

PLANNING APPLICATION REPORT

PLANNING COMMITTEE: 1 MARCH 2006

APPLICATION NUMBER: DC05-273

PROPOSAL: Erection of residential development (outline)

SITE: Dalquhurn Estate, Renton

APPLICANT: Cordale Housing Association

AGENT: Smith Findlay Architects,
2 Merkland St,
Glasgow

WARD: 17

DATE REGISTERED: 19/10/2005

PUBLICITY:

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Neighbour Notification	2/11/2005	16/11/2005	Reporter

REPORT:

A. SITE DESCRIPTION

The application relates to a 10 hectare site on the south eastern edge of Renton. The southern part of the site was once occupied by the Dalquhurn Dye Works. Various local businesses occupy surviving industrial buildings within this area, whilst consent has been granted for a community centre, but much of the land is derelict and overgrown with trees. The northern part of the site was formerly the curtilage of Dalquhurn House (now demolished), and is a mixture of trees and open land. Eight existing houses are situated within the Dalquhurn Estate, mainly on the site of the former Dalquhurn House, but none of these are included in the current application site. The site is bordered by housing to the west, open land to the south, and the River Leven to the north and east. A mill lade runs parallel to the northern part of the western boundary of the site, before entering a culvert through the centre of the site. Trees along the banks of the exposed part of the lade are covered by a Tree Preservation Order.

The sole vehicular route to the site is by way of John Street, the site access being a private road which continues from the end of John Street into the site by way of a bridge over the mill lade. A pedestrian and cycle path follows a former railway alignment along the river's edge, and forms a barrier between the site and the river.

Outline planning permission for residential development was granted for the northern part of the site in 1990 and this consent was renewed in 1994 and 1997. However, it has now lapsed. An outline application for mixed use development covering the whole of the site and some additional land to its south was submitted in 1999 but was withdrawn by the applicant in 2004 without being determined.

B. DEVELOPMENT DETAILS

Outline planning permission is sought for residential development on the site. As an outline application, no details are available of the precise nature or design of development intended, though an indicative plan shows 291 dwellings in a mixture of houses and flats. All vehicular access would be by way of John Street, although an emergency fire path would also be required. Significant landraising would be required to prevent flooding of the site, and the indicative plans also show infilling of the existing mill lade. The application is supported by reports on flooding, drainage and transportation issues.

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.

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 Vale of Leven Urban Renewal Area. The Plan has a presumption in favour of the redevelopment of urban land and property.

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.

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 adopted local plan allocates the northern part of the site, formerly the grounds of Dalquhurn House, as a Residential Opportunity Site with a capacity of approximately 68 units. The former dye works area in the southern part of the site is allocated as a Redevelopment Opportunity Site with potential for housing and/or industrial uses.

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 and the Tontine Grasslands, adjacent to the application site, are designated as Sites of Importance to Nature Conservation. Policy NHL6 (c) requires that development proposals likely to adversely affect SINCS 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.

There is a general encouragement within the Local Plan that vacant, derelict and under-used land is redeveloped for appropriate uses, subject to satisfactory measures to address any contamination issues (Policy NHL23). Former industrial sites are acknowledged as being a blight on the area’s amenity, as well as representing wasted land resources. Policy NHL24 indicates that sites identified as Redevelopment Opportunities would be suitable for mixed land uses subject to these being compatible with the surrounding area. Proposals for uses differing from those identified in the plan will be considered on their merits, having regard to adjoining uses, site planning and land supply.

Policy H1 indicates that sites identified as Residential Development Opportunities represent the main opportunities for housing development within the plan area.

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 in relation to 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.

West Dunbartonshire Local Plan (Consultative Draft)

This document allocates the whole of the Dalquhurn Estate as a Housing Opportunity Site. The site is identified as having a capacity of approximately 266 units, envisaged as being approximately 50% private and 50% social housing.

D. CONSULTATIONS

WoSAS

The site is known to contain at least four separate sites of archaeological significance. Additional information is required to allow proper consideration of the impact upon archaeological features.

SNH

The site borders two Sites of Importance to Nature Conservation (the River Leven and the Tontine Grassland). SNH recommends that prior to permission being granted surveys of the use of the site and proposed mitigation measures be provided in order to identify and minimise any impact upon the following protected species: otters, water voles, great crested newts, bats and badgers. In addition, conditions are recommended covering various conservation issues. The existing mill lade is a wildlife habitat and should be retained and enhanced rather than infilled.

Scottish Water

The public water supply and sewer networks currently have sufficient capacity to accommodate the proposed development. Surface water disposal should be by way of SUDS.

SEPA

The site is at risk of flooding, and it is proposed to address this by way of land raising. This requires new compensatory storage to offset the loss of part of the flood plain, so as to ensure that the proposal does not increase the risk of flooding elsewhere on the River Leven.

H&TS (Roads)

No objection, subject to provision of compensatory flood storage to offset effects of landraising. A package of

improvements to John Street and its junction with Main Street will be required, and the development must comply with the Council's adopted standards in terms of the number of houses served by a single point of vehicular access. A second vehicular access will be required for emergency purposes. The internal road layout shown on the indicative plan will not be acceptable.

E. REPRESENTATIONS

Representations have been received from eight local households and one local firm. John McFall MP has also written to pass on the comments of one of the householders.

Some of the householders indicate support for the redevelopment of the site, but have specific concerns about the details of the proposal, whilst other householders indicate opposition to the proposal. Concerns raised by the householders are as follows:

- The site is intended for industrial use;
- John Street and its junction with Main Street are not adequate and are the sole vehicular access route into the site;
- Safety of pedestrians and cyclists using cycle path which connects to John Street;
- Need to control speed of vehicles on John Street;
- Existing bridge over the mill lade is in poor condition;
- The proposed landraising and infilling of the mill lade would increase the risk of flooding of existing properties;
- Concerns about possible overlooking of existing homes by the new development;
- Conflict between new residents and existing businesses on the site;
- Need for improved local facilities to accommodate increased population (specifically retaining local school, A&E facilities at Vale of Leven Hospital, and re-opening local police station);
- Loss of trees and impact upon the River Leven and other wildlife habitats;
- Loss of open space

The owner of one local business, which currently occupies part of the application site, has written to indicate an unwillingness to sell or vacate his property, and has noted that the indicative plans show his property being demolished.

F. ASSESSMENT

Land Use Policy

The site is partly allocated for housing and partly as a redevelopment opportunity with potential for housing and industrial use. The proposal is consistent with these allocations. There is strong local and national policy support for the use of urban brownfield land for new housing development, and the Vale of Leven is identified as an Urban Renewal Area in the statutory structure plan. There is therefore strong policy

support for the redevelopment of the application site for housing purposes.

Access

Vehicular access would be by way of John Street, and local residents have expressed concern about its suitability for additional traffic. However, a Transportation Assessment has been submitted in support of the proposal, and Housing and Technical Services consider that the level of traffic likely to be generated would be acceptable. However, improvements to John Street and its junction with Main Street will be required. These should include widening parts of the carriageway and improving footpaths. This can be controlled by condition.

A secondary emergency access will be required. The indicative plan suggests that this could be provided by widening an existing footpath from Tontine Crescent to the existing small playground to enable it to be used as a fire path. This, however, is outwith the application site, and may require the acquisition of additional land. A condition could require the provision of an emergency access, details of which should be provided at the Reserved Matters stage.

The road layout shown on the indicative plan is not satisfactory as it does not comply with the design standards in the adopted Roads Development Guide. However, this too can be controlled by condition.

Contaminated Land

The site is known to be contaminated as a result of its former industrial use, and a full remediation strategy would be required to be approved before any development could commence. Previous studies of the extent of contamination have revealed the need for any decontamination works to be carried out on a comprehensive basis. If any of the existing buildings within the site were to be excluded from the remediation programme, this may negate the value of the exercise as contamination could leach back into the site from any untreated pockets. As such, it is essential that the whole of the site is addressed in any decontamination programme, and this could be required by condition.

Flooding / Mill Lade

The proposal will involve raising of the site, to prevent it from flooding. The loss of part of the flood plain could increase the risk of flooding of other land, notably properties upstream of the application site. SPP7 indicates that development must not give rise to an increased risk of flooding of other properties, and it is therefore essential that the development is designed in such a way as to have a neutral or beneficial effect on flooding. This could be achieved by the incorporation of compensatory flood storage into the design.

Although the indicative plan shows the infilling of the mill lade, it is considered that this feature should be retained. The mill lade is of historical interest as relic of the site's industrial past, and is of value as a wildlife habitat. Its aesthetic and environmental value would be increased if the existing culverted section of the lade (including a section which has recently been culverted by one of the current owners of the site without the benefit of planning permission), were to be exposed. Crucially, it could also contribute to the required

compensatory storage capacity, possibly through the formation of a shallow man made lake within the site. The retention of the lake would give the site frontages onto two water features, potentially adding to the quality and appearance of the development. It is therefore considered that the lake should be retained.

Archaeology and Nature Conservation

The site is known to have several archaeological features which will require to be investigated properly before any development can commence. This can be controlled by a planning condition.

Scottish Natural Heritage has recommended surveys of the site to assess the impact of the development on various protected species, and to ensure that any adverse impact upon these is minimised. This can also be required by way of conditions.

G. CONCLUSION AND RECOMMENDATION

It is considered that the site is suitable for housing development, subject to appropriate detailed proposals to address the access, flooding, contaminated land, archaeological and nature conservation issues which have been identified. As such, it is recommended that outline planning permission be granted, subject to conditions.

H. CONDITIONS

1. **In the case of any Reserved Matters, application for approval must be made before:-**
 - (i) the expiration of 3 years from the date of the grant of outline planning permission;
 - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused, or;
 - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;
(whichever is the latest).
2. **That the development to which this permission relates must be begun not later than:**
 - (i) the expiration of 5 years from the date of the grant of outline planning permission, or;
 - (ii) if later, the expiration of 2 years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such to be approved.
3. **That any application for approval of Reserved Matters submitted under the terms of condition 1 above, shall include:**
 - (i) site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping;
 - (ii) plans and elevations of each building, showing dimensions and the type and colour of external materials;
 - (iii) landscaping plans showing the location and species of all proposed trees, shrubs, hedges, hard landscaping and street furniture;
 - (iv) details of existing and proposed ground levels, and finished floor levels, relating to a clearly identified fixed datum point.

4. **Before development commences, the written approval of the Director of Development and Environmental Services shall be obtained for:**
 - (i) **the means of management and maintenance of all landscaping and public open space, and;**
 - (ii) **the means of disposal of surface water and foul sewage,**

5. **The development shall include:**
 - (i) **a minimum ground level sufficient to ensure that the new development is not at risk of inundation in the event of a 1 in 200 year flooding event, and;**
 - (ii) **compensatory flood storage capacity sufficient to ensure that the above landraising does not result in any significant increase in flood risk for any land outwith the application site.**

To the satisfaction of the Director of Development & Environmental Services (in consultation with SEPA).

6. **Full details of the proposed minimum ground level and compensatory flood storage facilities referred to in condition 5 above shall be provided at the time of the Reserved Matters and shall be agreed in writing by the Director of Development and Environmental Services (in consultation with SEPA) prior to any development commencing.**

7. **Permission is not granted for the infilling of the existing mill lade. The lade shall be retained and incorporated into the development, subject to environmental improvements to improve its appearance and conservation value. These improvements shall include the opening out of the culverted sections of the lade. Full details of the alterations to the lade shall be provided along with the Reserved Matters.**

8. **That with regard to the requirements of condition 3 (iii) above, all landscaping schemes shall indicate the siting, numbers and species of all trees, shrubs and hedges to be planted and the extent of any ground profiling, and shall ensure:**
 - (i) **completion of the scheme during the planting season next following the completion of the buildings, or such other date as may be agreed with the Director of Development and Environmental Services, and;**
 - (ii) **the maintenance of the landscaping area for a period of five years, or such longer period as may be required by the Director of Development and Environmental Services to allow the landscaping to become well established. Any trees or shrubs which, within 3 years of planting, are removed, or which in the opinion of the Director of Development and Environmental Services are dying, have been severely damaged or have become seriously diseased, shall be replaced to the specification of those originally required.**
 - (iii) **the appropriate long term management and maintenance of all landscaped areas to the satisfaction of the Director of Development and Environmental Services.**

9. That public open space and children's play areas shall be provided in accordance with the standard specified by Policy LR2 of the Dumbarton District, District Wide Local Plan 1999.
10. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed with the West of Scotland Archaeology Service, and approved by the Director of Development and Environmental Services. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Director of Development and Environmental Services in agreement with the West of Scotland Archaeological Service.
11. No building shall be occupied until such time as the roads and footpaths serving the relevant phase of development have been completed to base course level.
12. That the development roads, footpaths and lighting for each phase of the development shall be constructed in accordance with the Council's Guidelines for Development Roads, and shall be completed to the satisfaction of the Director of Development and Environmental Services within a timescale to be agreed in writing prior to the commencement of any works on site.
13. The development shall include upgrading of the road and footpath in John Street, and of the junction of John Street with Main Street (including improvements to kerbing, pedestrian and parking facilities), to a standard to be agreed with the Director of Development and Environmental Services. This upgrading shall include widening of John Street to not less than 7.3m between the development and the junction of John Street with Alexander Street.
14. All access to the development shall be in accordance with the standards specified in the Council's adopted Roads Development Guide, in respect of the numbers of houses and the standards of access thereto. If John Street is to be the sole vehicular access, there will be a maximum of 300 dwellings (including all existing dwellings) beyond its junction with Alexander Street. A separate emergency vehicle access will also be required, and its location shall require to be agreed as part of the Reserved Matters. For the avoidance of doubt, the indicative site layout submitted in support of the application will not be acceptable.
15. Parking spaces shall be provided in accordance with the Council's adopted Roads Development Guide, and no building shall be occupied until its parking facilities have been completed to the satisfaction of the Director of Development and Environmental Services.
16. That drainage details submitted in accordance with condition 4 (ii) above shall include full details of the intended means of foul

drainage and surface water disposal, and shall incorporate a suitable Sustainable Urban Drainage Scheme, to the satisfaction of Director of Development and Environmental Services. The agreed drainage measures shall be fully implemented in accordance with the agreed phasing scheme, and no building shall be brought into use until its foul and surface water drainage arrangements have been completed to the satisfaction of the Director of Development and Environmental Services.

17. Prior to any development commencing, a detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted to and agreed in writing by the Director of Development and Environmental Services. No work, other than investigative work, shall commence until such time as the remediation strategy has been approved and implemented to the satisfaction of the Director of Development and Environmental Services.

18. A detailed survey into the extent of use of the site and the impact of the proposed development upon the following species of animal shall be submitted along with the Reserved Matters:

- i. otters;
- ii. water voles;
- iii. great crested newts;
- iv. bats, and;
- v. badgers

The study shall be carried out by a suitably qualified person and shall identify any modifications to the design or other remediation measures necessary to ensure that the development does not have a significant adverse impact upon these species. In the event of bat roosts being discovered, this shall be reported to the Council and no tree felling or demolition likely to affect the roost should take place until appropriate methods have been agreed with the Director of Development and Environmental Services in consultation with SNH.

19. At the same time as the Reserved Matters, the developer shall submit a detailed survey of all trees on the site. This survey shall be displayed on a site layout plans showing which trees are to be retained, and shall include an identification of the existing tree species, an estimation of their height and spread, and their location within the site accurately plotted. The development shall minimise the loss of significant mature trees and significant groups of trees, and shall in particular incorporate landscape buffer zones along the edge of the River Leven and the Tontine Grassland area. No trees shall be felled or otherwise damaged or destroyed until such time as the submitted tree survey has been approved in writing by the Director of Development and Environmental Services.

20. Prior to the commencement of any phase of the development, details shall be submitted for the approval of the Director of Development and Environmental Services of steps to be taken to safeguard the River Leven from contamination by pollutants during the construction phase of the development, and such safeguards as approved shall be put in place prior to any works

commencing on site. These details shall include the proposed methods of groundwater control as well as details of the quantity of sediment that will be generated during construction and the effects of discharging the sediment into the River Leven. No work shall commence on site until these details (or such other details as may be acceptable) are approved.

21. Any demolition or other materials used to raise the level of the development site shall be inert.
22. No construction works audible at the site boundary, or such other such places as may be agreed in writing with the Director of Development and Environmental Services, shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all outwith these hours or on Sundays or public holidays.
23. Prior to any piling works taking place, an assessment of the intended works, taking account of the guidance contained in BS6472: 1984 'Evaluation of Human Response to Vibration in Buildings', must be carried out by a suitably qualified person, and must be submitted to and approved in writing by the Director of Development and Environmental Services.
24. To minimise nuisance in the surrounding area from noise and vibrations, during all construction works the plant and machinery used shall be in accordance with the relevant Code of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) Order 2002.
25. Details of noise mitigation measures and details of steps proposed to minimise the creation of noise and dust shall be submitted to and agreed with the Director of Development and Environmental Services before any work commences on site.



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

BACKGROUND PAPERS:

1. Application forms and plans;
2. Representations from Grahame Wardlaw, dated 10/10/05 & 25/10/05;
3. Representation from Ann Neeson, dated 17/10/05;
4. Representation from Christina King, dated 18/10/05;
5. Representation from Liam & Stella Johnston, dated 18/10/05;
6. Representation from Jim Conroy, dated 19/10/05;
7. Representation from Robert Davidson, dated 20/10/05;
8. Representation from Helen Graham, dated 20/10/05;
9. Undated representation from Philip Sakerski

10. Letter from John McFall MP, dated 19/10/05;
11. Representation from BLH Plant Hire, dated 11/10/05;
12. Consultation response from SEPA;
13. Consultation response from Scottish Water;
14. Consultation response from H&TS (Roads);
15. Consultation response from SNH;
16. Consultation response from WSAS

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