

# PLANNING APPLICATION REPORT

PLANNING COMMITTEE: 1 MARCH 2006

**APPLICATION NUMBER:** DC04-477

**PROPOSAL:** Erection of 23 townhouses, 219 flats and ground floor commercial space, conversion of distillery building into 67 flats and commercial space, and associated access, parking and public spaces.

**SITE:** Former Allied Distillers Site, Castle Street, Dumbarton

**APPLICANT:** The Carvill Group Ltd.

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**WARD:** 15

**DATE REGISTERED:** 02/03/05

## PUBLICITY:

Category	Published	Expiry	Publication
Neighbour Notification	11/03/2005	12511/2005	Lennox
Bad Neighbour	18/03/2005	01/04/2005	Lennox
Setting of listed Building	18/03/2005	08/04/2005	Lennox
Development Contrary to Development Plan	18/03/2005	08/04/2005	Lennox

## REPORT:

### A. SITE DESCRIPTION

The application relates to a section of the former distillery in Dumbarton town centre. It is bounded by the River Leven to the south, Riverside Lane to the west and the tidal basin to the east. On the opposite side of the river is a boatyard. To the north, the site borders the rear of

properties on High Street, whilst Riverside Parish Church (which is part of the application site) borders the High Street directly. All of the former distillery buildings have been demolished, with the exception of the tall red-brick mill and still tower.

The site is the westernmost part of a larger area of derelict industrial land to the south east of Dumbarton town centre. Committee were minded to grant Outline planning permission subject to a section 75 legal agreement to the Vico Property Group on 5 October 2005 for retail development on the eastern half of the former distillery site, around the north and west of the tidal basin, and there is some overlap between the boundaries of that permission (reference DC03/254) and those of the current application. The Planning Committee indicated on 7 December 2005 that it was minded to grant full planning permission to Turnberry Homes for 250 dwellings in the former Thompson's Yard site, which extends south from the east side of the tidal basin. The current proposal must therefore be considered in the context of the planned developments on these adjacent sites.

## B. DEVELOPMENT DETAILS

It is proposed to develop the site primarily for residential purposes, but with limited commercial accommodation at ground level. The existing mill/still tower would be retained and refurbished with accommodation on 14 floors, whilst the new buildings would range in height from 2 to 8 storeys. Most buildings would be arranged in perimeter blocks with ground level covered parking and shared amenity spaces at first floor level enclosed within.

The residential element of the proposal would total 309 dwellings. These would comprise 62 x 1-bed flats, 213 x 2-bed flats, 9 x 3-bed flats/maisonettes and 23 x 3-bed townhouses. Of these, 67 flats would be within the mill/still building and the remainder would be new-build. Thirty four of the latter are described as 'retirement housing', intended for occupation by older people.

The commercial floorspace would total 586m<sup>2</sup>. The precise nature of the commercial uses cannot be confirmed at this stage, but indicative plans show the ground floor of the new building on the east side of the proposed public square containing a café (64m<sup>2</sup>) on the riverfront corner, two retail units intended for local convenience sales (totalling 80m<sup>2</sup>), and an office (84m<sup>2</sup>). The mill/still building would feature parking and storage at ground level, but would have a glazed extension fronting onto the public square with access to part of the first floor, and incorporating a restaurant (100m<sup>2</sup>) and an office (133m<sup>2</sup>). A similar arrangement at the north end of the mill/still tower facing Riverside Parish Church would provide further office space (125m<sup>2</sup>).

All vehicular access to the site would be by way of a new road connecting with Castle Street immediately to the east of Riverside Parish Church, forming a crossroads with the existing access into the Burgh Hall car park. Additional pedestrian and emergency vehicle access routes would be provided through the front part of the Riverside Parish Church grounds and from Riverside Lane. The existing access onto the High Street would continued to be used by Riverside Parish Church for its own vehicular access, but would not become a through

vehicular route. A walkway would be provided along the edge of the river and the tidal basin, connecting Riverside Lane with the walkway which is required to be provided along the edge of the adjacent Vico and Turnberry Homes sites. A small children's play area would be provided next to the river to serve local residents.

Pre-application discussions with the developer first took place over three years ago, and the proposal has been subject to further discussions during its consideration. The proposal has been amended since the application was originally submitted in February 2005, the principal changes being the deletion of a proposal for a slender 13 storey 'needle tower' on the corner of the tidal basin and other measures which reduced the number of dwellings proposed by 16 units, whilst increasing the amount of car parking by 78 spaces.

## C. DEVELOPMENT PLAN POLICIES

### National policies and guidance

National guidance on housing development is contained in Scottish Planning Policy 3 "Planning for Housing". This guidance aims to provide good quality housing in appropriate locations and to bring forward sufficient land to meet the requirements for new dwellings. New residential development must make efficient use of resources, reusing previously developed land wherever possible, supporting the aim of reducing energy consumption, and being accessible by forms of transport other than the private car. With regard to densities and building heights, SPP3 indicates that buildings of 5 storeys or more are likely to be appropriate only in a few urban locations.

Planning Advice Note 67 "Housing Quality" provides advice on how the design of new housing should reflect its context, reinforcing local and Scottish identity. New housing should be integrated into the movement and settlement patterns of the wider area. Places should be designed to be distinctive, safe and pleasant, easy to get to and move around, welcoming, adaptable and resource efficient.

Further advice is contained in Planning Advice Note 76 "New Residential Streets", which seeks to achieve better quality, more attractive and safe residential environments.

Scottish Planning Policy 7 "Planning and Flooding" is also relevant. This indicates that consideration must be given to the possibility of flooding from all sources. New development should be free from any significant risk of flooding, should not materially increase the risk of flooding elsewhere, and should not take place on functional flood plains.

### Glasgow and Clyde Valley Joint Structure Plan 2000

The Metropolitan Development Strategy aims to strengthen existing communities and safeguard the green belt by focussing new development on appropriate locations, with the emphasis on the reuse of urban brownfield land. Strategic Policy 1 "Strategic Development Locations" highlights the strategic development locations where priority will be given to urban renewal. The site falls within the Dumbarton Town Centre Renewal Priority Area and the Dumbarton Central Urban Renewal Area, and supports the overall regeneration of the Clyde

Waterfront Flagship Initiative. The Plan has a presumption in favour of the redevelopment of urban land and property, and stresses the need for town centres to adapt to changing circumstances.

Strategic Policy 3 “Strategic Management of Travel Demands” indicates that (amongst other requirements) local plans should include parking policies setting appropriate maximum standards of provision.

Strategic Policy 6 “Quality of Life and Health of Communities” requires that a continuing 5-year effective land supply for owner occupied dwellings be maintained, and that a choice of size, type and tenure of housing be maintained in each housing market area. The policy also encourages environmental improvements within communities, for example by requiring a high standard of design in new developments.

Whilst the Structure Plan does not identify a specific requirement to provide any additional housing land within Dumbarton, housing opportunities must continue to be identified to ensure a sufficient variety of house type and affordability to meet future housing requirements. Residential development is encouraged in order to ‘reclaim the waterfront for the local community’, and urban brownfield land will continue to be the main source of land for housing until at least 2011. Dumbarton is also highlighted as an area which has potential for business and office development, new economic opportunities and local employment opportunities.

Strategic Policy 9 “Assessment of Development Proposals” includes a requirement that brownfield urban land be developed in preference to greenfield sites or open space.

#### Dumbarton District, District Wide Local Plan 1999

The majority of the development site is identified as ‘Existing Industry / Business Class Land’, and as such is covered by Policy EMP2. The policy is intended to ensure that such sites are retained for employment uses and protected from inappropriate development.

Riverside Parish Church, which is within the application site, is a Category A Listed Building and as such is covered by Policy BE10. This requires that special attention is paid to design and materials in relation to any works affecting listed buildings or their setting, whilst proposals which unacceptably detract from the character of listed buildings will be resisted.

Policy DC1 sets out criteria for the assessment of development proposals. Amongst other requirements, the scale, layout, design, density, landscaping and appearance of proposals should be appropriate.

The River Leven, adjacent to the application site, is designated as a Site of Importance to Nature Conservation. Policy NHL6 (c) requires that development proposals likely to adversely affect SINC’s will normally only be considered favourably where it can be demonstrated that the proposal complies with other policies, and cannot be modified or relocated to reduce its impact upon the nature conservation interest.

The distillery site has been disused for several years, and most buildings have been demolished. There is a general encouragement within the Local Plan that vacant, derelict and under-used land is redeveloped for appropriate uses (Policy NHL23). Former industrial sites are acknowledged as being a blight on the area's amenity, as well as representing wasted land resources, and it may be appropriate to consider new uses other than industry to ensure the redevelopment of the land (Policy NHL24).

The Local Plan indicates a preference for providing new residential opportunities on brownfield land. Policy H3 states that while having regard for the overall housing land supply, applications for new housing within the urban boundary will be considered in relation to Policy DC1 and other local plan policies. Policy H4 specifies the criteria to which new residential development must conform, including open space, design, parking standards and density. With regard to density, it is stated that new residential developments should be within the range of the density of existing housing surrounding the site. In addition, there is a general presumption against new housing above 4 storeys in height unless exceptional townscape benefits can be demonstrated.

Policy TA1 supports the principle of an integrated transport system and promotes measures which will encourage environmentally friendly and energy efficient forms of transport, and allow the easing of traffic congestion. Policy TA2 indicates that the Council will only support proposals which do not adversely affect traffic flows on existing road networks to an unacceptable degree.

Policy TA3 indicates that the Council will generally apply the parking standards set out in the adopted Roads Development Guide. Specifically, there will be a presumption against development which would result in the loss of existing public off-street parking spaces in Dumbarton town centre. Policy TA4 indicates support in the longer term for the introduction of a charging regime for car parking in the town centre, to discourage long-stay parking. The supporting text explains that congestion in existing town centre car parks is caused by long-stay parking, which reduces the attractiveness of the town centre as a destination for shoppers and tourists.

#### West Dunbartonshire Local Plan (Consultative Draft)

This document reflects the recent closure of the distillery, and the site is therefore no longer allocated for employment use. Instead, the site is identified as a 'Housing Opportunity' site with an approximate capacity of 250 units. Policy H1 indicates that sites specifically identified in the plan represent the main opportunities for private sector housing development.

#### Supplementary Planning Guidance

The Dumbarton Town Centre Action Plan was published in 2001. The themes for the Action Plan include increasing competitiveness and diversity within the town centre, improving the environment, access to and accessibility within the town centre, and the development of opportunity sites. The implementation of this strategic vision is to be realised through a number of varied projects. The most relevant to this application are those which relate to the creation of high quality high density housing within town centre and riverside locations ('project 7'),

and to the need for detailed design guidance for the Allied Distillers site ('project 20').

At the time when the Action Plan was published the distillery remained in use, although there were proposals for retail/commercial development on the eastern part of the site. The Action Plan recommended that an explicit commitment should be made to the development of high quality, high density housing within the town centre, and that the principal location for this should be the Allied Distillers site. The site was considered to have the benefits of meeting the demand for private sector housing on a site which has a high amenity waterfront location, will support the town centre functions, and will take advantage of good public transport links. It is noted that any housing development would need to comply with an urban design brief for the site in order to ensure quality.

The Dumbarton Waterfront Design Framework was developed from the Action Plan and is intended to provide more detailed urban design advice for developers, particularly in relation to the major redevelopment opportunity sites in central Dumbarton. The preparation of the Design Framework is consistent with the advice provided in the Scottish Executive's document "Designing Places: A Policy Statement for Scotland", and in PAN 68 "Design Statements", which recommend the preparation of design guidance, especially for major developments and other sensitive sites.

By the time the Design Framework was adopted in 2004 the distillery had closed and its redevelopment for residential and other mixed uses seemed likely. The Design Framework emphasises elements such as the need to link development along the waterfront, the creation of a new public square and linking the castle with the town centre. The application site is seen as part of a unique opportunity for residential development along the waterfront. The details of the Design Framework are discussed in more detail in section F below.

#### D. CONSULTATIONS

Town Centres Initiative	Objects due to height of proposed buildings being above that of existing buildings in the vicinity. Retention of mill/still prevents view of Dumbarton Rock being created. Concerns about piecemeal development and lack of co-ordination with developers of surrounding sites. Insufficient car parking.
BAA	No objection, subject to conditions to discourage bird roosting.
Scottish Water	Objects due to concerns about capacity, but this could be overcome if the developer can demonstrate that there is sufficient capacity or bears the cost of any necessary improvements.

SEPA	Surface water disposal should be by way of Sustainable Urban Drainage Systems (SUDS). Comments on the Flood Risk Assessment discussed in Assessment section below.
SNH	No objection subject to conditions relating to protection of River Leven from pollution, the use of appropriate landscaping, and consideration of bat roosts during demolition.
WoSAS	No objection, subject to conditions relating to archaeological works.
WDC H&TS (Roads)	Support principle of redevelopment of site, but major concerns about parking, internal site roads and the Riverside walkway. Transportation Assessment has not been agreed (discussed in Assessment section below).
Architectural Heritage Society	No objection, but request more details of works to Riverside Parish Church.
Historic Scotland	No objection. Comments discussed in Assessment section below.
Architecture & Design Scotland	Comments discussed in Assessment section below.

## E. REPRESENTATIONS

Five organisations have made representations directly to the Council, comprising two community councils, a residents' action group, the Church of Scotland, and Scottish Power.

Dumbarton East and Central Community Council have noted their opposition to the application but have not specified the reasons for this, although it is understood to relate primarily to concerns about the height of the proposed development.

Silverton and Overtoun Community Council are not the local community council but have offered comments as the proposal is of significance to Dumbarton as a whole. In principle, they support the redevelopment of the site for high quality residential purposes, and the removal of the unsightly industrial buildings which previously occupied the site. They also welcome the retention of the tidal basin and the provision of public spaces and pedestrian links. However, concerns are expressed about the capacity of the local road network, bearing in mind the various other developments proposed around the east end of Dumbarton town centre. In particular, they are concerned about traffic congestion in and around the town centre and on the A82, about the

safety of pedestrians and cyclists, and the impact of exhaust fumes on the local and global environment. In addition, the community council considers the density and height of the proposed housing to be inappropriately high, and feels that development should not exceed two storeys in height. In particular, they object to the conversion of the mill/still building into flats, and to the (former) proposal for a new 'needle block' on the corner of the tidal basin. They consider that development of this height would restrict views of the river and the castle. Reservations are also expressed about the risk of flooding.

The Netherbog Residents (Flooded Properties) Action Group objected to the application on the understanding that the proposal involved the infilling of the tidal basin. They therefore feared that the proposal would exacerbate existing flooding problems associated with the Knowle Burn, which empties into the basin. (In fact, the application does not include any infilling of the basin, and is unlikely to impact upon the Knowle Burn).

The Church of Scotland has written to express concerns about the impact of the proposal upon Riverside Parish Church. This letter came from the General Trustees in Edinburgh rather than from the local Congregation. The proposal includes the demolition of one of the existing church halls, and the applicant's original suggestion was that replacement accommodation would be provided in the ground floor of the mill/still tower, which was not acceptable to the Church. (This plan has now changed and is discussed in more detail in the Assessment section below). Concerns were also expressed about the setting of the A-listed church, the impact upon its listed wall and on existing trees, and the possible loss of vehicular access and parking for wedding cars, hearses and disabled churchgoers.

Scottish Power has objected to the application on the grounds that the impact of the development upon an existing substation in the vicinity is not yet clear. (It is anticipated that this objection could be overcome by discussion between the applicants and Scottish Power).

In addition to the representations made directly to the Council, the applicant carried out direct consultation with local community councils, and undertook a major public consultation exercise over the summer of 2005. Every household within Dumbarton was provided with a booklet detailing the proposals, and a postage-paid response card inviting people to indicate 'yes' or 'no' as to whether or not they were in favour of the proposed development, and giving space for specific comments. An exhibition was held in Riverside Parish Church hall on 4<sup>th</sup> to 6<sup>th</sup> August 2005, having been widely publicised in the local media, and plans could also be inspected on the applicant's website. The plans on display were the original proposals, rather than the amended plans currently under consideration.

The applicant received 830 responses as a result of these exercises. Of those responses which indicated a 'yes or no' opinion, 90% indicated support for the development and only 10% were opposed to it. However, a significant number of those who expressed support went on to express reservations about certain aspects of the proposal, while some of those who expressed opposition qualified this by identifying the specific aspects of the proposal which they considered



inappropriate, and may be assumed not to object to the principle of development. In general, therefore, it is clear that the vast majority of respondents were supportive of the redevelopment of the site, although not necessarily every aspect of the proposed design.

Specific comments made by respondents covered a wide variety of issues and only the main issues can be summarised here. Some 57 respondents made comments about the mill/still tower, with 14 of these expressing pleasure at its retention and 43 requesting its removal. 24 respondents objected to the proposed 'lighthouse tower' (since deleted from the proposals), whilst 25 commented adversely on the excessive height of the development as a whole. Support for the proposed commercial uses or a desire for more of these was expressed by 38 respondents, while 18 expressed concern about the impact of this on existing High Street shops. 20 respondents wanted to see an element of affordable housing, 13 considered parking to be inadequate and 9 were concerned about traffic generation. Other criticisms raised by significant numbers of people included: concerns about vandalism/anti-social behaviour (16); criticism of architecture or specific design issues (21); excessive number of houses (7); and flooding concerns (11).

## F. ASSESSMENT

### Land Use Policy

The application site is identified as 'Existing Industry / Business Class Land' within the adopted Dumbarton District, District Wide Local Plan 1999, and in this respect the proposal represents a significant departure from that plan.

However, when the local plan was being prepared the site remained in active industrial use by Allied Distillers. Subsequently, the company has relocated its operations and the site has become redundant from its previous longstanding industrial use, with most of the buildings having been demolished. As such, circumstances have changed significantly since the local plan was adopted, and it is now possible to consider appropriate alternative uses which make best use of this site. Both the structure plan and local plan prioritise regeneration of Dumbarton town centre and waterfront and encourage improved public access to the river. The regeneration of the Clyde Waterfront is identified as a flagship initiative of national significance, and whilst the application site is adjacent to the River Leven, Dumbarton town centre is an important location on the north bank of the Clyde. There is strong local and national policy support for the use of brownfield land with good access to employment, services and public transport for new housing development. There is no strategic requirement to retain this site as employment land, as there is an adequate supply of employment sites within the Dumbarton area.

As such, there is strong local and national policy support for the principle of redeveloping the site as a mixed use development of the nature proposed.

### Urban Design

The proposal requires to be considered in the light of the Dumbarton Waterfront Design Framework. This document envisaged high quality high density residential development on the site, and the proposal is

consistent with this. However, the specific design which has been proposed differs from the Design Framework in several important respects.

The Design Framework seeks to strengthen the retail activity at the east end of the High Street by providing a new town square to the east of Riverside Parish Church (the location of the proposed square being adjacent to the current application site). It suggests a new public building immediately adjacent to the church, fronting onto the square. Within the current application site, the Design Framework envisages that the main part of the development should comprise two distinct blocks of buildings. One block (immediately south of the new public square and west of the tidal basin) comprising new residential buildings, and the other block (south of Riverside Parish Church and east of Riverside Lane) comprised either of new residential units or alternatively of converted distillery buildings. If the latter are to be removed, the Design Framework indicates that the new street separating the two blocks of buildings should be aligned to link the castle with the front of Riverside Parish Church, so as to open up a vista of Dumbarton Rock from the High Street at the point where it passes the church. A new east-west street, immediately south of the church, would open up views of the church, making it the centrepiece of a new urban space.

The proposed layout differs from both of the two alternatives suggested in the Design Framework, in that while the majority of the distillery buildings have been demolished, the mill/still would be retained, and its position blocks the vista from the front of the church to the castle. It is therefore proposed to realign this street to the west of the mill/still building, and to provide an additional north-south street further to the east, resulting in three main blocks of buildings. Other significant departures from the Design Framework are that the alignment of the planned access road would prevent the creation of the suggested public building on the west side of the town square, that the building block defining the southern edge of the planned town square is moved further south, and the main east-west street would be staggered. In addition, the proposal incorporates commercial uses in a new public square on the riverside, whereas the Design Framework envisaged a wholly residential development in this location.

These departures from the Design Framework have largely been dictated by the applicant's decision to retain the mill/still building whilst demolishing all of the other distillery structures. The mill/still was always the tallest and most prominent building on the site, but it was previously part of a complex of very large industrial buildings of similar character, and the Design Framework envisaged that these would either be retained as a group or demolished in their entirety. However, the applicant has indicated that the other former distillery buildings were either unsuitable for conversion or were of negligible architectural value, and only the mill/still tower was a viable structure for retention. They wish to retain the mill/still as it is an important landmark in the town, and will add character to the development by helping to define its sense of place.

The retention of the mill and still tower has been the subject of prolonged discussion with the applicant and with consultees.

Historic Scotland were consulted for their comments on the alterations to Riverside Parish Church (q.v.), and on the broader issue of impact on the setting of the church and of Dumbarton Castle. In these respects, Historic Scotland is generally happy with the proposal, subject to comments about its impact on the setting of the castle. However, they have also offered informal comments on the retention of the mill/still building and the impact on the tidal basin, neither of which are listed but which are of some historic significance. With regard to the mill/still building, Historic Scotland's initial comments welcomed the retention of some of the former distillery buildings, but expressed reservations about retaining the mill/still tower alone, deprived of the context provided by other former industrial buildings. They suggested that it would appear awkward and disengaged from the surrounding modern buildings, and suggested that further thought be given to this matter. Further correspondence has clarified Historic Scotland's view that, whilst the demolition of all of the other distillery buildings is unfortunate, the mill/still tower remains a significant heritage asset with intrinsic historic and cultural meaning. It is a rare example of a distinctive type of 20<sup>th</sup> Century industrial building of which few survive. Historic Scotland are therefore supportive of the retention of the mill/still tower as part of this proposal. However, these are informal comments as none of the distillery buildings was selected for listing when the site was surveyed prior to any demolition taking place.

A presentation on the application to the Architecture and Design Scotland (A&DS) Panel took place on 7 June 2005, the design discussed being that originally proposed. A&DS considered that the retention of the mill/still tower as an isolated element of a former, unlisted, industrial complex appeared to prevent the redevelopment project discovering an appropriate new character for this area of the town. The creation of a vista from the front of Riverside Parish Church to Dumbarton Rock was recognised as a critical element of the Waterfront Design Framework. On balance, A&DS expressed strong reservations about the retention of the mill/still tower and felt that a much improved scheme could be designed if the building was removed.

With regard to other aspects of the proposal, A&DS felt that the height of new buildings should generally accord with the limits stated in the Waterfront Design Framework, although there was scope for a cluster of higher buildings adjacent to the tidal basin. No comment was offered on the appropriate level of car parking provision, as this was outwith A&DS' remit, and there was no discussion about the appearance of surface car parking, as that particular concern arose following subsequent amendments to the design.

It is clear, therefore that the issue of retaining the mill/still tower divides opinion. It is acknowledged that the building is of considerable historic value, and that its retention would provide a link with the site's history and a readily identifiable landmark for the town centre. However, the building's value has been significantly eroded by the demolition of all of the surrounding distillery buildings which provided its context, and the

detailed proposals for the conversion of the mill/still would involve the addition of many new windows which would alter its character and further erode its value. The retention of the mill/still tower would prevent the creation of a vista from the High Street to Dumbarton Rock, which was an important feature of the Design Framework. On balance, it is considered that the mill/still building is not suitable for retention in isolation. Deprived of its former context it would appear out of place, and would have an awkward relationship to the surrounding new development. Its great height and domineering relationship to Riverside Parish Church, and the uncompromising architecture of the tower, are all the more apparent as a result of the removal of neighbouring industrial buildings. The redevelopment of the site represents an opportunity to create new urban form in this part of Dumbarton, and the retention of the mill/still tower prevents the optimal street layout being created.

In terms of building heights, the Design Framework specifies that new building heights should accord with the Local Plan policy requiring that building heights should not exceed 4 storeys unless exceptional townscape benefits can be demonstrated. Whilst retention of the distillery buildings would exceed that height limit, any new development should be of a lower scale in order to provide an appropriate setting for Riverside Parish Church. The Design Framework does however identify an opportunity for selective height enhancement to 5 or 6 storeys around the tidal basin, provided that a unified case is made showing collaboration between the various developers involved.

Apart from the mill/still building (which is part 14 storey and part 9 storey), the proposed development would be predominantly 3 and 4 storeys in height, although a section of the retirement housing block would be two-storey. Selective height enhancement to 5, 6 and 7 storeys would occur on the corners of blocks along the edge of the river, whilst the frontage onto the tidal basin would be stepped in height, ranging from 5 to 8 storeys. The positions of these new high buildings would extend beyond the locations envisaged in the Design Framework, in that they would be placed along the whole of the riverfront and not just in the area around the tidal basin. In addition, the three most prominent corner buildings would be 7 storeys in height, with the corner on the tidal basin also having a small 8<sup>th</sup> storey element, whilst the Design Framework envisaged 6 storeys as a maximum. The Turnberry Homes development on the opposite side of the tidal basin has flats of 4 to 6 storeys facing the river, whilst no details are yet available of what design is envisaged for the Vico site on the north side of the basin.

The applicant has explained that the design rationale for these high buildings is to define the important corners of the new building blocks. In addition, they would help visually to integrate the higher mill/still building into the surrounding development. The corner next to the tidal basin is particularly important, and the applicant notes that Architecture & Design Scotland (see below) were supportive of an even higher building on this location.

The Design Framework and local plan policy do allow for buildings higher than 4 storeys where exceptional townscape benefits can be demonstrated. SPP3 indicates that such buildings are likely to be

acceptable only in a limited number of urban situations where there is particularly good access to local facilities and public transport. It is accepted that Dumbarton town centre is such a location, and that a case can be made for buildings above 4 storeys on this site. There is some merit to providing a distinctive building as an end-piece for Riverside Lane, and for selective height enhancement on other key corners. The seven and eight storey buildings are relatively limited in number, and are confined to important corners. It would be exceptionally difficult to incorporate successfully the mill/still building into the development if all of the surrounding buildings were limited to four storeys, although this would obviously not be an issue if the mill/still building was to be removed, as discussed above. However, the use of high buildings increases the overall number of dwellings provided on site, and as discussed below there are serious concerns about the level of parking which is proposed and the impact of the parking on the character and appearance of streets and public spaces.

### Listed Buildings

The category 'A' Listed Riverside Parish Church is within the application site, and it is proposed to form a pedestrian and emergency access through the front of the church site. There is a separate application for Listed Building Consent relating to the works to the church (reference DC04/457). The original church building would not be altered, but part of the modern church hall extension would be demolished. The extension is of little architectural merit and its removal would open up views of the south side of the church, which is to be welcomed. However, replacement hall accommodation will be required elsewhere on the site, and it is not yet clear how this will be achieved.

The creation of a pedestrian route through the front of the church site will require the demolition of a section of the rear boundary wall, which is included in the church's Listing. New hard standing, and rearranged parking for disabled churchgoers, funeral and wedding cars will be required to be finalised. The full details of these changes require to be agreed as part of the separate Listed Building Consent application. However the loss of a section of the wall is considered acceptable as it would be offset by the great benefit of creating a public access at this point. Historic Scotland have no objection to the principle of this, and are supportive of the plans to open up views of the church from the south. The important entrance gates, and the low boundary wall along High Street, would remain unchanged.

### Access and traffic impact

The proposal would provide 309 dwellings, plus commercial floorspace, served by a single point of vehicular access from Castle Street. Normally, not more than 300 units can be served from a single point of access, but in this case the difference is marginal and there would be sufficient alternative emergency access route. Castle Street is the only appropriate location for vehicular access, as an access onto Riverside Lane would cause traffic problems in the High Street area and would lead to too close a relationship between the town centre parking at Riverside Lane and the on-street parking within the application site. The application is also dependent on the provision of a new junction being provided on the A814 to facilitate access to Castle Street. Use of the existing High Street/Church Street junction as the sole means of

access to Castle Street would not be acceptable in terms of the number of properties being accessed from a single access point.

The proposal is one of a number of major redevelopment proposals for the east end of Dumbarton town centre which have either recently been approved or which remain under consideration at this time. In addition to the Vico and Turnberry Homes applications previously referred to, such applications include the Henry Lax proposals for an extension to the St James Retail Park, applications for extensions to the existing Asda and Morrisons supermarkets, and an outline application by Turnberry Homes to redevelop the whisky warehouses on the east side of Castle Road for housing. Between them, these developments have very substantial traffic generation potential with implications for the wider road network. The particular issues are: (i) the need to address capacity issues at the town centre roundabout, (ii) the need to reconnect Castle Street to Glasgow Road in order to enable traffic to access the Vico and Carvill sites without using Church Road or High Street, (iii) the existing substandard roundabout on Glasgow Road (at the entrance to the St James Retail Park and the Asda and Morrisons stores), (iv) the need to address capacity issues at the traffic signal controlled junction at Greenhead Road and (v) the need to address capacity issues at the A82(T) Dumbuck junction.

The current application would require the above work to be carried out prior to any dwelling being occupied.

#### Parking

The proposal would provide a total of 325 car parking spaces, to serve the 309 dwellings and the commercial uses. The applicant has explained the rationale for this level of provision as follows:

275 flats/houses @ 1.04 spaces per unit	=	285 spaces
34 'retirement homes' @ 0.3 spaces per unit	=	12 spaces
Commercial units	=	28 spaces
Total	=	325 spaces

The parking for commercial units would be provided in accordance with the rates stated in the Roads Development Guide. However, the level of parking provision for the residential units would be very substantially below the level usually sought. The desired parking standard for a development of this type would be as follows:

62 1-bed dwellings @ 1.25 spaces per unit	=	77.5 spaces
247 2/3-bed dwellings @ 1.65 spaces per unit	=	407.5 spaces
Commercial units	=	28 spaces
Total	=	513 spaces

Whilst the parking standards allow a reduced standard for sheltered housing, there is no reduction for 'retirement' housing, and there is no reason to believe that retired people moving into the proposed flats would not be car owners.

The proposal may therefore be seen to have a very substantial parking shortfall when compared with the level of provision stated in the Council's adopted standards. The applicant considers the proposed level of provision to be acceptable because the site is in a very central

location, enjoying excellent pedestrian access to town centre facilities, employment and public transport. In addition, West Dunbartonshire has levels of car ownership somewhat below the national average. Consequently the level of car ownership amongst occupiers of the site may be expected to be relatively low, and the provision of an excessive number of spaces would merely serve to encourage unsustainable travel patterns. The Council's standards are a maximum figure, as required in SPP17 and as modified within the Roads Development Guide, and the applicant believes that a much lower level of provision would be desirable in this case. Following discussion with officers, the applicant has indicated a willingness to make a financial contribution towards improving or increasing town centre parking and improving access to public transport, in order to offset the parking shortfall.

It is considered that there is scope to allow a level of parking provision somewhat below the maximum standard specified in the Council's adopted Roads Design Guide, provided that this is offset by the financial contributions mentioned above. However, the level of parking which has been proposed is still considered to significantly below that which would be acceptable as a minimum. Taking into account the circumstances of the site, the minimum level of parking provision is considered to be as follows:

309 dwellings @ 1.25 spaces per unit	=	386 spaces
Commercial uses (nil provision)	=	0 spaces
Total	=	386 spaces

This is in effect a two step reduction in the maximum standards applied with the Roads Development Guide. Of the required 386 car parking spaces 308 of these should be dedicated off street parking spaces. The application falls well short of this figure

As such, the proposal represents a shortfall of 61 parking spaces from the level considered to be the bare minimum acceptable for a development of this size on this site, and the latter minimum figure itself represents a discount of 127 spaces from the full standard. There is also a significant deficit of designated off street parking spaces. The provision of non-allocated on street parking requires to be limited to prevent displaced inconsiderate and obstructive parking within the development site by adjacent town centre business staff and customers.

The Council's adopted car parking standards are those which are considered to be appropriate to West Dunbartonshire, taking into account such factors as levels of car ownership. Accordingly, it is not logical to argue that they can be reduced because West Dunbartonshire has levels of car ownership below the national average. Whilst it is accepted that car ownership within West Dunbartonshire is relatively low, this is largely a result of high levels of economic deprivation in parts of the Council area. The proposal would provide relatively high value dwellings for owner-occupation, and as such it is to be anticipated that levels of car ownership will be above the local average. Therefore, whilst the easily accessible public transport and local facilities should help to suppress car use, it is considered that car ownership is likely to be relatively high. Whilst minimising car

parking provision can help to suppress car ownership in circumstances where residents are unable to find convenient alternative places to park, it will not be effective if nearby streets or car parks are available to absorb unfulfilled demand.

Policies TA3 and TA4 of the Dumbarton District, District Wide Local Plan 1999 indicate that the adopted parking standards will normally be required, and specifically identify existing parking issues in Dumbarton town centre. There is an existing problem of poor turnover in the Riverside Lane area and in other town centre car parks, arising largely from all day parking by town centre workers. This makes it difficult for shoppers and tourists to park, and consequently reduces the attractiveness of Dumbarton town centre as a destination. It is considered that if insufficient car parking is provided within the application site, then this will lead to residents and workers in the commercial units using Riverside Lane and other nearby car parks for long-stay parking, exacerbating the existing problems.

The applicant has suggested controlling car parking within the site by employing a residents' parking permit scheme. Whilst this would help to control parking within the site, it would not address the concerns about overspill into surrounding streets and car parks. As such, a controlled parking scheme would not be effective unless it was adopted over the whole of Dumbarton town centre, it would place a considerable burden on the Council to maintain and is very unlikely to receive sufficient Police support to control effectively. Although policy TA4 does indicate support for a measure of parking control in the town centre, it recognises that this would itself serve to discourage some visitors to the town centre and should not take place in advance of parking charges being introduced in other competing retail destinations. Limited waiting introduced through the promotion of a traffic regulation order is currently being promoted within Dumbarton Town Centre as a means of controlling the provision of short term parking provision.

#### Streets and public spaces

The proposal includes a public walkway along the river's edge and a new public square between the mill/still building and the river. Other public areas are intended as shared surface roads and parking areas, described by the applicant as 'home zones'.

In principle, the use of shared surface streets is considered acceptable. Such an approach can serve as a traffic calming measure and help to create attractive public spaces which are not dominated by highways infrastructure. However, there are significant concerns about the design which has been proposed, specifically with regard to the appearance and character of the proposed streets and public spaces.

The design does not ensure the retention of sufficient road width to allow for the safe passage of vehicles and pedestrians and to facilitate future maintenance. The on street car parking arrangements are also not in compliance with home zone design principles. The proposed level of on street parking results in a higher intensity of on street parking to road space than exists in the off street car park areas.

As explained above, the proposal is considered to be substantially deficient in terms of the number of car parking spaces which are to be



provided. The applicant has already amended the design in an attempt to address this issue, and the effect of this amendment is to greatly increase the amount of on-street and other surface car parking. The result of this is that the proposed streets would be very heavily dominated by car parking, with almost every available space being utilised for this purpose. The parking would comprise an awkward mixture of parallel and perpendicular parking bays. It is considered that the proposed level and nature of the surface parking would create visual clutter and would significantly detract from the appearance and quality of the public spaces. Furthermore, as noted above, the proposed level of parking provided within the site is still considered to be deficient. This underprovision of parking would have the effect of increasing the amount of traffic moving around the site, as drivers search for parking spaces, which would further detract from the quality and character of the proposed streets, as well as encouraging inconsiderate parking to the detriment of pedestrian safety.

It is not readily apparent how the proposal could be further amended in order to provide a satisfactory number of car parking spaces without this increased parking provision having a further adverse impact upon character of the streets and public spaces. Achieving this would appear to require a significant re-design of the proposal, either to reduce substantially the number of dwellings or to increase greatly the amount of covered parking. Unless it can be demonstrated that the site can accommodate the proposed level of development along with an appropriate level of aesthetically acceptable car parking, the proposal must be considered to be an overdevelopment of the site.

The river walkway/emergency access route split over two levels is also unacceptable. A design which facilitates future maintenance and ensures adequate width for continuous emergency access during a flood incident is essential.

#### Environmental factors

Full details of the proposed drainage arrangements would require to be agreed, but should employ Sustainable Urban Drainage Systems. A Flood Risk Assessment submitted with the application identifies a risk of flooding arising from high water levels in the River Leven (both fluvial and tidal), and from overflow from the Knowle Burn as it enters the tidal basin. It is proposed to raise the level of the site from its current level (of between 3.7m and 4.5m Above Ordnance Datum) to between 5.0m and 5.2m AOD in order to address this. SEPA has recommended that a suitable freeboard be provided to allow for local effects, and has asked that consideration be given to the provision of compensatory storage to offset the removal of the site from the flood plain. The main flood risk arises from tidal flows, and the loss of this site would be of negligible effect.

A site investigation submitted by the applicant has indicated the presence of chemical contaminants and landfill gas, but has indicated that these could be addressed through appropriate remedial measures. Further details of the extent of contamination and the proposed remedial measures would be required.

## G. CONCLUSION AND RECOMMENDATION

There is strong policy support for the redevelopment of this strategically important site for mixed residential and commercial purposes, and it is considered that in principle a development of the nature proposed is to be welcomed. Some of the features of the intended design, notably the use of covered parking courts and the quality of the architecture, are particularly commendable. However, there are three significant areas of concern about the development which has been proposed.

Firstly, the proposed retention of the mill/still tower is a matter which divides both local and professional opinion. The building is of acknowledged architectural and historic interest, and is a well known local landmark. However, it is of a scale and character which does not sit comfortably within the surrounding townscape, and it is considered that the demolition of all of the other lower-rise distillery structures has eroded its value and diminished the opportunity successfully to incorporate it into the redevelopment of the site. Its retention as an isolated fragment of the former distiller would deprive the development of a unique opportunity to provide a direct visual link between the High Street and Dumbarton Rock. As such, it is considered that the mill/still tower should not be retained, and that the failure to incorporate a vista to the Rock is unacceptable.

Secondly, the proposed level of car parking provision is some 188 spaces below the level which the Council's parking standards would normally require for a development of this nature. Whilst it is accepted that there is scope for a reduced standard to be applied in this case, and the developer has indicated a willingness to provide financial contributions to off-site works to offset any shortfall, the proposal nonetheless still falls significantly short of the minimum level of parking provision considered acceptable. It is considered that this will lead to congestion within the site and to residents parking spilling over into surrounding streets and car parks, to the detriment of convenience and safety of road users and the character of the wider area.

Thirdly, although the use of covered courtyards for a significant proportion of car parking is to be welcomed, the proposal is still heavily reliant upon on-street and similar surface car parking. In response to the above concerns about inadequate levels of parking provision, the applicant has increased the amount of surface car parking to the extent that it is considered to detract unacceptably from the appearance and character of the streets and other public spaces within the site. The extent of surface car parking will result in a constrained road network, which does not adequately cater for the need to provide safe and adequate provision for the installation and subsequent maintenance of essential public utility services.

**It is therefore considered that, whilst the principle of development is acceptable, the specific design which has been put forward is not appropriate, and accordingly it is recommended that the application be refused.**

## H. REASONS

1. **The former mill/still building is of a scale and character which has an overbearing relationship with the surrounding townscape. If retained as an isolated fragment of the former distillery it would relate poorly to both the new development and to the rest of the town centre. The industrial architecture of the building does not relate to the existing urban form or architecture of Dumbarton town centre.**
2. **The proposed street layout is unsatisfactory in that it would fail to incorporate a direct visual link between the Riverside Parish Church and Dumbarton Rock, which is identified as a key objective of the Dumbarton Waterfront Design Framework.**
3. **The proposal would provide a substandard and insufficient level of car parking that would lead to increased use of town centre car parks and on-street parking spaces, to the significant detriment of the safe and free flow of vehicular and pedestrian traffic. In addition the under provision of parking would result in additional demand beyond existing capacity for the existing town centre parking provision to the detriment of Dumbarton town centre's vitality and viability as a retail and tourism destination.**
4. **The proposed streets and public spaces are excessively dominated by car parking, to the extent that it is considered to detract unacceptably from the appearance and character of the streets and other public spaces within the site.**
5. **The river walkway/emergency access route split over two levels is unacceptable. A design that facilitates future maintenance and ensures adequate width for continuous emergency access during a flood incident is essential both in terms of public safety and to create a positive waterfront space.**
6. **As such the proposal is contrary to Policies H4 Housing Development Standards, TA3 Car Parking Standards and Roads Design Guidance, and DC1 Development Control of the Dumbarton District, District Wide Local Plan 1999.**



**Dan Henderson,  
Director of Development & Environmental Services  
Date:21/02/2006**

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**BACKGROUND PAPERS:**

1. **Application forms and plans;**
2. **Representation from Netherbog Residents (Flooded Properties) Action Group;**
3. **Representation from Church of Scotland;**
4. **Representation from Dumbarton East & Central Community Council;**
5. **Representation from Silverton & Overtoun Community Council;**
6. **Representation from Scottish Power;**
7. **Consultation response from H&TS;**
8. **Consultation response Scottish Water;**
9. **Consultation response from SNH;**
10. **Consultation response from West of Scotland Archaeology Service;**
11. **Consultation responses from Historic Scotland;**
12. **Consultation response from SEPA;**
13. **Consultation response from BAA;**
14. **Consultation response from Architectural Heritage Society of Scotland;**
15. **Consultation response from A&DS**

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