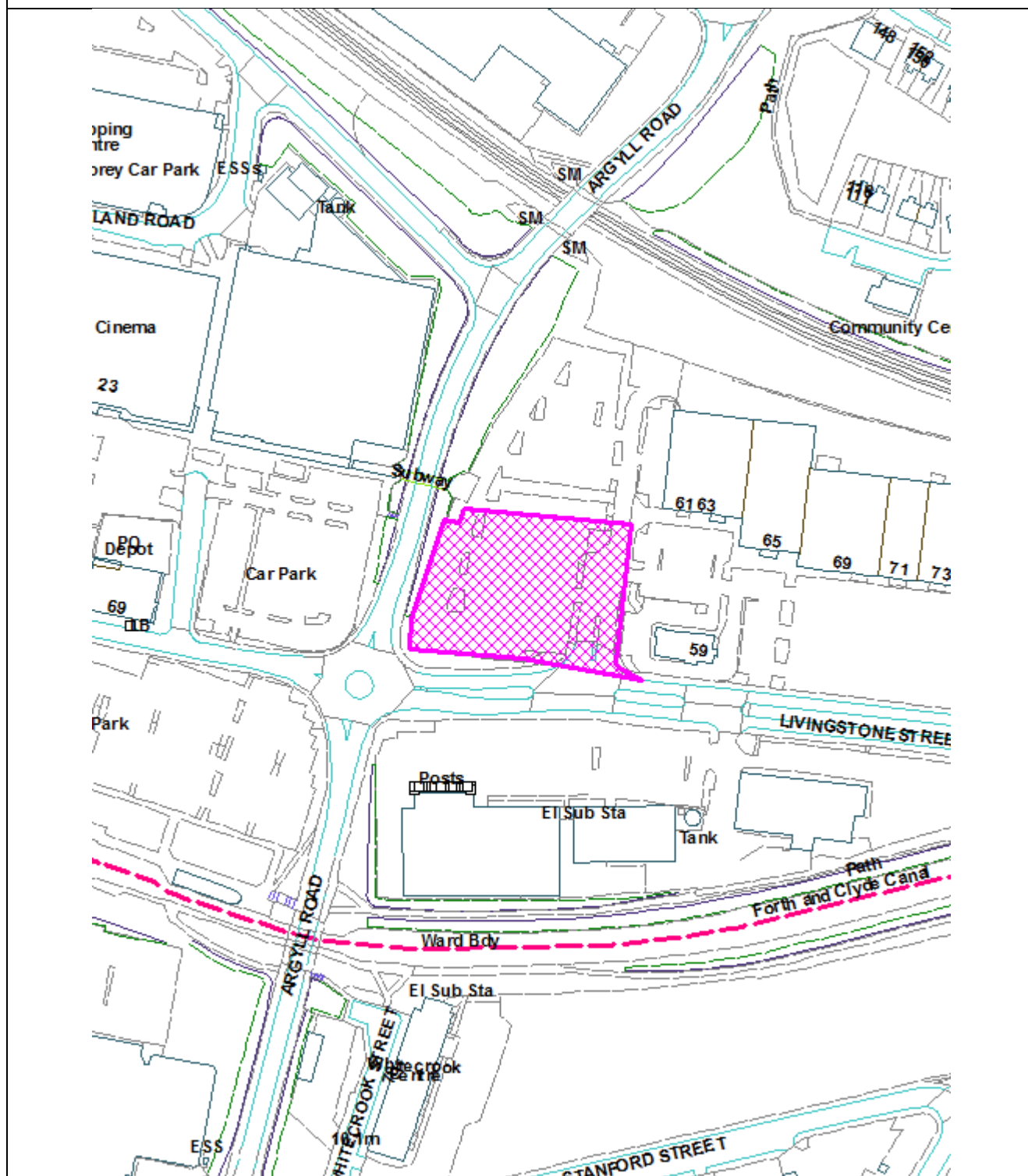
Map Register No: HQ623

Date: 4 April 2019

DC18/209

Erection of petrol filling
station, jet wash and
associated alterations to
existing car park

Development Site
Livingstone Street
Clydebank



WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regulatory

Planning Committee: 24 April 2019

DC18/245: **Remediation of the site including extraction and treatment of contaminated soils and groundwater at the former Carless Oil Terminal, Erskine Ferry Road, Old Kilpatrick by Malin Group Properties Limited.**

1. REASON FOR REPORT

- 1.1 This application relates to a major development and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1 The application relates to land within, and to the north of, the former Carless Oil Terminal, located on the north bank of the River Clyde, approximately 500m upstream and east of the Erskine Bridge. The site comprises two parcels of land: a small northern parcel adjacent to the Forth and Clyde Canal towpath (not part of the former Oil Terminal); and a larger southern parcel (site of the former Oil Terminal) which is bounded by a disused railway corridor to the north and the River Clyde to the south and is the subject of this remediation proposal. Within the southern area of the site there are three distinct areas:
- Central area – location of the former oil processing;
 - Western area (approx.5ha) – location of former buildings and tank farms, and site of proposed Phase 1 of future re-development proposals for Marine Technology Park;
 - Eastern area – location of former oil tanks and site of subsequent phases of re-development to be facilitated by a masterplan approach.

In total the southern area of the site comprises of 18 hectares.

- 3.2 The site was originally established as a fuel storage site for the Admiralty in 1916 and during the Second World War the Royal Navy used it as a depot and oil terminal. It was used by 'Carless' as an oil refinery and associated storage until 1992 and then all operations ceased. The site has been vacant since then, with most above ground structures associated with the previous use having been demolished although the jetties on the banks of the River Clyde, partial structures, and areas of reinforced concrete hardstanding remain on site. As a result of this former use, the site is subject to

contamination by hydrocarbons, and this application proposes to remediate the site in order to address this contamination. The foreshore of the site forms part of the European and National designations of the Inner Clyde Special Protection Area (SPA), Ramsar wetland site and Site of Special Scientific Interest with the wintering (non-breeding) redshank as being the designated species of interest.

3.3 The site is designated as 'Contaminated Land' under Part IIA of the Environmental Protection Act 1990, primarily as a result of past evidence of mobile oily product in soils and groundwater below the ground posing a risk to the River Clyde and affecting the ecological designations. The central area of the site is also designated - under the same legislation - as a Special Site (1 of only four such sites in Scotland). Remediation would be carried out in a phased manner with the aim of facilitating the removal of the site's current contaminated land and Special Site designations under Part IIA of the Environmental Protection Act 1990. No remediation is proposed on the smaller northern parcel of the site as it is not categorised as contaminated land having not been part of the former Oil Terminal.

3.4 The remediation strategy proposed comprises the following:

- Within the western and central areas of the site, following removal of concrete hardstanding and remaining services/utilities, intrusive remediation works would comprise of the extraction of mobile oil, gasoline and petroleum and other contaminants via boreholes, sump or bulk excavation/extraction. On site treatment of contaminated soils would be anticipated to be via bioremediation and contaminated water would be via offsite controlled disposal. Any onsite stockpiling of soils would be placed on suitable land (outwith flood risk areas) and would be placed on an impermeable barrier until completion of the remediation works. If required, an approximate 200m long hanging barrier including extraction wells would be installed adjacent to the River Clyde or abstraction wells in themselves may be used.
- Within the eastern part of the site monitoring of the existing boreholes would continue to confirm the absence of any migrating contaminants. Future site investigation and subsequent remediation would be required to investigate and remediate any contaminated soils and groundwater within this part of the site prior to re-development and would be timed and informed by the future intended use of the land, which is presently unknown.

As the applicant owns the whole site they have committed to undertaking the further investigation and remediation works across the whole Carless site as part of a phased process.

3.5 The site is accessed from the north-west via Erskine Ferry Road and it is shared with the neighbouring industrial premises (Subsea7 and Logitech). Access and egress for works traffic would be via Erskine Ferry Road. Due to the nature of the proposed remediation works, vehicle movements to and from the site are anticipated to be minimal. The

application does not include any proposals for the future re-development or use of the site. At the time of writing a separate planning application has been lodged for a marine fabrication development on the western area of the site.

- 3.6 The application is accompanied by a number of supporting documents which include Site Investigation Report, Remediation Options Appraisal, Remediation Strategy, Flood Risk Assessment, Archaeological Desk Based Assessment, Ecological report and a Pre-Application Consultation (PAC) Report.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service has no objection to the proposal subject to appropriate measures being employed to ensure debris from site is not shed onto the public road.
- 4.2 West Dunbartonshire Council Environmental Health Service has no objection to the proposal subject to conditions relating to the contaminated land remediation, noise, construction hours, lighting and dust control.

The Council's Contaminated Land Officer and the applicant have worked closely both prior to the submission and during the processing of the application regarding the agreed method of remediation.

- 4.3 West Dunbartonshire Council Regeneration Service supports this remediation towards the first phase of regeneration of this key site.
- 4.4 Scottish Natural Heritage has no objection to the proposal subject to adherence with recommended conditions to ensure that the development is undertaken in accordance with mitigation measures to ensure reduced disturbance to the wintering redshanks and thus avoid adverse effects on the integrity of the SPA.
- 4.5 The Scottish Environmental Protection Agency has no objection to the proposal on flood risk grounds. In addition SEPA's Contaminated Land Specialist has been closely involved in the assessment of remediation scheme.
- 4.6 Glasgow Airport has no objection to the proposal subject to a condition requiring the submission of a Bird Hazard Management Plan.
- 4.7 The Health & Safety Executive has no objection to the proposal.

5. REPRESENTATIONS

- 5.1** One representation has been submitted from a local employee in whom they support the application but highlight concerns associated with the future re-development of the site - namely construction traffic and associated parking/access matters.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

Clydeplan Strategic Development Plan (2017)

- 6.1** The Vision for Clydeplan sets out a Compact City Region as its Spatial Land Use Model. The vision supports recycling of previously developed land and directing development to sustainable brownfield locations, which is the objective of the remediation of this site. These objectives are particularly emphasised for the Clydeplan Development Corridor which covers the Clyde Waterfront, and includes this site. Remediation of the site is fully in accordance with the vision and strategy for Clydeplan.

West Dunbartonshire Local Plan 2010

- 6.2** The majority of the former Carless site is identified as a mixed use redevelopment opportunity in Schedule GD2 (site 9), with the remaining eastern portion identified as an Industrial Opportunity Site where Policy LE1 states that there will be a presumption in favour of uses which extend the permanent employment of the site. Policy LE6 also identifies much of the site as a Strategic Employment Location. Whilst the redevelopment of the site would be addressed in subsequent planning applications, the proposed remediation works supports this aspiration. Therefore Policies GD2, LE1, LE6 are considered relevant and support the principle of development.
- 6.3** Policy E1 indicates that the Council will further the conservation of biodiversity. Policies E2A and E2B indicate that any development with potential to have an adverse impact upon a Natura 2000 site (i.e. Inner Clyde Special Protection Area) or a Site of Special Scientific Interest site will only be allowed if there would be no adverse impacts on the nature conservation interest, or where there are imperative reasons of overriding public interest. In this case the potential temporary disruption to wildlife on the site itself during the work is considered to be outweighed by the longer term environmental benefits of dealing with the contamination, and subject to suitable safeguards whilst the work is taking place the proposal would not adversely impact upon the protected habitat of the Inner Clyde SPA. A Habitat Regulations Appraisals has been carried out with the conclusion that, subject to mitigation measures, the works will not adversely affect the integrity of the Special Protection Area site. SNH are satisfied with the proposals and accordingly, the remediation of the site is considered to be in accordance with these aforementioned Local Plan policies.
- 6.4** The Disused Railway Line to the north of the site is a Local Nature Conservation Site. It is considered that the works will not have any permanent detrimental effects on this designation and is therefore in accordance with Policy E3A.

- 6.5** Policy F1 relates to Flood Prevention and supports development within the functional flood plain which is for essential infrastructure or regeneration priorities and which cannot be located elsewhere. SEPA is satisfied that the remediation proposals will not raise any flood risk issues.
- 6.6** It is considered that the proposals comply with the above relevant policies of the adopted Local Plan.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The former oil terminal is identified as a "Changing Place" in LDP1 and potential future redevelopment opportunities are identified which includes remediation, a range of uses including industrial/business and housing development, green network enhancements and access improvements. Although the proposed redevelopment would be addressed in subsequent planning applications, to bring the site back into productive use, the proposed remediation works accords with the Council's long term aims and strategy for this site.
- 7.3** Policies GN3, DS2, DS6 and DS7 are also relevant to this application and they relate to nature conservation, greenbelt, flooding and contaminated land. The content of these policies is similar to the policies of the adopted local plan which is discussed in Section 6 above. It is considered that the proposals comply with these policies and the detailed assessment is set out below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.
- 7.5** LDP2 identifies a development strategy for the former oil terminal which seeks to encourage the redevelopment of the site to primarily increase the business and industrial opportunities available within West Dunbartonshire. In addition, green network enhancements and potential provision of a secondary access road are supported on the site. The proposed remediation scheme is therefore in accordance with LDP2 and Carless Policy 1, 2 and 4 as it would assist in unlocking the future redevelopment of the site.

- 7.6** Policies ENV1, GB1, ENV5, ENV6, ENV8 and ENV9 are also relevant to this application and they relate to nature conservation, greenbelt, flooding and contaminated land. The content of these policies seeks to protect the ecological and water environment and amenity of the area and is similar to the policies of the adopted local plan which is discussed in Section 6 above. The principle of remediation of the site is therefore in accordance with the relevant policies of the Proposed LDP2.

Remediation Strategy

- 7.7** The site has been vacant since it was decommissioned and site clearance of above ground structures was completed. Most of the ground levels are artificial as significant portions of the whole site consist of made-up ground and the current levels are therefore a product of the manner in which the site was previously developed and local ground conditions.
- 7.8** A number of site investigations have been conducted on site to identify the relevant primary pollutant sources and pathways on the site. The applicant's submitted Remediation Strategy has defined, to a sufficient level, the intended approaches to removing/reducing the primary pollutants from the land and therefore allowing reduction or removal of the site's current contaminated land and special site status and reduces the risk of pollution to the River Clyde. It is important to note that each phase of built development on the site will potentially require being subject to its own remediation plans, linked to the intended use. These would be considered as each development phase comes forward.
- 7.9** The proposed remediation approaches would involve excavating trenches and installing skimmer pumps in each trench to remove mobile pollutants from the standing water. Further to review and monitoring, if the rates of recovery from trench excavations are too low (e.g. due to the thickness of pollutant) and this is not a practically feasible option, bulk excavation and ex-situ treatment of soils, in combination with skimmer pumps, would be utilised. Upon completion mitigation measures which would either involve installation of a barrier to remove risk of any remaining pollutants from entering the River Clyde, or if this is deemed unnecessary, then abstraction wells would be utilised. The hanging wall would be set predominantly underground with only a small portion of it being visible. The construction of such a wall is therefore unlikely to have any detrimental impact on the visual amenity of the surrounding area. This adaptive approach to remediation is required due to the site and pollutant specifics of the contaminants. .
- 7.10** Both the Council's Contaminated Land Officer and the Contaminated Land Specialist for SEPA consider the proposed remediation approach and techniques acceptable. The main purpose is that the land being remediated to a standard that seeks to remove the Part IIA and Special Site status and allows the site to be developed for appropriate uses in the future.

Natural Environment and Ecology

- 7.11** Since the site was decommissioned, it has provided a habitat for various forms of wildlife and the site is adjacent to the Special Protection Area (SPA). The site itself is not subject

to any specific environmental designation and in the long term, the site is allocated for redevelopment. At present there is potential for the site to impact adversely upon the surrounding natural environment due to the contaminants that are currently on site and risk entering groundwater and the River Clyde. The undertaking of this remediation would enhance the water environmental conditions for the River Clyde and therefore have an overall positive benefit. Assessment of the proposed works has been made by SNH regarding impact on the SPA and it is considered that the remediation works would not have an adverse impact on the SPA, subject to suitable measures being implemented. SNH have recommended that visual screens be erected where necessary to reduce visual/noise disturbance to wading birds (redshank) in the Clyde. They also recommend that any vegetation clearance is undertaken outwith the bird breeding season and that natural screening be retained where possible. These issues can be addressed through the use of appropriate conditions and these will also assist in mitigating against impacts on the coincident Ramsar and SSSI designations.

Technical Issues

- 7.12** Access and egress to the site is from Erskine Ferry Road and this is shared with the neighbouring industrial premises. Due to the nature of the proposed remediation works (involving minimal off-site disposals), vehicle movements to and from the site are anticipated to be minimal. The Council Roads Services are satisfied that the existing access arrangements are satisfactory on the basis of the proposals. SEPA, in terms of their flooding responsibility, is satisfied that the proposed remediation works do not raise any concerns regarding flood risk.
- 7.13** The applicant has provided a desk-based archaeological assessment which has been assessed and West of Scotland Archaeological Service conclude that the site has low archaeological potential and no designated or known heritage assets exist on the site or would be affected by the proposed remediation. As a result, no further archaeological work is necessary. Furthermore, the proposed remediation works would not impact on the nearby Forth & Clyde Canal Scheduled Ancient Monument.

Pre-application consultation

- 7.14** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to submission of the application. Following submission of the Proposal of Application Notice a public event was held in Old Kilpatrick during November 2017 and local community councils were contacted about the proposal and relevant organisations and landowners were invited to attend and comment. A statutory notice was published in the local press advertising the public event. The applicant has submitted a Pre-Application Consultation Report which highlights that 25 people attended the public event. The views expressed were directed towards the emerging redevelopment proposals, rather than directed towards the remediation proposals addressed in this application, which received no specific comments.

8. CONCLUSION

- 8.1** The proposed remediation works will assist in addressing the historic contamination issues on this site and reducing the risk of harm to the environment and in particular the River Clyde water environment. The applicant has worked very closely with the Council's Contaminated Land Officer and SEPA's Contaminated Land Specialist to get an acceptable remediation strategy for the site. Furthermore, subject to safeguarding measures, the remediation works would not cause adverse impacts on the Special Protection Area or other local ecology. The remediation of this site has the potential to unlock this site for future re-development in accordance with the vision and aims of the Development Plan.

9. CONDITIONS

- 1. Notwithstanding the approved Remedial Strategy (dated Nov 2018) no works (other than investigative works/remedial trials) shall commence on site until such time as an updated, finalised Remedial Strategy for the site (informed by the findings of the investigative works/remedial trials) is submitted to and approved in writing by, the Planning Authority. The revised strategy shall include details of the findings of the investigative works/remedial trials as well as an overview of the remedial approach, including details of the remedial target(s) and also verification requirements that the remediation is to achieve.**
- 2. A Remediation Scheme, in accordance with the approved Remedial Strategy that details the different phases of the remediation, shall be 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 deal with the Part IIA linkages identified at the site. The scheme shall include method statements for works to be undertaken, a timetable of works and/or details of the phasing of works and all other site management procedures relating to the remediation.**
- 3. The Planning Authority shall be notified in writing (by submission of the Notice of Commencement of Development) of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of each phase of remediation, a verification report, which demonstrates the effectiveness of the completed remediation works, shall be submitted to, and approved in writing by, the Planning Authority.**
- 4. A monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to, and approved in writing by, the Planning Authority, unless otherwise agreed in writing. Any actions/measures ongoing shall be implemented within an agreed timescale with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance**

measures shall be submitted to, and approved in writing by, the Planning Authority.

5. The presence of any previously un-encountered contamination that is not covered by the Remedial Strategy which becomes evident during the remediation of the site shall be reported to the Planning Authority in writing within one week. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to, and approved in writing by, the Planning Authority prior to the recommencement of works in the affected area. The approved amended remediation scheme shall be implemented as approved.
6. The applicant shall coordinate a meeting that shall be held on site every 2 months (or more regularly if the need arises) to appraise the Planning Authority of the progress of the works hereby approved.
7. No works shall commence on site until such time as a noise/vibration impact assessment has been submitted to, and approved in writing by, the Planning Authority. This assessment shall include an assessment of the potential for the proposed works to cause noise/vibration nuisance affecting residential, industrial, commercial properties in the vicinity. Where potential disturbance is identified, proposals for the attenuation of that noise/vibration shall be submitted to, and approved in writing by, the Planning Authority. Any such approved attenuation scheme shall be implemented prior to the works commencing and shall thereafter be retained in accordance with the approved scheme. Should the approved attenuation scheme impose restrictions upon the way in which operations on site are carried out, the site shall be operated in this manner unless otherwise agreed and approved in writing by the Planning Authority. The assessment and any recommendations in respect of attenuation measures shall be prepared by suitably qualified person.
8. During the period that the remediation works and any ancillary operations are carried out which are audible at the site boundary (or at such other place(s) as may first be agreed in writing by the Planning Authority), shall be carried out between the following hours unless otherwise agreed and approved in writing by the Planning Authority:

Mondays to Fridays:	08.00 – 18.00
Saturdays:	08.00 - 13 00
Sundays and public holidays:	No working

9. No works shall commence on site until such time as details (including specific luminaire and lamp type; beam control; wattage; use of reflectors, baffles, louvers, cowling; lux contours/distribution diagrams and columns types/colours) of the lights/floodlights have been submitted to, and approved in writing by, the Planning Authority. The lights/floodlights shall then be implemented in

accordance with the approved details and shall be maintained. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority. For the avoidance of doubt, bright lighting shall be avoided during the months of September to March inclusive where this would illuminate areas of the inter-tidal habitat of the Inner Clyde Special Protection Area.

10. No works, unless otherwise approved in writing by the Planning Authority, shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to, and approved in writing by, the Planning Authority. The scheme shall identify likely sources of dust arising from the approved remediation works, 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 in writing by the Planning Authority.
11. No works shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of:
 - Management of earthworks
 - Monitoring of any standing water within the site temporary or permanent
 - Reinstatement of grass areas and soft landscaping (including details of species and spacing of trees and shrubs)The Bird Hazard Management Plan shall be implemented as approved. No subsequent alterations to the plan shall take place unless firstly approved in writing by the Planning Authority in consultation with Glasgow Airport.
12. No works shall commence until an Ecological Clerk of Works has been appointed to oversee, monitor and ensure the effectiveness of all ecological mitigation measures to protect the integrity of the Natura site.
13. No works, between the months of September to March inclusive, shall commence until a screening barrier has been installed along the southern boundary of the remediation works area, to provide screening against visual and noise disturbance. Details of the screening shall be submitted to, and approved in writing by, the Planning Authority and implemented as approved. No activities shall take place below Mean High Water Springs (i.e. within that part of the application site boundary that overlaps with the Inner Clyde Special Protection Area).
14. Any clearance of ground vegetation, prior to the main remediation works being undertaken, shall be carried out by hand during the winter months. The vegetation clearance shall be overseen by the Ecological Clerk of Works with a view to retaining as much vegetation on site as possible while still facilitating the

remediation works – particularly where such retained vegetation can retain and enhance the screening of the remediation works from the Inner Clyde Special Protection Area.

15. No remediation works shall commence until wheel washing facilities and/or other appropriate measures for traffic connected with the remediation works have been installed in accordance with details agreed by the Planning Authority. Once installed such facilities shall be used to prevent mud and other debris being deposited from the site onto the public highway during the period of the remediation works and shall be maintained thereafter.

Peter Hissett
Strategic Lead- Regulatory
Date: 04th April 2019

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: Site Location Map

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. Representation;
4. West Dunbartonshire Local Plan 2010;
5. West Dunbartonshire Local Development Plan Proposed Plan (LDP 1);
6. West Dunbartonshire Local Development Plan 2 Proposed Plan (LDP 2); and
7. Clydeplan.

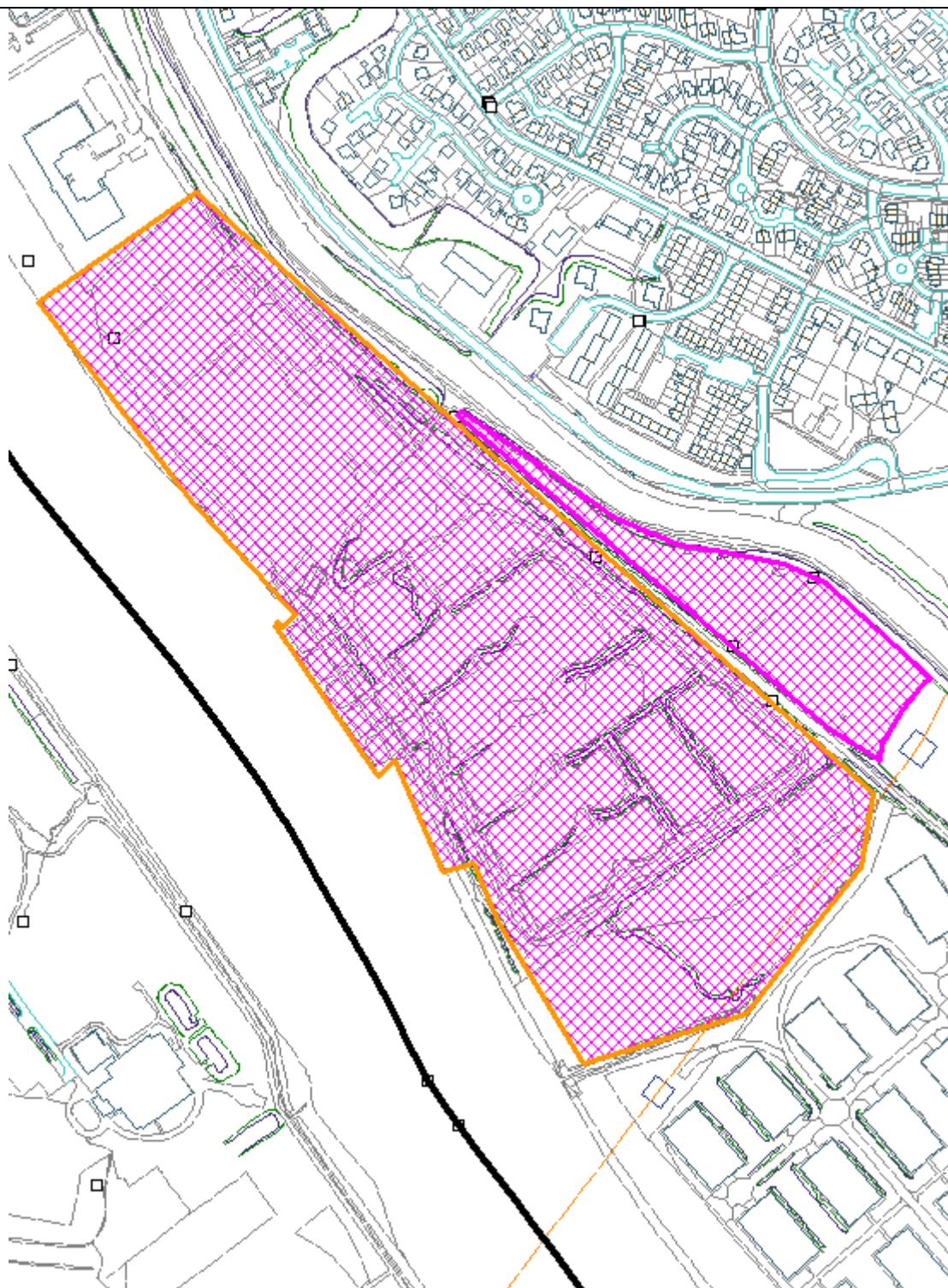
Wards affected: Ward 6 (Clydebank waterfront)

Map Register No: HQ621
Date: 4 April 2019

DC18/245

**Remediation of the site
including extraction and
treatment of
contaminated soils and
groundwater**

**Site At Former Carless Oil Terminal
Erskine Ferry Road
Old Kilpatrick**



WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regulatory

Planning Committee: 24 April 2019

DC18/273: Erection of a 55 unit affordable housing development, community garden, associated infrastructure and landscaping at the former Aitkenbar Primary School site at Howatshaws Road, Dumbarton by West Dunbartonshire Council.

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 securing payment of a financial contribution towards open space provision or enhancing open space in the local area.

3. DEVELOPMENT DETAILS

- 3.1** The school buildings were demolished in 2016 with exception of a small single storey timber building located at the south east of the site that is currently used by an after school club. The site extends to approximately 1.9 acres and fronts onto Howatshaws Road to the west and Whiteford Crescent to the south. A small tree lined watercourse crosses the northern boundary of the site with open farmland beyond and there is semi-mature broadleaved woodland and a children's playpark directly adjacent to the south east boundary of the site. Also to the south is a residential property; the former janitors house, once associated with the school. Ground levels rise from the south to the north and from the west to the east of the site. Level platforms are present where the former school buildings were located.

- 3.2** Planning permission is sought for 55 affordable housing units for rent that are to be managed by the Council. Properties would vary in size from one bedroom to four bedroom units. In total, there would be 24 one bed flats, 8 two bed, 8 three bed and 8 four bed semi-detached houses, 2 three bed wheelchair accessible bungalows and 5 four bed detached houses. All properties with exception to the bungalows would be two storey in height. Properties fronting Howatshaws Road and Whiteford Avenue would be accessed from these streets and all other properties would be accessed from a new road to be formed through the centre of site from Howatshaws Road. A community garden would be located at the south west corner of the site and a new footpath would connect the site at the south east with the adjacent children's play area and woodland path which leads to the new Dumbarton Cemetery. The primary materials palette to the building elevations would consist of quality clay bricks in cream and grey with heritage green doors and window frames. Dark grey roof tiles would be used throughout. A design and access statement has been submitted in support of the application which demonstrates how the site layout and building design relates to the surrounding area.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service has no objection to the development. The road layout and parking provision is acceptable and there is a future provision should it be required and this can be secured by condition together with the requirement for cycle parking bays for flatted properties.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to contamination, drainage maintenance, permitted hours of work on site, dust control measures and the importation of material.
- 4.3** West Dunbartonshire Council Estates Service and Regeneration Service, Scottish Water and SEPA have no objection to the proposed development.

5. REPRESENTATIONS

- 5.1** None.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- West Dunbartonshire Adopted Local Plan 2010
- 6.1** The site is identified under Policy PS1 as a community facility and states that prior to the closure of any community facilities, it needs to be

demonstrated that the facility is no longer needed. The former Aitkenbar Primary School was located on this site from 1959 until it was demolished in 2016. The primary school was relocated to a purpose built shared campus with St Peter's Primary at an alternative location within Bellsmyre. There is therefore no conflict with the current proposal and this policy.

- 6.2** Other relevant policies include policy GD2 which encourages the redevelopment of underused, vacant and/or derelict land and buildings for appropriate uses. Policy H4 sets out standards expected of residential development, requiring high quality in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.3** Policy R2 specifies the open space provision required for all development and would allow the request of payment of a financial contribution where appropriate. Assessment of open space requirements has been undertaken against the more updated "Our Green Network" Guidance. Policy F2 relates to drainage and aims to ensure that new development does not increase the risk of flooding and has suitable SUDS drainage infrastructure.
- 6.4** Policy T4 relates to the accessibility of new development and requires sites to integrate with walking, cycling, and public transport routes. Policy E5 relates to trees and requires new development proposals to consider impacts on trees and incorporate suitable tree planting.
- 6.5** The proposal complies with all the relevant policies contained in the Adopted Local Plan and is assessed fully below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The site is also allocated as a community facility in this Plan and is identified as an opportunity for a new shared school campus for Aitkenbar and St Peter's Primaries. As discussed above; an alternative site was identified for the shared campus and it has since been built and is

established. There is therefore no conflict with the current proposal and this policy.

- 7.3** The site is located within the established residential area of Bellsmyre and policy BC4 supports the principle of residential development, provided there is no adverse impact on neighbouring amenity or character of an area.
- 7.4** The consideration of policies DS1, GN2, DS3, DS6 and GN5 with regards to new residential development, green network, transport, flooding and drainage and trees are similar to that of the Adopted Plan. DS3 raises another consideration which requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure that housing is not just of quality but designed to be suitable for a mix of occupants rather than a specific demographic and the Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units.
- 7.5** It is considered that the proposals comply with the above policies and this is fully assessed below.
- 7.6** West Dunbartonshire Local Development Plan (LDP2) Proposed Plan
On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.
- 7.7** The site is identified under Policy H2 as an affordable housing opportunity with a capacity for approximately 60 units. The proposed development of 55 affordable units therefore complies with this policy.
- 7.8** Similarly to policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). All residential developments of more than 3 units are also expected to comply with the Residential Development: Principles of Good Design Guidance.
- 7.9** Policies CP2, Policy GI2, EN4 and EN6 are similar to the green network, tree and flooding policies of the Adopted and Proposed Plan 1 policies and raise no new issues that require to be considered.

- 7.10** Policy CP3 requires major developments to be supported by a masterplan providing details of any required development phasing. Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation and policy. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.
- 7.11** It is considered that the proposals comply with the above policies.

Principle of development

- 7.12** The application site has been vacant for 3 years since the Primary School relocated to the purpose built campus on Howatshaw's Road and the buildings on the site were demolished; with exception to the small after school club building which is still used. The 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 plans. The proposed housing would be provided as affordable housing for rent, which is consistent with the most up to date land use allocation contained in the LDP2.

Layout, Design and Appearance

- 7.13** The proposed development would have a strong frontage with Howatshaws Road and Whiteford Crescent which would enhance the street scene and add vibrancy and vitality to this area of Bellsmyre. The layout provides a new road through the centre of the site with access from Howatshaws Road and incorporates the principles of 'Designing Streets' Guidance and the Council's Residential Design Guidance through a more pedestrian focused layout and natural traffic calming as a result of the road alignment and geometry. The site layout has embraced the principles of a green infrastructure first approach as advocated by policies CP2 and GI2 of Proposed Plan 2 as it is well integrated with the open farmland and woodland to the north and east and provides good opportunities for these areas to be utilised. Trees are proposed to line the central road and the use of swales for drainage purposes adds further to the landscaping throughout the site and creates a quality setting and environment for the residential properties. A community garden at the south west corner of the site would be accessible to all and would incorporate landscaping, seating and community art. It would be a welcoming and attractive area at a prominent part of the site. A footpath would be provided where the central road through the site ends and would link with the adjacent woodland footpath and existing playpark to the southwest of the site. This will ensure the site is well integrated and connected to the surrounding area. The form and layout is considered to be acceptable.

7.14 The housing and cottage flats would be of contemporary design and two storeys in height with exception to the two accessible bungalows. There is a variety of house types including detached, semi-detached and flatted blocks. The primary materials palette to the building elevations would consist of quality clay bricks in cream and grey with heritage green doors and window frames. Dark grey roof tiles would be used throughout with matching rainwater gutters and downpipes. The materials will enhance the local area, setting a benchmark for new housing development and would also complement the red brick finish found on the modern housing developments at the opposite side of Howatshaws Road and the natural render finish of the early 1950's housing on Whiteford Crescent. A degree of retention would be required along the rear garden boundaries of the properties fronting Whiteford Crescent and those to the north of the community garden because of sloping site levels at these locations. The method of retention includes timber crib 'living walls' that would be planted to promote biodiversity and to create a soft and attractive boundary treatment. There are no amenity issues as the distances between buildings are appropriate and there will not be any unacceptable overlooking or overshadowing.

7.15 The density, layout, materials and general appearance of the development are all considered to be acceptable. The proposal will create a well designed development which will address the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the Adopted and Proposed Plans.

Natural heritage, landscaping and open space

7.16 A small area of semi-mature woodland is present at the eastern boundary of the site which extends into the adjacent woodland. 5 Cherry trees are located at the south west corner of the site at the junction with Whiteford Crescent and Howatshaws Road and young but well established trees are located alongside the small watercourse on the northern boundary. An ecological survey of the site was carried out and while a small number of foraging and commuting pipistrelle bats were seen, no trees within the site have features suitable to support roosting bats. A tree survey was also carried out and recommends exclusion zones during development to protect the semi-mature trees at the east of the site and the young but well established trees along the watercourse and this can be secured by condition. The Cherry trees are in decline with two in a poor condition. These trees are proposed to be felled and the area they are located in will form part of the community garden. Trees are proposed to be planted alongside the central road through the site and will compensate for the loss of the Cherry trees. Planning conditions will ensure there is no impact

from the proposed development on trees of value that are to be retained and this is all in compliance with policies E5, GN5, ENV1 and ENV4 of the Adopted and Proposed Plans.

- 7.17** From the outset of the design process, it was viewed as an opportunity to integrate the adjacent farmland and woodland into the site which is supported by our 'Our Green Network' guidance. The properties to the north of the central road benefit from large areas of amenity space to their rear and the boundary with the small watercourse will include a mixed native hedgerow that will provide a soft countryside edge for these properties and this will enhance the setting of the development. Native tree planting and swales for SUDs drainage are proposed along the central road and will create an attractive and welcoming environment with biodiversity benefits. The community garden at the south west corner of the site would have a predominantly open character with a low bed of mixed shrubs and enclosure on the corner and a seating area. A path provides access through the areas of lawn and meadow grass. The key feature would be a community art wall. The design would be developed with local schools and produced by a local artist. The community garden would be well overlooked by surrounding properties and would contribute to the overall quality of the development and sense of place. The landscaping proposals including the community garden comply with policies R2 and GI2 and of the Adopted and Proposed Plans. The proposal does however require a developer contribution of £7,560 as the open space provision on site is slightly short of the requirements as set out by "Our Green Network Guidance."

Roads, Parking and Drainage

- 7.18** The properties fronting Howatshaw's Road and Whiteford Crescent will be accessed from these streets. The central route through the site will provide access to all other properties and has been designed to include an element of natural traffic calming through the use of appropriate road geometry. The road layout reflects the aspirations for the Scottish Government's policy statement on 'Designing Streets' and this is supported. The Council's Roads Service are satisfied with the parking provision which includes 2 driveway parking spaces per house and 22 communal spaces for the flatted properties with space for a further 5 cars should it be necessary to provide them in the future. Throughout the site, there is adequate bin storage provision to ensure that domestic waste can be managed appropriately and bins are located in accessible locations to ensure refuse can be collected easily. It has been demonstrated through a Flood Risk Assessment that the site is outwith the functional floodplain and is not at risk of flooding from nearby watercourses. SUD's drainage would be provided through permeable surfaces, swales and an attenuation tank would be located underground in the area of the community garden. Matters with regards to roads, parking, flooding, drainage and refuse are

acceptable and have been satisfactorily addressed and comply with policies DS3, T4, F2 and CON1 of the Adopted and Proposed Plans.

Accessibility

- 7.19** The central road and pedestrian links to Howatshaw's Road and the new footpath linking the woodland and play park to the south east would ensure that the development is convenient for pedestrians and vehicles to move around and provides permeability with the site's surroundings. The site is well located and accessible to the amenities of the surrounding area. There are four different bus stops within 100 metres of the site and there are regular services in Bellsmyre to Dumbarton Town Centre, Glasgow and Balloch, for example. Both Aitkenbar and St Peter's Primary Schools campus and Our Lady and St Patricks High School are less than 0.5 mile from the site and there are a number of convenience stores in Bellsmyre which are a short walking distance from the site. Considering the above, the proposal complies with policies CON1, PS3 and T4 of the Adopted and Proposed Plans.

Contamination

- 7.20** In order to ensure that the development is completed satisfactorily conditions will be attached to ensure that any contamination on site is adequately addressed. Further ground gas testing is required and a remediation strategy will require to be submitted before works start on site and will require to be implemented as agreed.

Pre-application consultation

- 7.21** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to submission of the application. A public event was held on 18th September 2018 and local community councils were contacted about the proposal and all tenants and residents organisations were invited to attend. 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 approximately 30 local residents attended the public event. The feedback was positive and the redevelopment of the site for residential purposes and the provision of a communal community garden were welcomed. There were questions on the relocation of the local after school club which currently use the only building remaining on the site and which is scheduled to be demolished to allow a comprehensive redevelopment of the site. It was advised that discussions are underway between local schools and the Council's Estate Service on securing alternative premises within Bellsmyre for the after school club.

Place and Design Panel Report

- 7.22** In May 2018, the proposed development was presented to the Place & Design Panel by the applicant's architect. The Panel consisted of Architects, Landscape Architects, Urban Designers and Planning professionals. The panel discussed the site layout in terms of connectivity, bringing the surrounding green spaces into the site, siting and orientation of buildings, street and road layout and site levels. The panel felt that this was a positive development for a former school site and a great opportunity to maximise on the potential of the proximity to the rural and green spaces surrounding the site and link into the existing residential community. The observations and recommendations of the Panel have influenced the final design of the development.

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 Bellsmyre. The development will create a strong visual presence to this part of Howatshaws Road and Whiteford Crescent, adding vibrancy and activity. The proposals have been subject to extensive discussions which have resulted in a very high quality development with a strong integration of green infrastructure and a community garden space. The layout, design and high quality materials of the development are all considered acceptable. The development provides much needed affordable housing at this accessible location which is well served by existing bus services and amenities.

9. CONDITIONS

- 1. The development shall be completed in accordance with the following external finishing materials:**

- **Ibstock Ivanhoe Cream clay bricks;**
- **Ibstock Grey stock clay bricks;**
- **Grey Marley Eternit Ltd modern roof tiles (single lap interlocking tiles) in smooth grey**
- **Aluminium Clad timber windows by NorDan UK Ltd in RAL 1020**

- 2. Prior to the commencement of development on site, a sample panel of brickwork shall be constructed for all brick types to be used in order to determine the appropriate colour of mortar that should be used which shall be approved by the Planning**

Authority. Thereafter the development shall be completed in accordance with the approved mortar.

- 3. Prior to the commencement of works on site, full details of all hard surfaces 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 occupation of any unit within the development.**
- 4. Prior to the commencement of development on site, details of the design and location of cycle storage provision for the flatted blocks, 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. Twelve months after completion of the development, a parking review shall be undertaken within the development to ascertain levels of car ownership and whether there are any parking related problems within the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority. Thereafter the additional parking spaces illustrated on drawing no. AL(--)-205D shall be formed if required, in accordance with the agreed recommendations and the approved details.**
- 7. Unless as may otherwise be agreed in writing by the Planning Authority, the landscaping scheme for the site shall be implemented not later than the next appropriate planting season after occupation of the first residential unit. The landscaping shall thereafter be maintained in accordance with these details.**
- 8. Prior to the commencement of development on site, full details of the design of the community garden shall be submitted for the approval of the Planning Authority and shall include details of hard and soft landscaping locations and**

specifications, public art, lighting and furniture. Thereafter, the community garden shall be implemented and approved in accordance with the approved details prior to the occupation of any residential unit.

9. 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.
10. Unless as may otherwise be agreed in writing by the Planning Authority, no trees other than the five cherry trees at the southwest corner of the development site, shall be removed either within or adjacent to the site without the prior written approval of the Planning Authority.
11. Prior to the commencement of development on site, details of the location and form 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.
12. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
13. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in

writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.

- 14. No development shall commence on site until such time as a revised ground gas assessment is undertaken and submitted to the Planning Authority for approval.**
- 15. No development (other than investigative works) shall commence on site until such time as a detailed remediation strategy/plan is submitted to and approved in writing by the Planning Authority. The strategy shall be prepared by a suitable qualified person and shall summarise all the measures required to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The strategy 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 development.**
- 16. Remediation of the site shall be carried out in accordance with the approved remediation strategy/plan prior to the proposed development being brought into use. Any amendments to the approved remediation strategy/plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to occupation of any of the units, the developer shall submit a completion report for the approval in writing of the Planning Authority, confirming that the works have been carried out in accordance with the approved remediation strategy/plan and that the works have successfully reduced the risks to acceptable levels.**
- 17. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that any contaminants present on the site are not mobilised and that pollution pathways are not created. The Sustainable Urban Drainage System shall thereafter be formed and maintained on site in accordance with the approved details prior to development.**

18. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Mondays to Fridays: 0800-1800
Saturdays: 0800-1300
Sundays and public holidays: No working

Peter Hessett
Strategic Lead- Regulatory
Date: 2nd April 2019

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: 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. West Dunbartonshire Local Development Plan 2 Proposed Plan.

Wards affected: Ward 2

Map Register No: HQ622

Date: 4 April 2019

DC18/273

Erection of a 55 unit
affordable housing
development, community
garden, associated
infrastructure and
landscaping

Housing Development Site
Howatshaws Road
Dumbarton

