

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 22 October 2014 at 2.04 p.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Bernard Darroch, Lead Planning Officer; Alan Douglas, Manager of Legal Services and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apology: An apology for absence was intimated on behalf of Councillor Patrick McGlinchey.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

Councillor McColl declared an interest in the item 'DC14/193 – Erection of Primary Schools with associated car park, sports pitch, landscaping and an early education and childcare centre at St Peter's Primary School, Howatshaws Road, Dumbarton by West Dunbartonshire Council' having represented the views of the local community on this item of business, and advised that he would leave the meeting and take no part in any decision in regard to this matter.

CHAIR'S REMARKS

The Chair, Councillor O'Neill, advised that a late representation had been received regarding Item 4(d) on the agenda from Aitkenbar Parent Council which was not included within the report. Councillor O'Neill asked the Committee if it would be in agreement to hear the terms of the objection and if a representative from the Parent Council could address the Committee.

Having heard officers in answer to Members' questions, the Committee agreed that the terms of the objection should be heard and that the representative from the Parent Council be invited to address the Committee at the appropriate point during the meeting.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Planning Committee held on 24 September 2014 were submitted and approved as a correct record.

PLANNING APPLICATIONS

A report was submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

New Applications:-

- (a) **DC14/160 – Proposed extension of landfill site, recycling of previously landfilled materials and imported materials to create secondary aggregates at Rigangower Landfill Site by William Thompson & Son (Dumbarton) Ltd.**

The Planning & Building Standards Manager was heard in further explanation of the application and the background relating thereto.

Having heard the Planning & Building Standards Manager and the Lead Planning Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that it was minded to grant planning permission subject to the conditions specified within the report, details of which are contained within Appendix 1 hereto and to the satisfactory conclusion of a legal agreement to ensure that a suitable restoration bond is in place to cover the cost of restoring the site; and
 - (2) to an additional condition requiring that the height of any stockpiling be agreed with the Planning Authority.
- (b) **DC14/167 – Sub-division of existing retail unit and change of use to Betting Office and shopfront alterations at 18 Britannia Way, Clydebank by Betfred.**

Reference was made to the site visit which had been undertaken in respect of the above application.

The Planning & Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Team Leader (Development Management) advised of a change to 3.3 of the report, that the proposal for a new shop frontage would be created in an existing portion of the front of the building which is currently facing brick and that the first glass window of the Harry Cory business would be affected.

The Chair then invited Mr Graham from McInally Associates, agents for the applicant, to address the Committee. Mr Graham presented his case in support of the application and was heard in answer to Members' questions.

Having heard the Planning & Building Standards Manager and the Team Leader (Development Management) in further explanation of the report and in answer to Members' questions, the Committee agreed to Refuse to Grant planning permission on the grounds that:-

- 1) The proposal would be contrary to policy RET6 of the adopted West Dunbartonshire Local Plan 2010 and to policy SC2 of the West Dunbartonshire Local Development Plan (proposed plan), in that it would result in the loss of ground floor retail floorspace and frontage within the Clydebank core retail area in circumstances where the resultant use would not serve to reinforce or revitalise the centre; and
- 2) The proposal would result in an undue concentration of betting shops and other non-retail uses within Clydebank Town Centre to the detriment of the character and amenity of the area and the economic wellbeing of the local community.

(c) DC14/173 – Modification of Planning Agreement relating to permission CB88/152, in order to allow up to 30% of net retail floorspace to be used for the sale of food and drink, at Unit 7A, Clyde Retail Park, Clydebank by Motherwell Investment LP.

The Planning & Building Standards Manager was heard in further explanation of the application and the background relating thereto.

Having heard the Planning & Building Standards Manager and the Team Leader (Development Management) in further explanation of the report and in answer to Members' questions Councillor Agnew, seconded by Councillor Finn moved that:-

The Committee agree to continue consideration of the application, to allow officers to seek clarification from the applicant on the proposed intended use of the retail unit.

As an amendment, Councillor McColl, seconded by Councillor Mooney moved that:-

The Committee agree:-

- (1) to indicate that it is Mindes to Grant an alteration to the existing planning agreement to specify that not more than 30% of the unit's floorspace may be used for the sale of food or drink: and

- (2) that authority be delegated to the Planning & Building Standards Manager to conclude the modification of the planning agreement.

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

(d) DC14/193 – Erection of Primary Schools with associated car park, sports pitch, landscaping and an early education and childcare centre at St Peter's Primary School, Howatshaws Road, Dumbarton by West Dunbartonshire Council.

The Planning & Building Standards Manager was heard in further explanation of the application and the background relating thereto. The Planning & Building Standards Manager clarified that the request for each school to have a separate entrance in order to retain their own identities was specifically requested by St Peter's Parent Council and the Archdiocese.

The Planning & Building Standards Manager read out the terms of the representation received from Aitkenbar Parent Council, copies of which were circulated to those Members present.

The Chair then invited Ms Hamill, a representative for Aitkenbar Parent Council to address the Committee. Ms Hamill made the views of the Parent Council known.

Having heard the Planning & Building Standards Manager in further explanation of the report and the Manager of Legal Services in answer to Members' questions, Councillor Rainey, seconded by Councillor Sorrell moved that:

The Committee agree to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 2 hereto.

As an amendment Councillor Mooney, seconded by Councillor Agnew moved that:

The Committee agree to continue consideration of the application, to seek further clarification on potential planning adjustments and to allow further discussions between the Parent Council and the applicant on the issues raised by the Parent Council.

On a vote being taken, 3 Members voted for the amendment and 5 for the Motion which was accordingly declared carried.

Note:- Councillor McColl left the meeting during consideration of this item.

ADJOURNMENT

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a period of 5 minutes.

The meeting reconvened at 3.24 p.m. with all those Members shown on the sederunt in attendance.

DIVERSION OF PUBLIC PATH AT/NEAR WESTER COCHNO FARM, COCHNO ROAD, HARDGATE BY MR RICHARD SPRATT

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking agreement not to proceed with the public path diversion order.

Reference was made to the site visit which had been undertaken in respect of the above.

The Planning & Building Standards Manager and the Team Leader (Development Management) were heard in further explanation of the report and the background relating thereto.

The Chair invited Mr Thomson, Mrs McGeachy and Mr Cameron, local residents to address the Committee. Mr Thomson, Mrs McGeachy and Mr Cameron made their views on the proposed public path diversion order known. Mr McNair, representing Parkhall, North Kilbowie and Central Community Council also made the views of the Community Council known.

Following discussion, the Committee agreed that officers should not proceed with the public diversion order.

SCOTTISH GOVERNMENT CONSULTATION ON PLANNING CONTROLS, PAY DAY LENDING AND BETTING OFFICES

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval of the Council's response to the consultation on Planning Controls, Pay Day Lending and Betting Offices, as detailed within Appendix 1 to the report.

The Committee agreed that Appendix 1 to the report be submitted to the Scottish Government as this Council's response to the consultation on Planning Controls, Pay Day Lending and Betting Offices.

The meeting closed at 3.55 p.m.

DC14/160 – Proposed extension of landfill site, recycling of previously landfilled materials and imported materials to create secondary aggregates at Rigangower Landfill Site by William Thompson & Son (Dumbarton) Ltd.

MINDED TO GRANT subject to the following conditions:-

1. This permission shall endure until 22 October 2044.
2. Only solid, inert, non-toxic, non-ferrous materials shall be deposited on site and excludes any liquids, sludge, oil, domestic refuse or plasterboard.
3. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels to prevent mud and deleterious materials being deposited on the public road.
4. Access to and egress from the site for all vehicles shall be taken from the Dunglass roundabout with no vehicular access or egress to be taken from Miltonhill.
5. Prior to the commencement of works, full details of the design, location and height of the screen bunds to be formed on site shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the installation of any plant on site.
6. Prior to the commencement of works, full details of the location, species and size of the tree planting that is to be undertaken along the western boundary of the site shall be submitted for the further written approval of the Planning Authority and shall be planted prior to the formation of the settlement ponds, stockpile area or the installation of any plant on site.
7. Prior to the commencement of works, full details of the height and location of any stockpiles of materials to be stored on site shall be submitted for the further written approval of the Planning Authority and shall thereafter be stored in accordance with these details.
8. 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 by the West Of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
9. Prior to the commencement of development, a scheme for the control and mitigation of dust shall be submitted for the written approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the

development and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.

10. The operating hours of the landfill site including the dispatch of aggregates shall be between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays, Only emergency works, water pumping, servicing or maintenance of plant are permitted to take place outside the permitted hours of operation.
11. Within twelve months from the date of this planning permission, and thereafter at twelve monthly intervals, the applicant shall submit plans at an appropriate scale indicating the progress of operations. The plan will indicate the current position of the extraction area, the extent of landfilling (including level details) and any landscaping or restoration works that have been implemented.
12. Notwithstanding the submitted details, the final restoration details for the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of the approved operations on site. These details shall include a restoration masterplan which demonstrates how the site will be restored on a phased basis unless otherwise agreed in writing with the Planning Authority.

DC14/193 – Erection of Primary School with associated car park, sports pitch, landscaping and an early education and childcare centre at St Peter's Primary School, Howatshaws Road, Dumbarton by West Dunbartonshire Council.

Permission GRANTED subject to the following conditions:-

1. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the new school. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
4. 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 shall thereafter be implemented as approved.
5. Prior to the commencement of works on site full details of all ground surfaces including play surfaces, social space, roads and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new school.
6. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), acoustic fencing and ball stop fencing to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority.
7. Details of the design and height of any sprinkler tanks shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved, prior to the school being brought into use.
8. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.

9. Notwithstanding the approved plans, details of the design and location of all external furniture, including cycle shelters shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.
10. Notwithstanding the approved plans, details of all external signage shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.
11. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the school. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.
12. The sports pitch on site shall only be available for community use once an acoustic fence is erected on site and the pitch shall thereafter only be available for community use in the evenings, at weekends and during school holidays during the following hours:
 - 9am to 9pm Mondays to Fridays;
 - 9am to 5pm on Saturdays; and
 - 10am to 5pm on Sundays.
13. No development shall take place on site until such time as details of the floodlights, including their exact location, design and lighting specification has been submitted to and approved in writing by the Planning Authority. The floodlights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.
14. The floodlights shall be switched off and shall not be in use after 9pm Monday to Friday and 5pm on Saturdays and Sundays.
15. Notwithstanding the approved plans, details of the specification and surface of the synthetic grass pitch shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitch and appropriate drainage. The synthetic grass pitch shall be operational within a timescale to be agreed by the Planning Authority prior to the commencement of development.
16. Prior to the commencement of development on site a School Travel Plan and Workplace Travel Plan shall be submitted for the further approval of the

Planning Authority and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.

17. Prior to the occupation of the school traffic calming measures shall be provided on the adjacent roads. Details of these measures shall be submitted to and agreed with the Planning Authority prior to the commencement of development on site.
18. Prior to the commencement of development on site, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and thereafter it shall be implemented prior to the school being brought into use and maintained as approved.
19. Prior to the commencement of development, a scheme for the control and mitigation of dust shall be submitted for the written approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.
20. The ground investigation report (Dated June 2014 by Waterman Energy, Environmental & Design Limited) identifies an area of ground at the south of the site which is contaminated with hydrocarbons (TPH and PAHs) and requires to be removed. No development shall take place until further information has been submitted to and approved in writing by the Planning Authority which demonstrates the effect of reusing this contaminated land on the groundwater regime.
21. 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.
22. 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

23. 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 remediation works carried out within a timescale to be agreed by the Planning Authority.
24. 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 by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
25. Development shall not commence on site until a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’. The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan shall take place unless first submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.

PLANNING COMMITTEE

NOTE OF VISITATION – 20 OCTOBER 2014

- Present:** Councillors Denis Agnew and John Mooney
- Attending:** Keith Bathgate, Development Management Team Leader
- Apologies:** Councillors Gail Casey, Patrick McGlinchey and Lawrence O'Neill

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

- (a) Cochno Road, Hardgate, Clydebank

ROW14/01 – diversion of public path at/near Wester Cochno Farm, Cochno Road, Hardgate by Mr Richard Spratt.

PLANNING COMMITTEE

NOTE OF VISITATION – 22 OCTOBER 2014

Present: Councillors Jim Finn and John Mooney
Attending: Keith Bathgate, Development Management Team Leader
Apologies: Councillors Gail Casey and Lawrence O'Neill

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

- (a) 18 Britannia Way, Clyde Shopping Centre, Clydebank

DC14/167 – Sub-division of existing retail unit and change of use to Betting Office and shopfront alterations at 18 Britannia Way, Clydebank by Betfred.

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 26 November 2014

DC14/184: Demolition of Crosslet House and erection of an 84 bed care home and day care facility and associated works at Crosslet House, Argyll Avenue, Dumbarton by West Dunbartonshire Council.

1. REASON FOR REPORT

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

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application relates to Crosslet House and part of its grounds which are located at the end of a short cul-de-sac section of Argyll Avenue in Dumbarton. Crosslet House is a large stone property in extensive grounds which was last used as a nursery. The building is not listed, and the nursery use ended in 2013, with the building presently being boarded up and parts of the grounds becoming overgrown. Although vehicular access is via Argyll Avenue there is also pedestrian access by way of the historic driveway onto Stirling Road (A82). The application relates only to the central part of the grounds containing the house and its immediate gardens, whilst the primarily wooded parts of the grounds are not subject to current development proposals. The site borders the back gardens of houses on Sutherland Drive and Campbell Avenue to the north, while to the south and south west lies Gruggies Burn and the A82 (beyond the wooded areas). The grounds of Crosslet House rise from Stirling Road towards the east, with the application site comprising a relatively flat part of the grounds which is elevated in relation to Stirling Road but largely screened by trees. In total, the application site extends to 2.3 hectares.
- 3.2** The application seeks full planning permission to demolish Crosslet House and erection of an 84 bed care home and day care facility, primarily catering for elderly residents. The new building would be a mixture of one and two storey blocks connected by a curved central link corridor. There would be a two storey central admin/communal block and four accommodation blocks each containing two wings projecting to the front and rear of the central corridor. The two accommodation blocks to the north of the site would be 2-storey, whilst the two southern blocks would be single storey. Externally, the

building would be finished in a mixture of materials, including artificial slate, facing brick, zinc flashings and cladding panels. All vehicular access would be from the existing Argyll Avenue access, and the car parking, service area and drop-off point would be to the north of the site adjacent to this access. There would be 50 car parking spaces, including 4 disabled spaces, to serve staff and visitors. An existing footpath passes through the site linking Argyll Avenue with Stirling Road, and this would be rerouted slightly in order to allow the parking area to be formed. The footpath would also provide a pedestrian access to the new care home.

- 3.3** An ecological survey, a tree survey, a design and access statement and a pre-application consultation report have all been submitted as part of the application, in order to address the various technical issues and statutory requirements.

4. CONSULTATIONS

- 4.1** Transport Scotland has no objection subject to measures being undertaken to ensure pedestrian safety at the pedestrian access adjacent to the A82.
- 4.2** West Dunbartonshire Council Roads Service has no objection subject to a condition which requires suitable lighting to be installed to serve the access, car park and pedestrian footpaths.
- 4.3** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to contaminated land, lighting, hours of construction and deliveries and provision of a grease trap.
- 4.4** Scottish Natural Heritage have no objection subject to the recommendations in the ecological survey being adhered to in relation to wildlife and plant surveys.
- 4.5** West Dunbartonshire Council Access Officer has no objection to the realignment of the path but notes that it is desirable to maintain public access through the site during construction.
- 4.6** West of Scotland Archaeology Service has no objection subject to a condition requiring the implementation of a programme of archaeological works.
- 4.7** West Dunbartonshire Council Estates Section and the Scottish Environmental Protection Agency (SEPA) have no objections to the proposal.

5. REPRESENTATIONS

- 5.1** There have been three representations submitted by local residents. One of these indicates an objection to the proposal while the other two express concerns about specific aspects of it. The issues raised can be summarised as follows:

- Existing junction from Argyll Avenue onto the A82 is substandard, dangerous and already gives rise to queuing traffic;
- Creation of additional traffic using Argyll Avenue and the junction, including construction traffic;
- Cul-de-sac section of Argyll Avenue leading to site is too narrow to cope with additional traffic, especially construction traffic;
- Exacerbation of existing parking problems on Argyll Avenue;
- Impact of additional traffic on pedestrians, including school children and elderly/infirm people visiting friends in the care home;
- Need for a pedestrian crossing over the A82;
- Consideration should be given to forming vehicular access from Barnhill instead;

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The application site straddles a number of land use designations. The existing Crosslet House building is part of an Existing Residential Area (H5) whilst most of the central part of its grounds is a Private Housing Opportunity (H1). Two areas on the northern edge of the site are parts of wider areas designated for Retention of Open Space (R1) and Woodland/Parkland Retention (E7).
- 6.2** The principle of developing the grounds of Crosslet House is supported by Schedule H1, which gives the area so allocated an indicative capacity of 40 residential units. Policy H1 indicates that sites allocated for housing in the plan form the main opportunities for new residential development. Although the proposal is for accommodation for principally the elderly rather than private housing it would nonetheless be consistent with these policies.
- 6.3** Policy R1 indicates a general presumption against development which adversely affects the use, character or amenity of an area of functional and valued open space, or an area which is capable of being brought into such use to meet an identified need. Development on open space will be considered against criteria which include:
- The existing or potential future use, quality, function and value of open space;
 - An assessment of the sufficiency of provision of the facility type in the local area or Plan area.
- The proposal would result in the loss of an area of parkland type open space on the northern edge of the site, adjacent to Campbell Avenue, and it is therefore contrary to Policy R1. However the issue is discussed in Section 7 below and it is considered that the loss of open space would be minimal relative to the retention of a much larger quantity of open space throughout the rest of the Crosslet House grounds.
- 6.4** Policy E7 presumes in favour of the retention of existing woodland and parkland. The application boundary includes an area at its north eastern corner of the site is covered by this designation but most of the land involved would be retained as landscaping and the impact of the development upon it

would be negligible. The proposal is therefore considered to be in accordance with this policy.

- 6.5** Other relevant policies include GD1, which sets out general standards expected of new development, including a requirement for high quality design and for safe and convenient access and parking and this is addressed more fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

7.1 West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan

The site is similarly covered by multiple land use designations, with the majority of the site being identified as a 40-unit private sector Housing Opportunity (policy BC1), with Crosslet House itself being within an Existing Neighbourhood (BC3), and the two areas at the north of the site both being Open Space (GN1). The proposal is consistent with policies BC1 and BC3, but policy GN1 presumes against development which would result in the loss of high quality open space unless provision of an open space of equal or enhanced value is provided within the development or its vicinity.

- 7.2** Policy DS1 requires all development to contribute towards creating successful places by having regard to the six qualities of a successful place. These include:

- Distinctiveness (e.g. creating quality public spaces with suitable landscaping);
- Adaptable (e.g. avoiding the creation of spaces which are likely to become neglected or obsolete);
- Easy to get to and move around (e.g. providing good pedestrian links);
- Safe and pleasant (e.g. incorporating appropriate lighting);

These issues are discussed below.

7.3 Demolition of Crosslet House

Crosslet House is a traditional grand detached sandstone villa which sits in extensive grounds. It was originally constructed as a private dwelling around 1850 but after 1950 it was used successively as a children's home, as council offices and most recently as a nursery. Since 2013 the building has been lying vacant and boarded up. The building and its grounds are showing signs of neglect and parts of the grounds have become overgrown. Whilst it is a character property, it has been significantly altered both internally and externally over the years and it is not a listed building. The retention of high quality traditional buildings is generally to be encouraged, and the applicant has given consideration to converting the building as part of the care home or retaining it for some other purpose. However, the building is in need of extensive refurbishment and its internal layout does not lend itself to conversion to a modern care facility. The building also occupies a significant section of the level part of the site, and its retention would make it difficult to accommodate a new care home on the balance of the site. Under the circumstances, it is considered that the loss of the existing building is offset by the benefits of providing a new care home on the site.

Principle of Care Home

- 7.4** A large section of the grounds of Crosslet House has been allocated for residential development since at least the 1990s, prior to the house itself falling out of use. Whilst development plan land use allocations have envisaged private sector housing on the site, the development of the site as a care home would also be consistent with the relevant policies, and would also be in line with the historic use of the site for various institutional purposes. The surrounding area is largely residential, and a care home would be compatible with such use, whilst the site itself has an attractive parkland character which would provide an appropriate environment for a care home.
- 7.5** A part of the site which would be developed for car parking is designated as open space in the adopted and emerging development plans. This area comprises a primarily grassy area which is part of the “parkland” setting of Crosslet House and which contains one large oak tree and a row of smaller cherry trees along the edge of the path through the site. This area forms a relatively small part of the overall Crosslet House grounds and its inclusion in the application site reduces the need to develop other parts of the site which are currently open space. In the context of the overall plans for the site, the loss of this area of open space is considered to be acceptable.

Design and Appearance

- 7.6** The design of the building has emerged following extensive discussions. Due to the nature of the care home use a low-rise building with level floors is needed, and this requires to be positioned on the most level part of the site. The applicant also wishes to provide accommodation with a domestic character for residents, and to avoid creating an overly institutional living environment. The building is therefore designed as a series of “houses”, each containing seven bedrooms and shared living space, with each room having a view of the garden. The various building blocks have been laid out in a crescent shape to provide a more attractive building and to avoid the institution appearance of a single large structure and long, straight corridors.
- 7.7** Overall, the design is intended to break up the mass of the building and reduce its scale so that it does not detract from its parkland style setting and does not appear as a single elongated structure. The majority of the building would be finished with pitched roofs although the central wing would be finished with a shallow monopitch roof. The central wing would make use of different materials from the other wings in order to stand out, whilst the different roof heights, subtle differences in fenestration and location of the wings are considered to create a distinctive building. A mixture of materials which are intended to reflect the parkland style setting would be used, including facing brick, artificial slate, zinc flashings and cladding panels. It is considered that the design would result in an attractive development which is appropriate for this location and complies with policy GD1 and DS1.

Access and Parking

- 7.8** All vehicular access to the site is via Argyll Avenue, the only exit from which is an un-signalled junction onto the A82(T) Stirling Road dual carriageway. Residents of Argyll Avenue have referred to existing difficulties for motorists

and pedestrians using this junction and have expressed concerns about the impact of adding additional traffic. However, neither Transport Scotland (which manages the trunk road) nor the Council's own Roads Service has any objection to the proposal as the roads and junction comply with the relevant engineering standards. Whilst the installation of a signal controlled junction would make access to and from Argyll Avenue more convenient, Transport Scotland has indicated that they would not consider any such proposal because of the impact it would have upon congestion on the A82. Relocating the access to the care home to the south, as suggested by one resident, would be subject to the same constraints and would involve significant engineering work due to the gradients and the need to bridge Gruggies Burn. Whilst the existing issues with access to Argyll Avenue are acknowledged, it is considered that the amount of additional traffic generated by the proposed care home would not result in any significant adverse impact on the safety or convenience of road users. The Council as applicant and the appointed contractor have confirmed their commitment to liaise with residents on Argyll Avenue regarding access during construction in order to minimise any disruption.

- 7.9** The existing pedestrian access through the site would be maintained, although the route of the footpath would be altered to avoid the new car parking area. Transport Scotland have however expressed concerns about the existing footpath access onto the A82, which is at a point where the footway of Stirling Road is relatively narrow. Several options to address this are currently being discussed with the applicants and Transport Scotland, and it is considered that the issue can be satisfactorily addressed by a condition to ensure the satisfactory implementation of such alterations as may be agreed.
- 7.10** Although the care home residents are not expected to own cars, the facility would have up to 50 staff on duty at any one time. Visiting times would be flexible, but in practice the peak times for visitors are likely to be mid afternoon and early evening. The proposal would provide 50 car parking spaces, which would accord with the adopted car parking standard for this type of development, and it is therefore considered that the proposed level of parking would be appropriate.

Trees and Open Space

- 7.11** The overall grounds of Crosslet House contain some 730 trees which include areas of woodland, clusters of trees and individual parkland/garden trees. Although the site is not subject to any tree preservation order, it is an attractive environment and it is desirable to retain as many of the trees as possible. Although the proposed building has a large footprint, it covers a relatively small proportion of the overall grounds, and the positioning of the building on the site of the existing Crosslet House has enabled the development to avoid those areas containing the largest numbers of trees. Nevertheless, the development would still involve the removal of approximately 80 trees from the application site and the wider grounds. Some of these trees would require to be removed to facilitate the development, but others would be removed as part of the planned management of the woodland area. This management would involve thinning of some densely

planted areas to create a better environment for adjacent trees to develop, whilst a number of diseased and damaged trees have also been identified. The tree survey demonstrates that the trees on site have had very little maintenance in recent times, and this application represents an opportunity for effective management of the trees to ensure that the character of the area is maintained in the long term. There is also an opportunity for some replacement planting to be undertaken as part of the landscaping proposals for the site. It is considered that the impact of the proposal upon the existing trees would be acceptable, and that the development would provide an opportunity to ensure the proper management of the remaining trees in the longer term.

Pre-Application Consultation

- 7.12** As the application constitutes a major development, pre-application consultation was required to be carried out prior to submission of the application. A public event took place at the Crosslet Centre, Crosslet Road, Dumbarton. A statutory notice was published in the local press advertising the public event and submission of the proposal of application notice. The feedback from the public event was generally supportive of the proposal. The main issues raised related to maintaining the right of way through the site and vehicular access. Although there were issues raised as part of the consultation process, they did not result in significant alterations to the scheme after a review of the proposals by the applicant.
- 7.13** However, in light of the concerns raised by residents in terms of access, a further public event was undertaken once the application had been submitted. It was again held in the Crosslet Centre. The main issues raised again related to increased traffic on Argyll Avenue and queuing at the junction of the A82. There were also comments about the lack of a pedestrian crossing over the A82 in close proximity to Argyll Avenue.

Technical Issues

- 7.14** A phase 1 habitat survey accompanied the application which did not identify any specific wildlife issues on the site. However, it did recommend that a bat survey was undertaken and that any development should be undertaken out with the bird breeding season unless a survey was undertaken to establish that there were no nesting birds. The bat survey established that there were bats roosting in Crosslet House and in trees within the grounds. As a result, bat boxes will be required to compensate for the loss of these roosts and a European Protected Species licence will be required prior to demolition or any tree felling on site. Preferably, any tree felling or demolition should be undertaken over the winter months to minimise any impact on birds or bats.

8. CONCLUSION

- 8.1** The proposal would provide Dumbarton with a high quality care home and day centre. Although the site has not been specifically identified for this purpose in the local plan, it is considered that this is an appropriate site for a care home and that there is sufficient justification to support a minor departure from the local plan and the emerging LDP in terms of the small loss of open space.

The proposed building has been designed and positioned to minimise its impact on the site and surrounding area and is considered to be of a quality modern design. The impact upon surrounding properties and access/parking arrangements are considered to be acceptable.

9. CONDITIONS

- 1. 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 and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.**
- 2. 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 shall thereafter be implemented as approved.**
- 3. Prior to the commencement of works on site full details of all ground surfaces, including roads, parking bays and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new building.**
- 4. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority.**
- 5. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new building.**
- 6. None of the trees which have been marked for retention on the approved plans shall be lopped, topped, felled, lifted, removed or otherwise disturbed without the prior written approval of the Planning Authority. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.**

- 7. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. The landscaping scheme shall also include details of the long term management of the landscaping, including the retained trees. New planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the building. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species. The landscaping shall thereafter be managed in accordance with the approved scheme.**
- 8. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds.**
- 9. Prior to the commencement of works, details of the proposed measures to upgrade the pedestrian access from the site onto the footpath adjacent to the A82 shall be submitted to and approved by the Planning Authority and shall be implemented prior to the occupation of the new building.**
- 10. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.**
- 11. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority. .**
- 12. 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 by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.**

13. Prior to the commencement of development on site, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and thereafter it shall be implemented prior to the development being brought into use and maintained as approved.
14. Prior to the commencement of development on site, details of the design and location of bat boxes shall be submitted to and approved in writing by the Planning Authority and thereafter shall be implemented and maintained prior to any demolition or tree felling being undertaken on site.
15. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work on the affected area shall cease. At this stage, if requested, an investigation and risk assessment shall be undertaken and an amended remediation scheme submitted to and approved in writing by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.

Richard Cairns
Executive Director of Infrastructure and Regeneration
Date: 10 November 2014

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development,
Council Offices, Clydebank. G811TG.
01389 738656
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan;
4. Consultation responses; and
5. Representations.

Wards affected: Ward 2 (Leven)

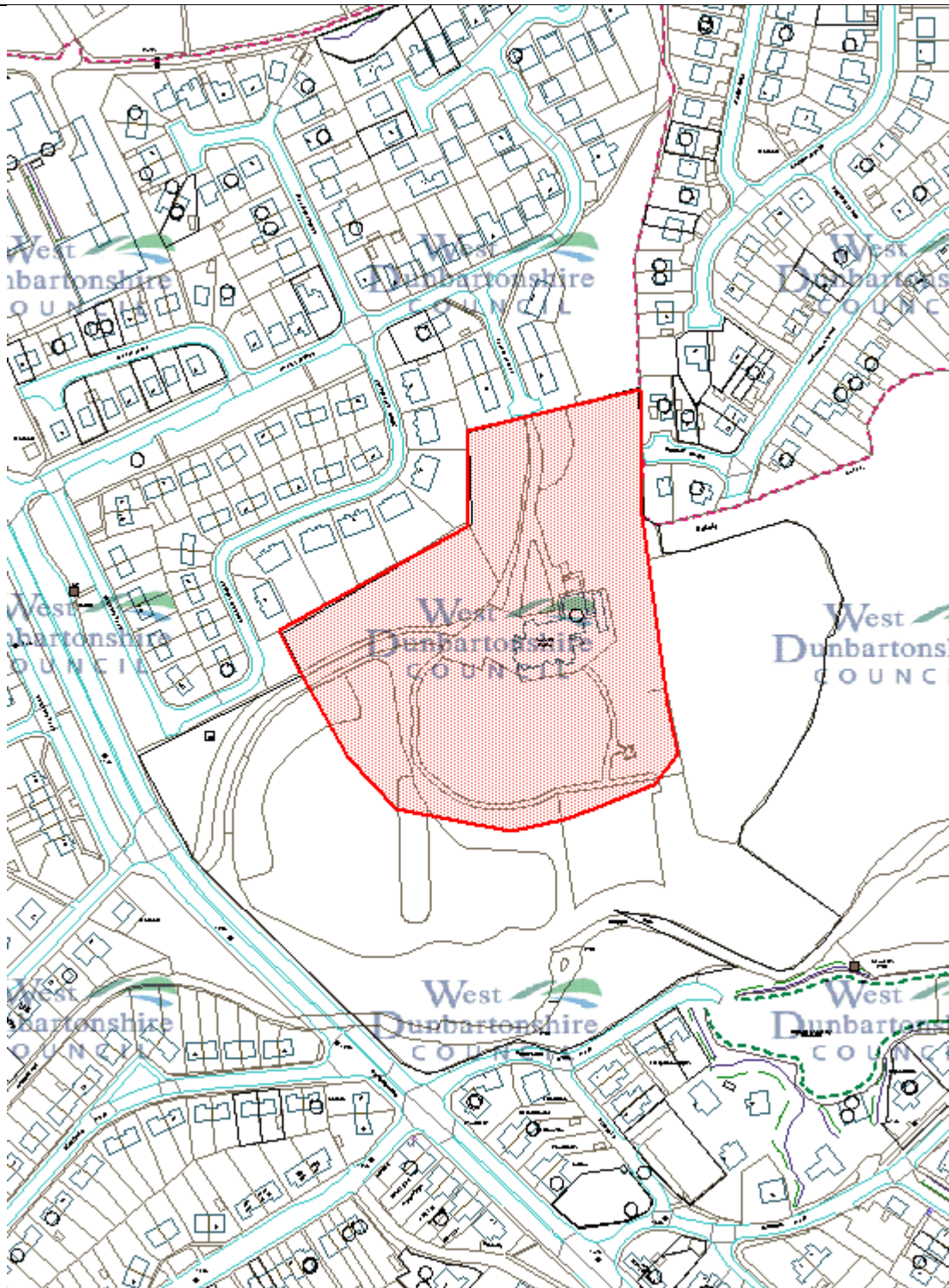
Map Register No: HQ433

Date: 11 November 2014

DC14/184

**Demolition of Crosslet
House and erection of 84
bed care home and day
care facility and associated
works**

**Crosslet House
Argyll Avenue
Dumbarton
G82 3NS**



WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 26 November 2014

DC14/196 Subdivision of garden ground to form plot for a 1½-storey dwellinghouse (planning permission in principle) at Dunira House, 18 Overtoun Road, Clydebank by Mr Rafter

1. REASON FOR REPORT

- 1.1** This application is subject to a significant number of representations including one from a community council. Under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application relates to part of the garden of a large two-storey stone villa. The existing house is located on a corner of Overtoun Road and has its principal elevation facing west and its vehicular access from the north, while most of the garden lies to the south side of the house, behind a high stone wall which serves partly as a retaining wall. The ground slopes gently down towards the south through the site, although the garden area is elevated slightly to make it more level. The property is bordered by 1930 style hipped-roof bungalows to the south and east, with those on the east being on the opposite side of a narrow service lane. On the opposite side of Overtoun Road to the north and west are Dalmuir Park, including a golf clubhouse, restaurant and bowling green.
- 3.2** The application seeks permission in principle for the subdivision of the main garden area to the south of the existing house to create a separate plot for a new detached house, along with the associated access, parking and landscaping. The existing property currently has a plot of approximately 1186m², of which the application relates to approximately 450m². Since the application is for planning permission in principle, no details regarding the size, design or location of the proposed building have

been submitted at this stage, although the application describes it as a 1½ storey detached house and an indicative site plan has been provided showing such a building. The indicative plan also shows the plot being accessed from Overtoun Road to the west of the site, with parts of the existing stone wall being removed and lowered to 1 metre in height to facilitate this.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads and Environmental Health Services, have no objection to the proposed development subject to various conditions.
- 4.2** Scottish Water had not responded to consultation at the time of writing the report.

5. REPRESENTATIONS

- 5.1** A total of 12 representations have been received, comprising 11 from local residents and one from Parkhall, North Kilbowie and Central Community Council. All of the representations object to the proposal, and the grounds for objection are summarised as follows:-
- Not in keeping with character of area;
 - New house unduly prominent in street due to raised ground level;
 - New house unduly large and of inappropriate style (most neighbouring houses being bungalows);
 - New plot too small for a new house, relative to existing density;
 - New plot too narrow to allow adequate separation of houses;
 - Not enough room for driveway to side of new house, thus not in keeping with surrounding houses and contrary to design guidance;
 - Parking at front of house unsightly and not enough room to turn car;
 - Subdivision would leave 18 Overtoun Road with insufficient plot for a property of this size;
 - No.18 would have little private garden ground left, nowhere to dry clothes, and would not comply with Council's plot ratio guidance;
 - Adverse impact on no.18, which is of local historical interest;
 - Demolition/lowering of historic stone wall to create new access;
 - Proposed timber fence on subdivided boundary not in keeping with existing boundary treatments in area;
 - Impact upon road/pedestrian safety on busy section of Overtoun Road due to on-street parking, gradient and street corner;
 - Previous refusal of planning permission for a large extension in this garden, and withdrawal of an application for a driveway;
 - Adverse impact upon adjacent conservation area;
 - Site within an "Article 4" area intended to prevent unsympathetic new development;

- Loss of privacy for neighbouring houses and gardens due to new house being on raised ground and close to boundaries;
- Impact upon wildlife including bats, which feed in the local gardens;
- New house will not have right to use access lane at rear of site or to connect to sewerage and utility lines therein;
- Applicant operates business from home and clients visit property;
- Loss of existing tree within garden;
- Potential damage to neighbouring stone walls
- Potential legal costs for neighbours;
- Detrimental impact upon property value;
- Potential noise and disturbance during construction;
- Inaccurate boundary shown on one of the submitted plans; and
- Impacts on neighbours contrary to Human Rights Act

These various concerns are discussed in Section 7 below.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site lies within an Existing Residential Area, where Policy H5 seeks to ensure that the character of these areas is protected and that all development proposals maintain or enhance their amenity. Proposals for the subdivision of domestic properties should be of a scale and character appropriate to the neighbourhood, sufficient garden ground should be available for both the existing and new houses, the privacy of existing properties should not be adversely affected, and a separate vehicular access should be provided for the new house. It is considered that the application is in accordance with this policy.
- 6.2** Policy H4 sets out standards for the assessment of new housing development, which should be appropriate to the wider landscape and built character of the surrounding area. Proposals are required to be of a high quality in terms of scale, form, layout and materials, and should comply with other criteria including open space provision, landscaping and natural features, road and parking standards, plot setting and residential densities. Policy GD1 sets out general assessment criteria for all new development, including requirements that the development be suitable in terms of energy efficiency, flood risk, drainage, traffic and parking. It is considered that the proposal would comply with Policies H4 and GD1.
- 6.3** The site is within an area which is covered by an Article 4 Direction, and which is adjacent to High Dalmuir Conservation Area. Policy BE1 indicates that applications within the Article 4 Direction areas but outwith Conservation Areas will be considered in terms of the impact upon the character of the adjacent Conservation Area. In this case it is considered

that the impact upon the character of the street would be acceptable and that there would be minimal impact upon the nearby conservation area.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP) Proposed Plan

- 7.1** The site is located within an area identified as an existing neighbourhood where Policy BC3 indicates that development which would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted. The proposal is considered to comply with this policy.
- 7.2** New residential development should accord with the supplementary guidance on residential development. This guidance seeks to ensure that housing developments give importance to the local context and are designed. Policy DS1 has regard to all development and will expect development to contribute towards creating successful places by having regard to the six qualities of a successful place which are being distinctive, resource efficient, safe and pleasant, adaptable, easy to get to/move around and welcoming. These issues are considered below and it is considered that the proposal would comply with policy DS1.
- Principle of Development
- 7.3** In principle the subdivision of large house plots is to be supported subject to compliance with the requirements of policy H5. Although the location is not itself within a conservation area it is an attractive high amenity residential area and it is subject to an Article 4 Direction to protect the area (and the nearby High Dalmuir conservation area) from unsympathetic minor development. The site is also close to an entrance into Dalmuir Park. It is therefore particularly important that any new development at this site should reflect the established character of the area.
- 7.4** The existing house is an attractive stone-built two storey dwellinghouse built around the late 19th/early 20th century, with a reasonably large amount of garden ground located to the south of the site. It is the largest house plots in the immediate vicinity with a plot of almost 1200m², with most neighbouring houses being slightly later bungalows with gardens which (whilst still relatively large by modern standards) are no more than half that size. The proposed new plot would have an area of 450m² and a street frontage of 15m, making it very similar in size and shape to nos. 8 to 14 Overtoun Road. The new plot would therefore provide be of an appropriate size for a new house and in keeping with the pattern and density of development in the area.
- 7.5** The remaining plot for no.18 would measure 736m², with a building footprint being 246m² (33%), although most of the undeveloped land in the

plot would comprise the large front gardens and the driveway. The amount of rear garden space would be rather small for a house of this size, being limited to the existing patio area measuring around 60m². However, the houses would be well separated and no.18 would retain its dominant visual position within the street. Furthermore, despite its reduced plot 18 Overtoun Road would still have the largest plot in the street. It is therefore considered that on balance the remaining garden area of no.18 would be of an acceptable size in terms of Policy H5.

Design and Appearance

- 7.6** The application is for permission in principle only, no details are available of the design and positioning of the new house other than the fact that it is intended to be 1½ storeys in height. Although an indicative layout plan has been submitted it is not considered that the style of house or layout indicated would be appropriate, as it would introduce a gable-fronted house style not otherwise found in the street and would appear to rely upon the front garden for some of its car parking. It is considered that a far more sympathetic style and layout of 1½ storey house would be possible by employing a house type of similar size and style to the many hipped-roof bungalows in the vicinity (some of which have first floor dormers), and allowing for a longer driveway along the side of the house with any garage positioned further to the rear. It is therefore considered that the site is capable of accommodating a house of satisfactory appearance, and the details of this would be assessed as part of any future application for approval of matters specified in conditions. A condition could be attached confirming that the indicative layout on the submitted plans would not be appropriate.

Impact on Neighbouring Houses

- 7.7** Assuming that the site is developed with a house of similar type and layout to others in the street it is not likely that any overlooking or overshadowing would occur. Principal windows could be positioned to face the front and back gardens, rather than facing sideways towards neighbouring houses. The adjacent bungalow no.16 is at a slightly lower ground level but its relationship with a new house on the application site would be no different from that of the other houses which step up this street, and the garage of no.16 would lie between that property and the new house. There would probably be some loss of light to the ground floor windows of no.18 as this lies to the north of the site, but subject to the design and layout being appropriate the impact should not be unacceptable. The precise impact upon neighbouring houses would be considered as part of an application for approval of matters specified in conditions.

Road Safety and Site Access

- 7.8** The development site is of a size capable of accommodating sufficient off-street car parking, and the existing parking for no.18 is unaffected. The

new house would involve formation of a new driveway access onto Overtoun Road, but although objectors have submitted evidence of on-street parking in the vicinity the street is relatively wide, is not highly trafficked, speeds are low due to the nearby sharp corner, and the sight lines for the new access would comply with relevant standards. The Council's Roads Service has considered the issues raised in the representations but has no objection to the proposal, which is considered to be acceptable in terms of road safety and traffic impact.

- 7.9** The new access would involve the demolition of a section of the high stone wall fronting Overtoun Road, and the lowering of much of the remaining wall in order to provide the necessary visibility splays. The low stone wall and railings in front of no.18 itself is of attractive appearance and would not be affected by the proposal, whilst the higher stone wall around the application site is much plainer appearance and other than the fact that it is made of natural stone it adds little to the character of the street. The bungalows in the street have much lower front walls with metal railings, and it is considered that this style of wall would also be appropriate for the application site. It would be desirable for the alterations to the wall to be neatly finished and for the surplus stone to be retained on the site for use either on the new house or on the new side boundary wall, and this could be addressed by a condition.

Trees and Ecology

- 7.10** The site is currently a grass lawn and the only notable tree is a rowan which has a children's treehouse built around it. The garden does not appear to have any significant value as a wildlife habitat. The rowan tree is well set back from the road and although it would probably require to be removed to facilitate a new house, its loss would not significantly impact upon the appearance of the area. The tree does not appear to be suitable for use as a bat roost and if there are bats in the vicinity they are far more likely to roost in trees at Dalmuir Park or the golf course, and it is not likely that the development of this relatively small area of garden would have any appreciable impact upon their foraging activities. In terms of other species, there is nothing to suggest an impact upon any other protected species. The site is opposite various park buildings and bowling greens and it is therefore unlikely that development work would cause any disturbance to wildlife within Dalmuir Park.

Other Issues

- 7.11** Some objectors have highlighted previous applications at the property. In particular, an application for a large single storey swimming pool extension and decking on the site was refused in 2006 (DC06/259) due to concerns about its impact upon the appearance of the area. It is accepted that a new house would probably be larger and more prominent than the earlier swimming pool proposal, however it is considered that a well designed

house would appear less incongruous in the street than the very wide extension formerly proposed. The reason for an earlier application for a driveway being withdrawn is not clear from the Council's records, however the Roads Service considers that the driveway which is currently proposed would be acceptable in terms of road safety.

- 7.12** Other issues raised include devaluation of property, rights to take access over the rear service lane (which is not proposed), and potential to damage boundary walls. These are not material planning considerations. Noise and disturbance during construction is a short term inconvenience which does not provide a reason for preventing development, and the Environmental Health Service has recommended a condition intended to minimise impacts upon neighbouring residents.

8. CONCLUSION

- 8.1** The site is large enough to accommodate a second house whilst providing a satisfactory garden area for both properties, and subject to an appropriate design and layout it would not have an adverse impact upon the appearance or character of the street. Similarly, there should not be any significant impacts upon the amenity of neighbours or upon road safety or environmental assets. The proposal is therefore considered to be consistent with all relevant development plan policies.

9. CONDITIONS

- 1. No development shall commence until such time as approval of the detailed design of the development (hereinafter called "the matters referred to in conditions") has been granted by the Local Planning Authority. Any application for approval of matters specified in conditions shall include:**
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping**
 - b) Plans of each building showing its elevations and floor plans**
 - c) Details of existing and proposed ground levels and finished floor levels**
 - d) Details of external finishing materials**
 - e) Details of the means of drainage and sewage disposal**
- 2. Notwithstanding the details shown on the approved plans, the dwellinghouse hereby approved shall be either single storey or one-and-a-half storeys in height, and shall be of similar scale and character to the existing houses at 8-16 Overtoun**

Road, including the use of a hipped roof. The design and layout shall also include the following features:

- a) The house shall be positioned such that it is not built against any boundary of the plot;**
- b) Car parking shall be provided for 2 cars (or 3 cars if more than 3 bedrooms are provided), and shall comprise a driveway formed along one side of the house, with any garage accommodation provided towards the rear of the plot;**
- c) Surface water drainage arrangements shall incorporate the principles of Sustainable Urban Drainage Systems (SUDS);**
- d) Fenestration shall be arranged to minimise any overlooking of neighbouring homes and gardens;**

- 2. Subject to conditions 3 and 4 below, any alterations to the existing stone boundary walls shall be carried out in such a way as to preserve the stone so that it can be re-used in the construction of new boundary walls and/or the external finishing of the new house.**
- 3. Prior to commencement of works, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted for the consideration and written approval of the Planning Authority. Such details shall thereafter be implemented as approved.**
- 4. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Planning Authority shall be carried out only between the hours of 08.00 and 18.00 Monday to Saturday inclusive and not at all on a Sunday or Public Holiday.**

Richard Cairns
Executive Director of Infrastructure and Regeneration
Date: 10 November 2014

Person to Contact: Pamela Clifford, Planning & Building Standards
Manager, Housing, Environmental and Economic
Development,
Council Offices, Clydebank. G811TG.
01389 738656

email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application forms and plans.
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP Proposed Plan(2013)
4. Consultation Responses
5. Representations

Wards affected: Ward 5 (Parkhall North Kilbowie And Central)

Map Register No: HQ432

Date: 11 November 2014

DC14/196

Erection of 1 1/2 storey
dwellinghouse

Dunira House
18 Overtoun Road
Clydebank
G81 3RE



WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 26 November 2014

DC14/224: Erection of 13 workshop units and associated works including parking, access and landscaping on land within the Vale of Leven Industrial Estate by West Dunbartonshire Council.

1. REASON FOR REPORT

- 1.1** This report relates to an application 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** **Grant** full planning permission subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application relates to an undeveloped part of the Vale of Leven Industrial Estate. It is located at the north western corner of the industrial estate, immediately to the west of the main industrial estate loop road. The site is currently open land containing grass and trees. It is rectangular in shape and extends to approximately 0.67 hectares, being broadly level albeit approximately 2m lower than the adjacent road in places. To the north, south and east of the site are various industrial units within the industrial estate, whilst to the west of the site there is further undeveloped land which slopes gently down to the River Leven, approximately 150m away. To the north west of the site there is a path leading to a footbridge over the River Leven which links the industrial estate with Renton.
- 3.2** It is proposed to clear the site and raise the ground level by approximately 1m before constructing a row of 13 small workshop/business units. The building would have a total footprint of 1260m², and the individual units within it would measure 70m² (6 units), 105m² (4) or 140m² (3). The building would be of a simple linear form with a shallow monopitch roof rising towards the rear, with a maximum height of 7m. Each unit would have a full height vehicular entrance door and a smaller pedestrian entrance door on the front elevation, and the building would be finished in metal wall panels. The building would be set well back from the road behind 35 parking spaces (including two disabled parking spaces). Along the western and northern street frontages broad landscape strips would be provided, within which most of the existing trees would be retained.

The development seeks to provide suitable accommodation for small local businesses, and the units would be available to rent for business, general industrial and storage/distribution uses.

- 3.3** A Flood Risk Assessment, a Phase 1 Habitat Survey, Design Statement and a Site Investigation Report have all been submitted as part of the application, in order to address the various technical issues.

4. CONSULTATIONS

- 4.1** Scottish Environmental Protection Agency, West Dunbartonshire Council Estates and Roads Services all have no objection to the proposal.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to contaminated land, drainage and permitted hours of construction on site.
- 4.3** West of Scotland Archaeology Service has no objection to the proposal subject to a condition which requires the implementation of a programme of archaeological works.

5. REPRESENTATIONS

- 5.1** No representations have been received.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site is designated for industrial and business use, where Policy LE1 states that there shall be a presumption in favour of uses which positively extend the permanent employment potential of the site. The proposed development is in compliance with this policy.
- 6.2** Policy GD1 is applicable to all new development and aims to ensure that development is of a high quality of design and respects the character and amenity of the surrounding area. The design of the proposed workshop units is considered in Section 7 below and is considered to be appropriate and complies with Policy GD1.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan

- 7.1** The site is within the Lomondgate and Vale of Leven Industrial Estate 'Changing Place', where the strategy for this area is to support business and industrial uses in appropriate locations. The site is identified in Schedule 1 as suitable for business, industrial, or storage and distribution uses, and Policy GE1 reserves sites so allocated for the uses specified. The proposed development would be in accordance with this policy.

7.2 Policy DS1 requires all development to contribute towards creating successful places by having regard to the six qualities of a successful place. These include:

- Distinctiveness (e.g. creating quality public spaces with suitable landscaping);
- Adaptable (e.g. avoiding the creation of spaces which are likely to become neglected or obsolete);
- Easy to get to and move around (e.g. providing good pedestrian links);
- Safe and pleasant (e.g. incorporating appropriate lighting);

These issues are discussed below, and the proposal would comply with Policy DS1.

Principle of Business/Industry Development

7.3 Whilst this particular part of the industrial estate has not previously been developed, it has been allocated for industrial development in successive development plans since at least the 1980s, and two bellmouths were constructed many years ago in anticipation of its eventual development. Development of the site for small business units would therefore be consistent with longstanding intentions for the site as well as current development plan policies, and it would assist in the regeneration of the Vale of Leven Industrial Estate whilst supporting new employment within the Dumbarton/Vale of Leven area. The proposal would not conflict with the proposed route for the Lomond Canal, which lies to the east of the application site.

Layout, Design, and Landscaping

7.4 When the Vale of Leven Industrial Estate was first developed from the 1940s onwards most of the original factories benefited from attractive landscaping along road frontages. Whilst some subsequent development has eroded the quality of the original landscaping this is not to be encouraged, and the Council has sought to work with property owners to maintain and improve the appearance of the estate and the quality of its infrastructure. As a result, the businesses within the estate have voted to set up a Business Improvement District. It is therefore important that the development of this site is of a suitably high standard of design and incorporates appropriate landscaping to benefit the Business Improvement District.

7.5 At present, there are semi-mature deciduous trees along the eastern and northern edges of the site. These appear to have been planted with the intention that they would form part of the long term landscaping of the estate, and the central part of the site is free of trees. It is therefore desirable to retain as many of the existing trees on the site. However, the existing trees have not been maintained and it is proposed to thin out the trees along the frontage in order to make the site more visible, in the interests of security. This would be achieved by removing some trees (mainly from the north eastern corner area) and by removal of lower branches of the remaining trees. Some dead or diseased trees would also be removed, as would a small number adjacent to the new access points (which would not be in exactly the same positions as the existing bellmouths). Overall, 11 of the 19 significant

trees on the eastern frontage would be retained. The retained trees would form part of a 12m wide verge along both frontages of the site. Subject to confirmation of the number of trees to be retained at the north end of the site, which can be addressed by a condition, it is considered that this would provide attractive and appropriate landscaping for the new building which would be in keeping with the character of the industrial estate.

- 7.6** The proposed building would be of a contemporary industrial design and would be set well back from the road. The building would be finished in metal panels, consisting of different colours in order to create a contrast. Overall, the proposed building is considered to be of an attractive modern industrial design which would enhance the appearance of the industrial estate.

Technical Issues

- 7.7** Prior to the submission of the planning application, a phase 1 habitat survey was undertaken. The survey noted that there did not appear to be any potential for bat roosts on the site, and overall the site was not considered to be of high ecological value in its current condition. The survey did however recommend that prior to the removal of any trees, they should be checked for the presence of bats, and that any tree felling is undertaken outwith the bird breeding season. This can be addressed by condition.
- 7.8** A flood risk assessment was undertaken which concluded that the site was located outwith the functional floodplain of the nearby River Leven and was therefore an acceptable location for this development. The site is at low risk of flooding and its development is unlikely to cause displacement of floodwater to other land. In addition, the development will benefit from the implementation of sustainable urban drainage measures such as porous paving.
- 7.9** A site investigation was undertaken and it did not identify any contamination sources on site. However at the time the site investigation report was prepared, gas monitoring had not been completed. Consequently, the Environmental Health Service has advised that in order that any potential contamination is addressed, suitable conditions should be attached to any permission.
- 7.10** Thirty five parking spaces would be provided in front of the building, and access/egress would be by way of separate entrance/exit points onto the main industrial estate loop road. The Roads Service has advised that the proposed access, servicing and parking arrangements are acceptable for a development of this nature.

8. CONCLUSION

- 8.1** The proposal would provide high quality industrial, business and warehouse facilities within the Vale of Leven Industrial Estate. The site has been allocated for this purpose in both the adopted local plan and the emerging LDP, and the proposal is consistent with all relevant planning policies. The proposed new building will enhance the surrounding industrial estate. The

impact upon surrounding properties and access/parking arrangements are considered to be acceptable.

9. CONDITIONS

- 1. 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, crops, livestock, pets, woodland and service lines and pipes;**
 - ground waters and surface waters;**
 - ecological systems;**
 - archaeological sites and ancient monuments.**
 - c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.**
- 2. 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 risk 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 on 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.**
- 3. 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 with 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. On 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.

4. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work on the affected area shall cease. At this stage, if requested, an investigation and risk assessment shall be undertaken and an amended remediation scheme submitted to and approved in writing by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
5. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme, shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
6. 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 by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
7. 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 and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
8. 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 shall thereafter be implemented as approved.

- 9. Prior to the commencement of works on site full details of all ground surfaces, including roads, parking bays and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new building.**
- 10. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority.**
- 11. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of any of the new units.**
- 12. No trees other than those specifically marked for removal on the approved plan shall be lopped, topped, felled, lifted, removed or otherwise disturbed without prior written approval of the Planning Authority. This includes approval of the extent of any tree thinning at the north end of the site. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.**
- 13. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the building. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.**
- 14. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds.**

Richard Cairns
Executive Director of Infrastructure and Regeneration
Date: 10 November 2014

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development,
Council Offices, Clydebank. G811TG.
01389 738656
email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application documents and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire LDP - Proposed Plan; and
4. Consultation responses.

Wards affected: Ward 2 (Leven)

DC14/224

**Erection of 13 workshop
units and associated works
including parking access
and landscaping**

**Land To The West Of Block 4
Vale Of Leven Industrial Estate
Dumbarton**

