

**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead- Regulatory**

**Planning Committee: 27 June 2018**

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

**1.     REASON FOR REPORT**

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

**2.     RECOMMENDATION**

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

**3.     DEVELOPMENT DETAILS**

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

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

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

#### **4. CONSULTATIONS**

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

#### **5. REPRESENTATIONS**

- 5.1** One representation from a local resident has been submitted in relation to this application which objects to the proposal for the following reasons:
- The track serving the proposed development is very narrow.
  - This development will exacerbate existing congestion on Cochno Road.
  - The proposal constitutes overdevelopment of the site.
  - This development could set a precedent to permit further residential development on this site in the future.
  - The proposal would result in the loss of a natural wildlife habitat and is therefore contrary to the local plan.
  - The development could raise overlooking and overshadowing issues.
- 5.2** One further representation has been submitted from Clydebelt and does not object to the proposal but raises the following points:
- The site should be separated from the green belt by native hedging.
  - The development should have an appearance which is suitable for a semi-rural setting.

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

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

### West Dunbartonshire Local Plan 2010

- 6.1** The majority of the site is located within an Existing Residential Area, where Policy H5 seeks to preserve the character and amenity of existing residential areas. In particular, it seeks to avoid overdevelopment which would have an adverse impact on local amenity, access and parking or would be out of scale with surrounding buildings. Policy H4 sets out standards expected of residential development, requiring high quality in terms of shape, form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area in which it is located.
- 6.2** Part of the site is within the green belt and is therefore covered by Policy GB1 which seeks to preserve the character of these areas and restrict development to certain types. The only part of the proposal which would encroach into the green belt are the gardens of two houses located on plots 3 and 4 and this is considered acceptable at this location. It is not proposed to undertake any tree removal in the green belt.
- 6.3** Policy R2 specifies the open space provision required for all development and provides for the Council to request payment of a financial contribution where appropriate. Assessment of open space requirements has been undertaken against the more up to date document, “Our Green Network” Guidance.
- 6.4** Policy F2 relates to drainage and aims to ensure that new development does not increase the risk of flooding elsewhere and has suitable drainage infrastructure which includes SUDS measures.
- 6.5** Policy T4 relates to the accessibility of new development and requires new developments to integrate with walking, cycling, and public transport routes.
- 6.6** The proposal complies with the relevant policies contained in the adopted local plan and is assessed in Section 7 below.

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

- West Dunbartonshire Local Development Plan (LDP) Proposed Plan
- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.2** The majority of the site is located within an Existing Neighbourhood where Policy BC4 supports the principle of residential development, provided there is no adverse impact on neighbouring amenity or the character of an area. Policy DS1 is also applicable and seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants rather than a specific demographic.
- 7.3** Part of the site is within the green belt and is therefore covered by Policy DS2 which seeks to preserve the character of these areas and restrict development to certain types. The only part of the proposal which would encroach into the green belt are the gardens of two houses on plots 3 and 4 and this is not considered to have a detrimental impact on the purpose of the green belt at this location. It is not proposed to undertake any tree removal in the green belt.
- 7.4** Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating open space at a level proportionate to the scale of development and in accordance with "Our Green Network" Guidance. This guidance allows open space to be integrated within a development or where this is not possible, any identified shortfall may be addressed through a financial contribution which would be used to enhance open space provision in the local area. The proposal is assessed against these policies and guidance below.
- 7.5** Policy DS1 indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). All residential developments of more than 3 units are also expected to comply

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

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

Principle of development

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

Layout, Design and Appearance

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

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

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

#### Landscaping and open space

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

#### Roads, Parking and Drainage

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

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

#### Contamination

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

## **8. CONCLUSION**

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

## **9. CONDITIONS**

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

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

- 7. A landscaping scheme for the site, including the site boundaries and area of open space shall be submitted for the written approval of the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.**
- 8. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.**
- 9. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.**
- 10. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**
  - a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
  - b) an assessment of the potential risks (where applicable) to:**



- human health;
  - property (existing and proposed), including buildings, pets, service lines and pipes;
  - ground waters and surface waters.
- c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
11. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
12. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
13. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness

**of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.**

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

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

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**Appendix:** Site Location Map

**Background Papers:**

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

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