

# Agenda



## Planning Committee

**Date:** Wednesday, 16 February 2022

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**Time:** 10.00 a.m.

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**Format:** Hybrid Meeting

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**Contact:** Gabriella Gonda, Committee Officer  
Email: [Gabriella.Gonda@west-dunbarton.gov.uk](mailto:Gabriella.Gonda@west-dunbarton.gov.uk)

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above.

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and Members will have the option to attend the meeting remotely or in person at the Civic Space, Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

**JOYCE WHITE**

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)  
Councillor Gail Casey  
Councillor Karen Conaghan  
Councillor Ian Dickson  
Councillor Diane Docherty (Vice Chair)  
Councillor Daniel Lennie  
Councillor Douglas McAllister  
Councillor Jonathan McColl  
Councillor Lawrence O'Neill  
Vacancy

All other Councillors for information

Date of Issue: 3 February 2022

**PLANNING COMMITTEE**  
**WEDNESDAY, 16 FEBRUARY 2022**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

**3 RECORDING OF VOTES**

The Committee is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

**4 MINUTES OF PREVIOUS MEETINGS 5 - 8**

Submit for approval as correct record, the Minutes of Meeting of the Planning Committee held on 8 December 2021.

**5 NOTES OF VISITATIONS 9 - 12**

Submit, for information, Notes of Visitations carried out on 8 November 2021 and 6 December 2021.

**6 OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**7 PLANNING APPLICATION 13 - 29**

Submit report by the Chief Officer – Regulatory and Regeneration in respect of the following planning application:-

- (a) **DC21/244/FUL** - Proposed residential redevelopment comprising of 140 dwellings at sites at Bardwood Road, Aitkenbar Road, Howatshaws Road, Stoneyflatt Road and Braeside Drive, Dumbarton by Caledonia Housing Association.

**8 CLYDEBANK TOWN CENTRE DEVELOPMENT FRAMEWORK 31 - 41**

Submit report by the Chief Officer – Regulatory and Regeneration advising Members of the Clydebank Town Centre Development Framework and seeking approval for it to be adopted as non-statutory Planning Guidance.

**9 DEVELOPMENT PLAN UPDATE AND DRAFT SUPPLEMENTARY GUIDANCE ON GREEN NETWORKS AND CREATING PLACES 43 - 101**  
**Appendix 1 To Follow**

Submit report by the Chief Officer – Regulatory and Regeneration updating Members on the development plan position in West Dunbartonshire and seeking approval of the Development Plan Scheme and Participation Statement, the change in status of various West Dunbartonshire planning policy documents, and Draft Supplementary Guidance documents on the Green Network and Creating Places.

**10 PLANNING PERFORMANCE FRAMEWORK 2020-21 103 - 172**

Submit report by the Chief Officer – Regulatory and Regeneration providing an update on comments received from the Scottish Government regarding the Planning Performance Framework submitted by West Dunbartonshire Council for 2020-21.

**11 APPEAL NOTICE OF INTENTION – DC02/447: EXTENSION TO QUARRY, SHEEPHILL QUARRY, MILTON, DUMBARTON 173 - 197**

Submit report by the Chief Officer – Regulatory and Regeneration providing an update on the appeal decision for the above application, further information relevant to the Review of Minerals Permission application (ROMP) and the Scheduled Monuments Permission.

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## PLANNING COMMITTEE

At a Hybrid Meeting of the Planning Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 8 December 2021 at 2.00 p.m.

**Present:** Councillors Ian Dickson, Diane Docherty, Jim Finn, Daniel Lennie, Jonathan McColl and Lawrence O'Neill.

**Attending:** Peter Hessett, Chief Officer – Regulatory and Regeneration; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Barry Douglas, Team Leader – Development Management; Gerry Poutney, Principal Building Standards Surveyor; John Walker, Assistant Engineering Officer, Roads and Transportation; Nigel Ettles, Section Head – Litigation (Legal Officer); and Ashley MacIntyre and Gabriella Gonda, Committee Officers.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Gail Casey, Karen Conaghan and Douglas McAllister.

**Councillor Jim Finn in the Chair**

### DECLARATIONS OF INTEREST

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

### RECORDING OF VOTES

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 10 November 2021 were submitted and approved as a correct record.

### OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

## PLANNING APPLICATIONS

A report was submitted by the Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

- (a) **DC21/205/FUL – Installation of various artworks including two metal bench seats, four barrel seats, three metal geese sculptures, eight cast iron paving reliefs, eight acrylic resin wall plaques and a view point sculpture at Dumbarton Walkway, Castle Street, Dumbarton by Dunbritton Housing Association.**

Reference was made to a site visit that had been undertaken in respect of the above application. After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report and in answer to Members' questions, the Committee agreed to grant planning permission subject to the condition set out in Section 9 of the report, and as detailed within Appendix 1 hereto, and with an additional condition that the applicant must maintain the installations in the future.

- (b) **DC21/176/FUL – Proposed Coffee shop with drive-thru facility and associated outdoor seating and road re-alignment at Morrison's Supermarket, 36 Glasgow Road, Dumbarton by Trilogy (Leamington Spa) Ltd.**

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

Councillor Finn, Chair, invited Mrs Elizabeth Daly, Mrs Rose Harvie and Ms Jacqueline Bruce, objectors, to address the Committee. Mrs Daly, Mrs Harvie and Ms Bruce were heard in support of their objections and in answer to Members' questions.

The Chair then invited Mr Michael Powell and Mr Nick Heard, agents for the application, to address the Committee and they were heard in support of the application and in answer to Members' questions.

After consideration the Committee agreed to refuse planning permission for the reasons set out in Section 9 of the report, and as detailed within Appendix 1 hereto.

- (c) **DC21/268/FUL – Re-instatement of partially collapsed boundary wall with gabion basket retaining wall and railings on top at 2 and 4 Williamson Avenue, Dumbarton.**

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

Councillor Finn, Chair, invited Mr George McBride, objector, to address the Committee. Mr McBride was heard in support of the objection and in answer to Members' questions.

The Chair then invited Mr Steven Kenney, objector, to address the Committee. Mr Kenney was heard in support of the objection and in answer to Members' questions.

The Chair then invited Mr Jack Anderson, agent for the applicant, to address the Committee and Mr Anderson was heard in respect of the application.

The Committee also heard from Mr Reg Barrett in support of the applicant.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager, the Principal Building Standards Surveyor and the Legal Officer in clarification of certain matters and in answer to Members' question, the Committee agreed to grant full planning permission subject to the condition set out in Section 9 of the report, and as detailed within Appendix 1 hereto and to add an additional condition that there would be further discussion on the material that would be used to fill the gabion baskets.

Councillor Dickson, having failed to find a seconder for a proposed amendment, requested that his dissent be recorded in respect of this item.

The meeting closed at 3:42 p.m.

# Item 4

## Appendix 1

### APPENDIX 1

#### **DC21/205/FUL – Installation of various artworks at Dumbarton Walkway, Castle Street, Dumbarton.**

1. Prior to the commencement of the development, details of any hard surfaces to be laid under or around the benches and barrel seating shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

#### **DC21/176/FUL – Erection of coffee shop with drive-thru facility at Supermarket, 36 Glasgow Road, Dumbarton.**

1. The proposed development is contrary to Policy RET2A of the Local Plan (2010) and Policy SC1 of Local Development Plan 2 Proposed Plan (2020) as it would have a detrimental impact on Dumbarton Town Centre.
2. The proposed development is contrary to Policy CON1 of Local Development Plan 2 Proposed Plan (2020) as the proposed development does not prioritise active travel and promotes the use of the private car.

#### **DC21/268/FUL – Re-instatement of partially collapsed Boundary wall with gabion basket retaining wall and Railings on top at 2 and 4 Williamson Avenue, Dumbarton.**

1. Prior to the commencement of the development on site, details of screening in the form of soft landscaping to be located between the proposed wall and Meadow Road shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 8 NOVEMBER 2021**

**Present:** Councillors Karen Conaghan and Lawrence O’Neill.  
(The above lists Members who attended at least one site visit)

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager.

**SITE VISITS**

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

**DC21/212/PPP: 8 Cochno Holdings, Cochno Road**  
PPiP Residential development



## PLANNING COMMITTEE

### NOTE OF VISITATION – 6 DECEMBER 2021

**Present:** Councillors Ian Dickson and Diane Docherty.  
(The above lists Members who attended at least one site visit)

**Attending:** Barry Douglas, Development Management Team Leader, Gerry Poutney, Principal Building Standards Officer.

### SITE VISITS

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

**DC21/205/FUL: Dumbarton Walkway, Castle Street, Dumbarton**

Dunbritton Housing Association, Installation of various artworks;

**DC21/176/FUL: Supermarket, 36 Glasgow Road, Dumbarton**

DC21/176/FUL – Erection of coffee shop with drive-thru facility

**DC21/268/FUL: Wall, 2-4 Williamson Avenue, Dumbarton**

Re-instatement of partially collapsed boundary wall with gabion basket retaining wall and railings.



## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer – Regulatory and Regeneration

Planning Committee: 16<sup>th</sup> February 2022

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**DC21/244/FUL**      **Proposed residential redevelopment comprising of 140 dwellings at sites at Bardwood Road, Aitkenbar Road, Howatshaws Road, Stoneyflatt Road and Braeside Drive by Caledonia Housing Association**

#### **1. REASON FOR REPORT**

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

#### **2. RECOMMENDATION**

- 2.1** **Grant** planning permission subject to the conditions detailed in Section 9 of the report.

#### **3. DEVELOPMENT DETAILS**

- 3.1** The site is located within the Bellsmyre area of Dumbarton. Part of the site's northern boundary is Howatshaws Road. The westernmost part of the site runs parallel with Barwood Hill and would include the redevelopment of land between Nos. 12 and 20 Barwood Hill. The redevelopment of properties within Auchenreoch Avenue and Aitkenbar Drive is also included in this part of the site. The easternmost boundary of the site runs parallel to Penniecroft Road to the north of Whiteford Avenue. To the south of Whiteford Avenue the eastern extent of the site is Broomhill Drive. Nos. 33-35 Braeside Drive are included in the site along with Nos.8-10 Broomhill Drive which mark the site's southernmost boundary. Whiteford Avenue runs through the middle of the site.
- 3.2** Like much of the Bellsmyre area there is a gradient across the site with the site itself sloping steeply to the south east with a drop of approximately 25m from north-west to the south-east of the site. Two existing sub-stations are also within the site and need to be considered in the layout. Public transport runs through the site along Howatshaws Road and Whiteford Avenue. The site is characterised by post war Local Authority housing stock which also includes some three storey flats.

**3.3.** Planning permission is sought for the construction of 140 dwellings across the site comprising of houses or cottage flats. The development comprises of a range of dwelling sizes as detailed below;

- \* 2No.x2 bedroom wheelchair accessible flats
- \* 28No.x1 bedroom cottage flats
- \* 26No.x2 bedroom cottage flats
- \* 49No.x2 bedroom terraced houses
- \* 27No.x3 bedroom terraced houses
- \* 8No.x4 bedroom detached houses.

**3.4** The redevelopment is to be delivered in three phases with Phase 1 and Phase 2a, being to the north of Whiteford Avenue and comprising of a total of 93 dwellings. To the south of Whiteford Avenue Phases 2b and 3 will provide 47 dwellings with the majority of proposed layout integrating with the existing street layout. Between Barwood Hill and Aitkenbar Drive some of the proposed dwellings are sited to face the proposed linear park. The linear park is a new feature and would be multifunctional providing a setting to the new dwellings, providing pedestrian and cycling links across the site and open space. An area of open space is incorporated in the new layout which will be a central recreational space and will provide green routes through the site and include a piece of artwork related to nature. A number of the new dwellings will also face the newly formed open space, enhancing their outlook and providing passive surveillance to this central feature.

**3.5** Phase 2b of the redevelopment is on the southern side of Whiteford Avenue and comprises of 18 cottage flats and two storey houses. The road layout at this part of the site remains the same but the longer blocks of terrace houses in Stoneyflatt Road would be replaced. At the corner of Stoneyflatt Road and Whiteford Avenue there is an existing electricity sub-station that will need to be retained as part of the layout but it is anticipated that this area could accommodate some form of public art and a more sympathetic form of screen to the substation could also be achieved.

**3.6** Phase 3 of the redevelopment is between Stoneyflatt Road and Braeside Drive, the proposed road layout is slightly different to accommodate vehicle access to the rear of Nos. 23-29 Stoneyflatt Road which will need to remain. The amended layout to Broomhill Drive will result in houses being in smaller blocks. Open space and off road parking are also being provided in this part of the site. The proposal follows the existing street pattern and some of the older existing properties in Stoneyflatt Road, Whiteford Avenue, Aitkenbar Drive and Auchenreoch Avenue will remain. At the corner of Whiteford Avenue and Stoneyflatt Road improved

landscaping is proposed which will provide a screen for the existing sub-station. All dwelling types have private or communal garden grounds.

- 3.7** To support these dwellings 154 car parking spaces are provided which includes 8 accessible spaces and 14 of spaces are for visitors. Car parking is provided in curtilage or on road in formed spaces. Cycle stands are also provided across the site for wider public use.
- 3.8** The proposed dwellings will all be two storeys and feature a range of roof forms with various roof angles to create more interest to the streetscapes. Feature gables are also proposed to be integrated in the house design and these will face on to key green spaces or at prominent corner spots. The inclusion of feature gables will add visual interest and passive surveillance and will create 'local' landmarks within the proposed layout. The dwellings will be finished in facing brick with grey concrete roof tiles. A feature brick will be limited to houses that are located at key corners or gateways in the site and these will act as local landmarks within the scheme and provide a welcomed contrast to the main facing brick type. With respect to the detailing, it is proposed to incorporate soldier coursing at entrance doors as well as the use of protruding brick features to animate elevations and add visual interest. The protruding brick feature has successfully been used at the Muir Road site nearby. The dwellings will also feature simple porch canopies and protruding boxed window features. Solar panels will also be incorporated in the roofs.
- 3.9** The applicant advises that this development is the second stage of the wider Bellsmyre Regeneration scheme with the first phase being under construction at Muir Road which is close to the application site. More recent redevelopments are also complete at the former Aitkenbar Primary school site on Howatshaws Road. In order to achieve the further regeneration aspirations, there have been a number of demolitions since 2011 and a further 47 dwellings are to be demolished which are currently underway.
- 3.10** Supporting technical information includes a Design and Access Statement, a Pre-application Consultation Report and a drainage layout.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have no objections to the proposed development in terms of road safety or flooding responsibilities.

4.2 West Dunbartonshire Council Environmental Health Service have no objections subject to conditions requiring a comprehensive site investigation and remediation scheme, piling statement, hours of working and a dust control scheme.

4.3 West Dunbartonshire Council Biodiversity Officer recommends a preliminary ecological appraisal is carried out and that biodiversity friendly designs such as hedgehog holes in fencing, swift/bat bricks are incorporated into the development as well as all protected species concerns to be addressed.

4.4 Scottish Water have no objections and there is current capacity to service the development.

## 5. REPRESENTATIONS

5.1 There are no representations to the proposed development.

## 6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

### West Dunbartonshire Adopted Local Plan 2010

6.1 Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.

6.2 Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated "Our Green Network" Planning Guidance (2015) in Section 7 below.

6.3 Policy T1 and T4 requires sites to be integrated with sustainable travel and Policy E5 relates to trees and requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

## 7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

## West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The consideration of policies DS1, GN2, SD1, DS6 and GN3 and GN5 with regards to new residential development, green network, transport, flooding and drainage and protected species and trees are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure a high design quality in housing and being suitable for a mix of occupants.
- 7.3** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

## West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18<sup>th</sup> December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.
- 7.5** Similarly to Policy DS1 of LDP 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.6** Policy GI2, BE1, FCC1, ENV1, ENV4, ENV5 and ENV6 are similar to the green network, built heritage, tree, water environment and flooding policies of the Adopted and LDP 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and LDP 1.

Policies CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.

- 7.7** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use. It is considered that the proposals comply with the above policies as discussed below.

#### Principle of Development

- 7.8** The site is within a well established residential area and the development has required the demolition of some post war housing stock that are in need of replacement, although a number of existing housing are unaffected. The housing stock is laid out in a more traditional housing estate layout and the construction of new dwellings on a site previously used for residential purposes is therefore acceptable in principle and does not conflict with the land use policies of the adopted and Proposed Plans. The site is surrounded by residential properties and accordingly the proposal is wholly compatible with its surroundings.

#### Site Layout, Design and Appearance

- 7.9** The layout has been the subject to extensive pre-application discussion with suggested layout changes having been incorporated into the final layout and with new houses proposed to sit alongside existing houses on the existing road network. Working with the existing street layout, a creative layout has resulted whereby the greenspaces and the linear walkways to facilitate pedestrian movement dominate the proposal. In assessing the interaction with the dwellings to be retained, the proposed layout is considered to be acceptable and will not result in any loss of amenity to the occupants of existing dwellings. The dwelling designs are all two storeys and different house types are proposed. A range of roof types are also incorporated which introduces lots of interest to the streetscape. The dwelling designs feature active gables at key locations and at spaces overlooking green spaces. Full height windows are provided in living rooms and bedrooms which are welcomed from a design perspective and will provide light and bright internal spaces for future residents.
- 7.10** The brick materials proposed are of good quality and will be compatible to the local area. The use of brick features on the key corners and gables, soldier coursing and protruding brick features will all add interest and

quality to the houses and overall development. The dwellings will also feature simple porch canopies and protruding boxed window features. The proposed layout has been restricted by utilising the existing road layout in part and the topography but what is proposed successfully integrates into the wider residential area. The proposal will create a well-designed and integrated development which will address the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the Adopted and Proposed Plans alongside the Residential Development Design Guidance.

### Open Space and Landscaping

- 7.11** As detailed above the layout provides a total of 10.336 sqm. overall which equates to more than 30sqm.person required by Policy G12 of the Local Development Plan. The open space provision takes a number of different forms that are distributed evenly across the development. These spaces are also well connected and linked by the proposed linear park running from Barwood Hill to the central open space area. The linear park is one of the key greenspace attributes of the development with the new houses orientated to face the linear park and the central open space area. It is envisaged that the linear park will also accommodate natural play equipment such as hop-scotch and sensory paths as well as seating and some SUDS infrastructure. The largest green central open space will be a central focus area for residents and will accommodate a more formal structured play area as well as seating and strong footpath connections to link with existing networks and green spaces and beyond together with artwork structure. There will be the need for retaining walls at this part of the site which will add interest to this open space and will be incorporated in to the landscape proposal. The linear park route continues through the development to the south to Penniccroft Avenue. To the rear of the new dwellings proposed along Penniccroft Avenue and Howatshaws Road an area of open space is shown (1224 sqm.) and it is anticipated that this could be a dedicated allotment for future residents to use which would be welcomed.
- 7.12** All open spaces will be treated with a variety of plants, flowers and trees to encourage wildlife and biodiversity to the site. Variety is also proposed to the hard landscaped areas with a mix of materials. It is envisaged that 16 trees will require to be felled however these will be replaced by new trees and planting and a tree report is required by condition. The landscaping also includes the provision of swales, raingardens and bioswales all of which will contribute to the proposed site drainage strategy. The quality and range of open spaces will all contribute to the overall success of the Bellsmyre transformation.

## Roads, Parking, Access and Permeability

- 7.13** The wider site is well served by public transport as there are bus stops on Howatshaws Road and Whiteford Avenue. Across the site 110% parking is provided across the development (154 car parking spaces) with an allowance for an additional 15% parking (21 car parking spaces) if required in the future. In terms of pedestrian movements the linear park ensures that excellent pedestrian links are provided throughout the site and beyond. Where pedestrian routes meet roads within the development layout speed tables are proposed except on Whiteford Avenue where speed cushions will be installed. The speed tables and will act as traffic calming measure to allow the continuous and uninterrupted movement for pedestrians traveling through the site using the linear park. The development also includes wider public footpaths to allow these spaces to be shared by pedestrians and cyclists. 10% cycle stand provision across the site for general public use is deemed acceptable and the introduction of sheltered cycle sheds within the rear gardens of the cottage flats with the provision for 1 bike per dwelling. All of these measures are welcomed and will help to ensure that pedestrian movements are prioritised and are acceptable to the Council's Roads Service. Electric charging points/ units and ducting will also be installed as part of the development and are required by condition.

## Technical Matters

- 7.14** The Council's Environmental Health Service have requested a site investigation report including remediation and mitigation measures. These matters alongside other matters regarding dust mitigation and construction activity can be addressed as planning conditions. With respect to drainage the Design & Access Statement identifies that collected surface water is to be treated and attenuated by using rain gardens, swales, permeable paving and some below ground storage tanks. Whilst the formation of a SUDS pond would have been preferable the inclusion of the aforementioned SUDS technology within the development is welcomed and will add interest across the wider site. As there is a gradient across the site there is the need for retaining walls which will also be evident in some of the landscape areas.
- 7.15** An ecological appraisal is currently being prepared and this may suggest specific surveys are required. The ecological appraisal will assist in proposing biodiversity friendly designs such as hedgehog holes in fencing, swift/bat bricks that can be incorporated throughout the development as well as demonstrating that all protected species specific concerns have been addressed and that good practice with positive effects for biodiversity have been considered throughout the development. This will be addressed by condition.

## Pre-application Consultation /Elected Member Briefing

- 7.16** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to the submission of the application. The applicant has submitted a Public Consultation Report which identifies that two virtual events were held on the 28<sup>th</sup> October 2020 and 4<sup>th</sup> November 2020 and local Community Councils, MPs and Councillors were contacted about the proposal. A statutory notice was published in the local press advertising the event and submission of the Proposal of Application Notice and additional consultation was undertaken by the applicant. The applicant has submitted a pre-application consultation report which highlights that 26 people participated in the online Proposal of Application Notice events and 32 questionnaires were also received. Feedback comments related to the timescale for works, allocation of new homes and that participants were in favour of the house type and sizes.
- 7.17** A pre application elected member briefing took place on 2<sup>nd</sup> September 2021 and members were supportive of the redevelopment and were pleased that the 3 storey flats were being demolished. They encouraged replanting of trees if trees were being removed, reducing the carbon footprint in terms of building construction, the use of more colour and further clarity on drainage requirements. All these matters were taken into account within the submitted development proposals.

## **8. CONCLUSION**

- 8.1** The redevelopment of this part of Bellsmyre for residential purposes complies with local planning policies which promotes the re-use of brownfield sites. The proposals have been subject to extensive discussions with officers at the pre-application stage and the design of the site has clearly evolved through and been informed by the feedback provided through this pre-application process and separate Elected Member Briefing. The development will provide high quality housing with excellent open space provision and connections to the surrounding area and wider green network.
- 8.2** New housing developments within the immediate surroundings are transforming the area and contributing to the longer term redevelopment/regeneration of the area and providing quality affordable housing. The current application will build on the success of previous developments in the vicinity and will play a significant part in the ongoing re-imagining of the Bellsmyre area and the delivery of new homes.

## **9. CONDITIONS**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the dwellings and associated hard landscaping, to include boundary treatments, facing stone to the retaining walls and external waste storage facilities shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved material details and palette.
2. The development hereby approved shall be constructed in accordance with the finished site levels and finished floor levels as shown on approved plans. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
3. Prior to the first occupation of the cottage flats hereby approved the cycle storage and refuse/recycling stores shall be installed and the constructed cycle stores and refuse/recycling stores shall be maintained for the lifetime of the development unless otherwise agreed by the Planning Authority.
4. Prior to works commencing on the development hereby approved a planting schedule in association with the proposed soft landscape arrangements approved under drawing 'Concept Design Option 3' shall be submitted for the written approval of the Planning Authority. The approved landscaping shall be implemented no later than the next available planting season or after occupation of the 30<sup>th</sup> property or an alternative timescale to be agreed with the Planning Authority. Any trees, shrubs or plants forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed by the Planning Authority.
5. Prior to works commencing on the development hereby approved details of the proposed play equipment and art work shall be submitted for the written approval of the Planning Authority. These details shall incorporate the use of more natural play equipment. The works shall be installed in accordance with the approved scheme and in a timescale to be agreed and shall thereafter be retained for the lifetime of the development unless otherwise agreed by the Planning Authority.

6. No dwelling shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed provided within the site. The aforementioned parking shall thereafter be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.
7. Twelve months after the full occupation of the dwellings hereby approved a Transport Statement and survey findings shall be submitted for the approval of the Planning Authority. The required submissions shall detail the use of the approved car parking provision and if necessary shall provide details of additional spaces to include location and a timescale for their implementation. Thereafter the additional parking, if constructed, shall be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.
8. Prior to the commencement of development with the site, details of the location and design of an electric charging points/units and associated ducting to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging points/units/ducting and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
9. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
10. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
11. During the period of construction, all external works including piling and ancillary operations shall be carried out between the following

hours and at no other time, unless otherwise agreed in writing by the Planning Authority:

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

12. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
13. No development shall commence on site until details for the storage and the collection of waste arising from the development and the location of grit bins shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.
14. No development (other than investigative work) shall take place until such time as a comprehensive site investigation completed by a suitably qualified person has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model shall be formalised and these linkages shall be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted. If the risk assessment identifies any unacceptable risks, a detailed remediation strategy/plan shall be submitted to and approved in writing by the Council's Planning Authority and implemented as approved.
15. Remediation of the site shall be carried out in accordance with the approved remediation scheme prior the approved development being brought into use. Any amendments to the approved remediation scheme shall not be implemented unless otherwise approved in writing by the Planning Authority. On completion of the remediation works the developer shall submit a verification report to the Planning Authority,

confirming that the works have been carried out in accordance with the approved remediation scheme and that the works have successfully reduced the risks to acceptable levels.

16. If the remediation plan requires it, 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 by the Planning Authority in consultation with Environmental Health. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.
17. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
18. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
19. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of and take into account the following:
  - The impact of the piling on surrounding properties.
  - Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

20. Prior to the commencement of development on site maintenance details of the Sustainable Urban Drainage System (SUDS) to be installed shall be submitted for the written approval of the Planning Authority and shall be maintained in accordance with the approved details. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created.
21. No development shall commence on site until a preliminary ecological appraisal has been submitted to and approved by the Planning Authority. Any surveys arising from the appraisal shall be implemented within a timescale agreed with the Planning Authority. Any recommended biodiversity friendly designs shall be incorporated throughout the development and shall be approved by the Planning Authority.
22. No development shall commence on site until a tree report shall be submitted to and approved by the Planning Authority. Any recommendations and actions of the tree report including replacement tree planting shall be undertaken within a timescale to be agreed by the Planning Authority.

Peter Hessett

Chief Officer – Regulatory and Regeneration

**Date: 16<sup>th</sup> February 2021**

**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager  
Email: [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

**Appendix:** Location Plan

**Background Papers:** 1. Application forms and plans;

2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. 'Our Green Network' Guidance
7. Residential Development Design Guidance

**Wards affected:** 2

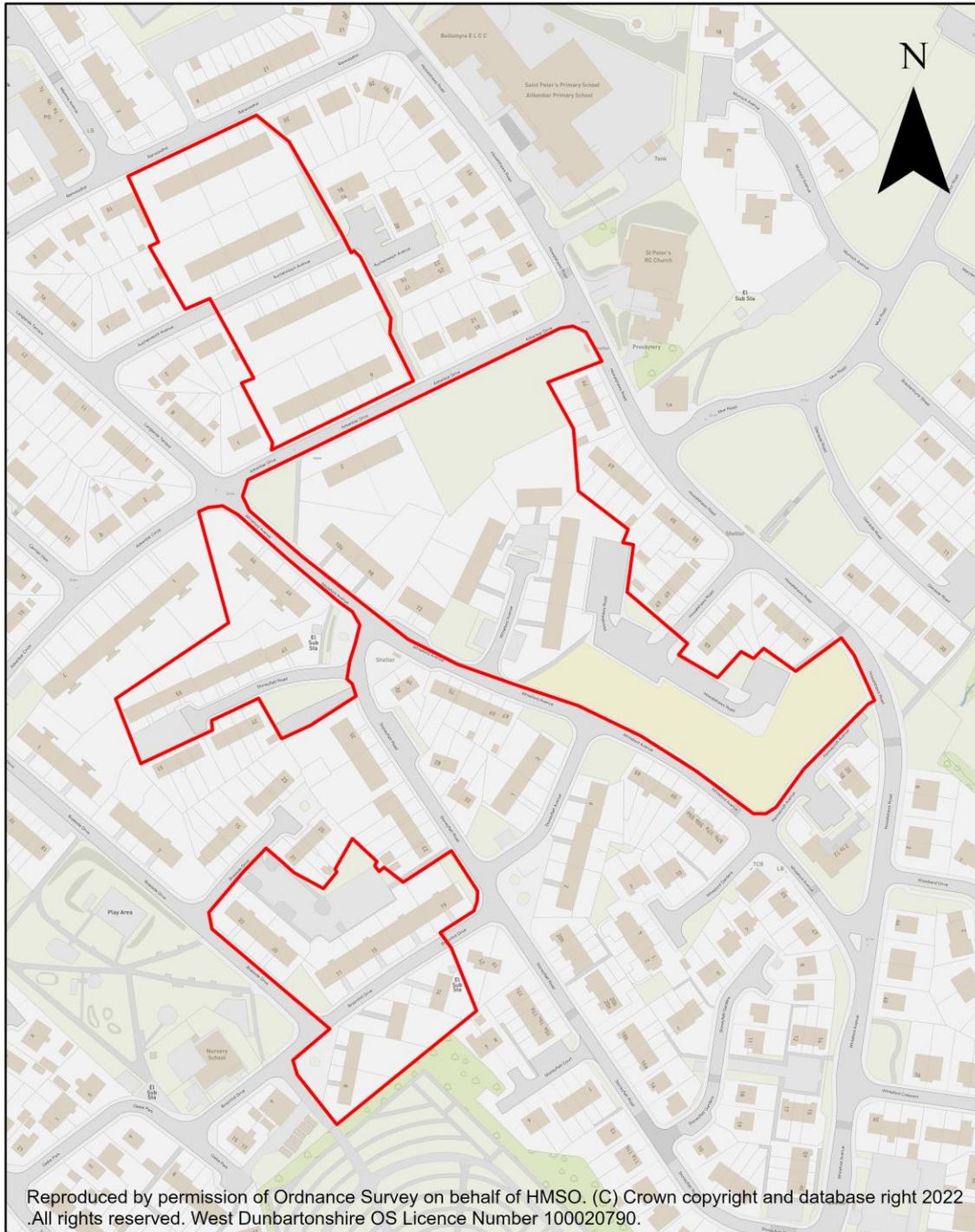


**Map Register No: HQ665**  
**Date: 3 February 2022**

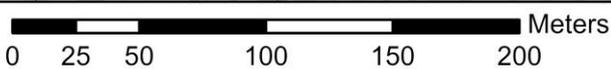
**DC21/244/FUL**

**Construction of 140  
houses and cottage flats  
with associated  
landscaping and  
infrastructure**

**Residential Development Site At Various  
Addresses At Bellsmyre  
Whiteford Avenue  
Dumbarton**



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## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer (Regulatory & Regeneration)

Planning Committee: 16 February 2022

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**Subject: Clydebank Town Centre Development Framework**

#### **1 Purpose**

- 1.1** The purpose of this report is to advise Members of the Clydebank Town Centre Development Framework and to seek approval for it to be adopted as non-statutory Planning Guidance.

#### **2. Recommendations**

- 2.1** It is recommended that Committee adopt the Clydebank Town Centre Development Framework as non-statutory Planning Guidance.

#### **3. Background**

- 3.1** The Council's Infrastructure, Regeneration & Economic Development Committee of 17 November 2021 approved the [Clydebank Town Centre Development Framework](#) with a recommendation that the Framework be presented to the Planning Committee to seek approval to adopt as Planning Guidance. The IRED Committee Report contains significant detail on the preparation and content of the Framework.
- 3.2** Clydebank has a town centre that stretches from Dumbarton Road to the retail parks to the north and east of the town centre and includes both parts of the Clyde Shopping Centre to the north and south of the canal. (Although the retail parks are not included in the town centre as defined by the Local Development Plan, they are included within the Development Framework). The proposed Clydebank Town Centre Development Framework offers an exciting 15-year vision that puts the heart back in the town centre. When embedded in planning policy the Framework will guide development, including Development Management decisions, and help inform acquisition and disposal decisions as well as future regeneration investment. The Framework will also inform the approach taken to Clydebank town centre in the next Local Development Plan (LDP3).
- 3.3** A development framework sets out how a vision for an area can be achieved by adopting certain development principles. Development frameworks should not be rigid or prescriptive, and some flexibility is required in the delivery of their development principles. The adoption of the Framework as non-statutory Planning Guidance will give weight to the Framework as a material consideration in planning decisions, but it will not form part of the

development plan, which suits the flexibility required in the delivery of the Framework.

#### **4. Main Issues**

- 4.1** An executive summary of the Clydebank Town Centre Development Framework is attached as Appendix 1, with full document available on [CMIS](#).
- 4.2** The Framework focusses in on the area of the town centre between the Canal and the railway station, taking in Sylvania Way and the former Playdrome site. This is identified as the Phase 1 priority area for change and a catalyst for future improvements. The key components of Phase 1 includes:
- A primarily residential-led redevelopment of the Playdrome site to provide good quality urban development that includes family accommodation and mixed uses appropriate to the market demands;
  - A new transportation hub incorporating Clydebank Central train station, the bus station, and infrastructure for active travel to encourage walking and cycling;
  - The redevelopment of Sylvania Way to create mixed use residential, community, retail and businesses uses;
  - A new park to provide much needed greenspace, recreation, and to assist with north-south active travel linkages;
  - Enhancing the setting and use of the Co-op building, one of the few remaining historical assets within the town centre, and making it the central point of a new public square and marketplace;
  - Animating the Canal in a variety of ways including the proposed Activities Centre, and providing passive surveillance from new housing overlooking the Canal;
  - New and improved indoor and outdoor spaces for community activities
  - A number of exciting public realm improvements; and
  - If the opportunity and funding arises, the potential of a new primary school within the wider town centre to meet demand from new residents at Queens Quay and the town centre housing sites.
- 4.3** The Framework also provides recommendations for the parts of the town centre outside this core study area, which would be subject to longer-term change, together with an associated phasing plan. As town centre retail is likely to decline further, these later phases include introducing new layouts to the covered mall north of the Canal that will be led by prevailing market needs, and longer-term redevelopment of the edges of the town centre, including the retail parks, to introduce more housing and result in more mixed-use areas.
- 4.4** The Framework reflects and contributes to the delivery of national policy priorities including 20-minute neighbourhoods (a neighbourhood within which people can meet the majority of their daily needs within a reasonable walk, wheel or cycle of their home), carbon reduction, placemaking and community empowerment.

**4.5** The Framework can be embedded within the next Local Development Plan (LDP3). In the meantime, its approval as non-statutory Planning Guidance means it would be used to guide decision-making for development proposals within the Framework area, giving the Council the basis to direct development to be in line with the approved Framework.

**4.6** With regard to next steps it is considered that work on the transportation hub, integrating more greenspace into the town centre and improving connections to surrounding areas e.g. Queens' Quay should be priorities, with the latter point linking to the Council's 20-minute neighbourhood ambitions. Consideration will also be given to how the Framework can be integrated into the next Local Development Plan (LDP3).

## **5. People Implications**

**5.1** None

## **6. Financial & Procurement Implications**

**6.1** There are no financial or procurement implications associated with adopting the Framework as Planning Guidance.

## **7. Risk Analysis**

**7.1** Failure to approve the Framework as Planning Guidance could result in planning permission being issued for proposals that would damage the realisation of the Framework.

## **8. Equalities Impact Assessment**

**8.1** An assessment has been carried out and formed part of the [November 2021 IRED Committee Report](#).

## **9. Environmental Sustainability**

**9.1** In line with the Council's Climate Change Strategy, there will be 'zero carbon' approach to proposals emerging from the Clydebank Town Centre Development Framework that will make a positive contribution to environmental sustainability, in particular exploring how connections to the West Dunbartonshire Energy Centre can be achieved.

## **10. Consultation**

**10.1** There has been extensive consultation on the future of Clydebank town centre before and during the production of this Development Framework, starting with the first Clydebank Charrette in 2015 and the follow-up Clydebank Can charrette three years later in 2018. The views expressed in those engagement events have been reflected in the Framework. Further individual and group consultations took place with local schools, community-led organisations, the

shopping centre owner, Co-op, West College Scotland, Strathclyde Partnership for Transport, Chamber of Commerce, Clyde Mission and developers. An Elected Member briefing took place during the preparation of the Framework to advise and receive comment on content. The input from young people was particularly valuable with a request from one of our high school students to create a “town that looks after each other”. A multi-Service team directed the consultancy and other Services such as Housing and Arts/Heritage participated.

## **11. Strategic Assessment**

- 11.1** The Framework will support Council’s strategic priorities to:
- improve economic growth;
  - improve environmentally sustainable infrastructure; and
  - improve the wellbeing of communities.

**Chief Officer:** Peter Hessett  
**Service Area:** Regulatory & Regeneration  
**Date:** 16<sup>th</sup> February 2022

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**Person to Contact:** **Pamela Clifford**, Planning, Building Standards and Environmental Health Manager  
[pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)

**Alan Williamson**, Development Planning and Place Team Leader  
[Alan.williamson@west-dunbarton.gov.uk](mailto:Alan.williamson@west-dunbarton.gov.uk)

**Appendices:** Appendix 1 - Executive Summary of Clydebank Town Centre Development Framework

**Background Papers:** Clydebank Charrette and Clydebank Can reports

**Wards Affected:** Ward 5 - Clydebank Central  
Ward 6 - Clydebank Waterfront

**WEST DUNBARTONSHIRE COUNCIL  
CLYDEBANK TOWN CENTRE  
DEVELOPMENT FRAMEWORK  
EXECUTIVE SUMMARY**



This document is an executive summary of the main 412 page report that contains information on project context and analysis together with a detailed exploration of the development framework proposals.

## CLYDEBANK: A TOWN WITH A HEART

This document shows a vision of Clydebank town centre in 15 years' time and the transition from reducing retail dominance to a vibrant mixed use and inhabited town centre that meets the needs of the whole community. In short, it is about creating a real centre to the town – a town with a heart.

Within the various engagement events we asked the question – what will Clydebank be known for in 15 years' time? What is its narrative that reflects the values of its people

and what story does it project to the outside world? Amongst all the rich answers that came back, possibly the most poignant was from the youngest person present: "a town that looks after each other". This is not only a powerful ambition; it perfectly captures what a real, functional town centre delivers: opportunity, inclusion, and wellbeing.

This future narrative of caring about each other reflects the real sense of community of Clydebank past

and present born from a highly industrialised heritage where people worked and lived with intensity and closeness; a closeness forged stronger by the shared memory and trauma of the Clydebank Blitz.

With this industrialised past and worldwide recognition comes well-deserved pride alongside a history of political radicalism that should demand a town centre that succeeds because it puts the wellbeing of its people first- a town with a heart.

# THE VISION FOR CLYDEBANK TOWN CENTRE - PRIORITY PHASE 1: PROPOSED DISTRIBUTION OF USES



- Retail
- Food & Beverage
- Commercial
- Community
- Leisure
- Nursery
- 2 bed Flat
- 1 Bed Flat
- Townhouse
- Semi / Terr.

**“ This vision for the town centre of Clydebank will be transformative and act as a catalyst for further positive change. ”**

## A HEART TO GATHER

The town centre is important. It's where we gather to celebrate. It's where we memorialise events and notable sons and daughters. It's a community's collective identity and it's the familiar landscape of our memory – the one we connected with as a child and are least likely to forget in later years. This vision creates the heart for the community to gather – a civic space set against the impressive backdrop of the Co-op building, one of the few remaining heritage assets (and the largest) in the core study area.

This public square and redefined Sylvania Way are lined by new mixed-use blocks that are outward looking and active to all sides, particularly to the Forth and Clyde canal, Three Queens Square and Kilbowie Road. There are views into this new heart from the surrounding streets and routes under the railway viaduct. There is also direct visibility from the main Glasgow train line into the heart of the new centre; the front face of Clydebank: open, active and welcoming.

## A HEART OF REINVENTION

This is a town centre that has moved from the grime and pollution of heavy industry and builds on the world class energy centre to drive a green economy that attracts and powers new businesses and homes. It is a town where businesses want to be because of its green credentials and it is rich with green open space and vibrant public space where workers can enjoy all the benefits of

a thriving town centre where workers can enjoy all the richness of a thriving town centre. It is a town that more than meets its responsibilities and addresses the ever increasing issue on everyone's agenda, and fulfils West Dunbartonshire Council's stated ambition to make Clydebank Scotland's 'Greenest town'.

### Active Ground Floor Uses: A Diverse Town Centre

- Retail
- Market
- F&B /
- Cinema
- Commercial / Workspace
- Community
- Nursery / Daycare



Proposed Ground Floor Uses





## AN ECONOMIC HEART

This is a vision of a real town centre with heritage, variety and identity. It also has the Clyde Shopping Centre offering a scale of retail unachieved by similar sized towns. The retail requirement will significantly decrease but not as drastically as elsewhere and this vision manages that transition to bring a richness and variety of uses that drive footfall. This is combined with the repopulation of the heart of the town and Queens Quay, the introduction of workplace and the expansion of

the RGJ Hospital to ensure vibrancy. Retail goes where people go – the rebalancing of retail strengthens retail and makes all businesses more resilient, jobs are secured and opportunity created.

Beyond that, we have a 16 hour day 7 days a week town centre that doesn't close at 5:30pm. It is a town centre that is resilient, adaptable and relevant for the next 100 years. It is a destination that is authentic.

## A HEART TO LIVE IN

We can live in the centre and have everything on our doorstep: shops, cafes, cinema, and activities. Living extends out to parkland, communal gardens, rich urban space, active canal side living and the river. The transport interchange is within

minutes to take you into Glasgow or west and north to Loch Lomond and the Highlands. It is a well populated and passively safe environment that is overlooked and trafficked. It has all the benefits of living in the heart of a real and functional town centre.

## A CONNECTED HEART

Arterial routes from Queen's Quay, The Golden Jubilee Hospital, the new transport interchange, the Clyde Centre and the wider community all connect and meet at the new heart of the town. It is a town built around everyone. There are different structured routes with shelter, gardens and activities for young families pushing prams, senior citizens out for a stroll, dogs to walk and runners to run. There are

places for teenagers to hang about free of charge where they can be active without feeling unwanted and unwelcome.

It is a town for everyone no matter their age or disability. When the paths cross, we have a truly intergenerational town that promotes safety, activity, inclusivity and wellbeing.

**THE VISION FOR CLYDEBANK TOWN CENTRE –  
AERIAL VIEW OF PRIORITY PHASE 1 WITH  
PHASES 2 & 3 MASSING ADDED**







## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer - Regulatory & Regeneration

Planning Committee: 16 February 2022

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**Subject: Development Plan Update and Draft Supplementary Guidance on Green Networks and Creating Places**

#### **1 Purpose**

**1.1** The purpose of this report is to update Members on the development plan position in West Dunbartonshire and seek approval of the Development Plan Scheme and Participation Statement, the change in status of various West Dunbartonshire planning policy documents, and Draft Supplementary Guidance documents on the Green Network and Creating Places.

#### **2. Recommendations**

**2.1** Committee approve:

- (1) the changes to the status of planning policy documents as set out in this report.
- (2) the Draft Supplementary Guidance on Green Networks and Green Infrastructure, attached as Appendix 1, for consultation; and
- (3) the Draft Supplementary Guidance on Creating Places, attached as Appendix 2, for consultation.
- (4) the Development Plan Scheme and Participation Statement attached as Appendix 3;

#### **3. Background**

**3.1** The land use planning policy framework for West Dunbartonshire consists of the National Planning Framework and Scottish Planning Policy at the national level, the Clydeplan Strategic Development Plan which covers the Glasgow city-region area, and the Local Development Plan and planning guidance covering the West Dunbartonshire planning authority area.

**3.2** The development planning system in Scotland is changing with the expected introduction in 2022 of the development planning provisions of the Planning (Scotland) 2019 Act. The next National Planning Framework (NPF4) will become part of the development plan for all Planning Authorities with Local Development Plans for each Planning Authority still being prepared. Strategic Development Plans will no longer be prepared. They will be replaced, to a certain extent, by Regional Spatial Strategies, but these will not form part of the development plan.

## **4. Main Issues**

### National Planning Framework and Scottish Planning Policy

- 4.1** The current National Planning Framework (NPF3) and Scottish Planning Policy document were published in June 2014. The Draft Fourth National Planning Framework (NPF4) was laid before the Scottish Parliament and published for public consultation on 10 November 2021. Under the Planning (Scotland) Act 2019, NPF4, once approved, will become part of the development plan for all planning authorities in Scotland. It will also incorporate Scottish Planning Policy within it. Officers are preparing a response to the Draft NPF4 and this will be brought to the March Planning Committee for consideration.

### Clydeplan and Regional Spatial Strategies

- 4.2** The Clydeplan was approved in July 2017 and forms part of the development plan for the West Dunbartonshire Council planning authority area (i.e. excluding that part covered by the National Park Authority). Under the Planning (Scotland) Act 2019, once NPF4 is approved, the Clydeplan Strategic Development Plan will be superseded, and the requirement to prepare Strategic Development Plans is repealed. In place of Strategic Development Plans, planning authorities are to prepare Regional Spatial Strategies. These will not form part of the development plan, but planning authorities are to have regard to Regional Spatial Strategies when preparing Local Development Plans. The current intention is for the Glasgow City Region authorities to collectively prepare a Regional Spatial Strategy. Scottish Government guidance in relation to Regional Spatial Strategies is awaited. An Indicative Regional Spatial Strategy was prepared and submitted to the Scottish Government to help inform the NPF4 preparation process.

### Local Development Plan

- 4.3** The current adopted Local Development Plan for the West Dunbartonshire Council planning authority area is the West Dunbartonshire Local Plan 2010. Although dated, it remains part of the statutory development plan for the West Dunbartonshire planning authority area, and is still relevant for decision-making purposes.
- 4.4** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan (LDP1) Examination Report recommended modification in respect of including the Duntiglenan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, that Local Development Plan has remained unadopted. To date, LDP1 has been considered as a material consideration in the determination of planning applications, albeit with less weight given to it as the second Local Development Plan (LDP2) was progressed through the preparation stages. As LDP2 has reached a similar stage in the preparation process i.e. the Examination Report recommended modifications have been

received and a Direction in relation to these has been received from the Scottish Ministers, it is now considered appropriate that reference to LDP1 is no longer required in the Development Management decision-making process.

- 4.5** On 19 August 2020, following receipt of the Examination Report, the Committee agreed to adopt the second West Dunbartonshire Local Development Plan (LDP2), incorporating all of the recommended modifications set out in the Examination Report. Following submission of notice of the Council's intention to adopt the Plan to the Scottish Ministers, a Direction was received requiring changes be made to the Plan's 'Delivering Homes' chapter prior to it being adopted. The Council has received legal advice that making these changes could make the adoption of LDP2 subject to legal challenge. Officers are continuing to consider this matter. In the meantime, the Proposed Local Development Plan incorporating the recommended modifications of the Examination Report, as agreed at the 19 August 2020 Planning Committee is a material consideration in the determination of planning applications. The Scottish Ministers Direction is also a material consideration in the determination of relevant planning applications.
- 4.6** The Scottish Government has recently published draft Regulations and Guidance relating to the preparation of new style Local Development Plans under the Planning (Scotland) Act 2019. The Council's next Local Development Plan (LDP3) will be prepared in accordance with these, with the timetable for this related to the final decision on how to progress LDP2, the approval of NPF4, the preparation of the Regional Spatial Strategy, and the publication of the finalised aforementioned Regulations and Guidance.

#### Planning Guidance

- 4.7** Under the Planning (Scotland) Act 2006, guidance referred to in the Local Development Plan could be prepared as statutory Supplementary Guidance, and if so, would form part of the Development Plan once adopted. This will no longer be the case under the Planning (Scotland) Act 2019 i.e. guidance can still be prepared but will not form part of the statutory development plan. Transitional arrangements allow for guidance associated with Local Development Plans prepared under the 2006 Act (e.g. LDP2) to continue to form part of the development plan. Going forward, and until the preparation of LDP3, the Council may have a mix of Supplementary Guidance that will form part of the Development Plan and Planning Guidance which won't. The weight to be given to non-statutory Planning Guidance will be determined by the decision maker (i.e. the Planning Authority, or in the case of appeals or call-ins, the Directorate for Planning and Environmental Appeals or the Scottish Ministers).
- 4.8** The Council has a number of existing planning guidance documents. Some of these are associated with LDP1, and with that document ceasing to be a material consideration, it is considered appropriate to clarify the status of these and other planning guidance documents, some of which are dated

and/or have been superseded.

**4.9** Planning Guidance associated with LDP1 – there are three documents with this status. The following changes to their status is proposed through this report:

- Our Green Network (2015) – this becomes Planning Guidance and will be superseded by the Green Network and Green Infrastructure Supplementary Guidance referred to in paragraph 4.14, once that guidance is approved.
- Renewable Energy (2016) – this becomes Planning Guidance. Updated guidance, associated with LDP2, is to be prepared.
- Residential Development: Principles for Good Design (2014) – this becomes Planning Guidance and will be superseded by the Creating Places Supplementary Guidance referred to in paragraph 4.13, once that guidance is approved.

**4.10** Planning Guidance – the following documents currently have the status of Planning Guidance and are not associated with any specific Local Development Plan. Some are considered to no longer be relevant and should cease to be considered Planning Guidance as set out below:

- Alexandria Town Centre Masterplan (2008) – this has been superseded by the 2021 Alexandria Masterplan and should no longer be considered as Planning Guidance in decision-making, but remains a useful reference document.
- Clydebank Business Park Planning Guidance – still relevant
- Clydebank Design Guidelines (Page and Park) (2003) – this document is now approaching 20 years old and has been superseded in parts e.g. by the Queen’s Quay Design Codes. It should no longer be considered Planning Guidance in decision-making, but remains a useful reference document.
- Commuted Payments for Parking (2015) – still relevant
- Dumbarton Waterfront Path Planning Guidance (2017) – an updated version of this Guidance will be brought to the Committee at a later date, with the 2017 version remaining in use until then.
- Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (2011) – still relevant
- Pay Day Lending & Betting Shops (2016) – still relevant
- Queens Quay Design Codes (2020) - still relevant

**4.11** The Clydebank Town Centre Development Framework is proposed as Planning Guidance through a separate report to this Committee.

Draft Green Network and Green Infrastructure Supplementary Guidance  
Draft Creating Places Supplementary Guidance

**4.12** Draft Supplementary Guidance on the Green Network and Green Infrastructure and on Creating Places are attached for approval at Appendix 1

& 2 respectively. This is Supplementary Guidance associated with LDP2, and on adoption will become part of the Local Development Plan.

- 4.13** The Green Network/Green Infrastructure Guidance sets out the policy principles and requirements for green infrastructure to be delivered within or associated with new development, and how this will link into West Dunbartonshire's green network. The guidance provides a toolkit for developers, planners and other stakeholders to ensure high quality green infrastructure and open space is designed into new developments, as part of a sustainable approach to making places. The guidance also details when and how developer contributions towards greenspace enhancements will be collected and monitored, and how these funds will be used to deliver greenspace projects.
- 4.14** The Creating Places guidance supports the Creating Places Policies of LDP2. It details the process for successful placemaking including the support that the Council will provide through its Pre-Application Service and Place & Design Panel. The guidance uses examples to highlight how a well-considered design led approach can contribute to successful and sustainable places. Using examples, many of which are from developments in West Dunbartonshire, the guidance supports innovative and creative design without being prescriptive about architectural styles and details.
- 4.15** The guidance documents will be published for a minimum 6-week consultation period, the outcome of which, and any subsequent proposed changes to the guidance, will be reported to Committee.

#### Development Plan Scheme and Participation Statement

- 4.16** The Council is required to prepare a Development Plan Scheme and Participation Statement on an annual basis. The Development Plan Scheme sets out the planning authority's programme for preparing and reviewing development plans and the Participation Statement sets out when, how and with whom consultation on preparing the local development plan will take place.
- 4.17** The Council's Development Plan Scheme and Participation Statement for 2021 is attached at Appendix 3 for approval. Its publication has been delayed owing to uncertainty over the development plan process, including a delay in the publication of regulations and guidance regarding the new development planning system, and staff changes. The updated status of Planning Guidance set out in this report is reflected in the document. Owing to the advanced stage of LDP2, there is limited participation still to happen, just notification to interested parties when the Plan is adopted. The Development Plan Scheme does not set out a timetable and participation approach for the next Local Development Plan (LDP3) as the final Regulations and Guidance for preparing the next Plan are awaited. A timetable for LDP3 will feature in the 2022 Development Plan Scheme and Participation Statement, which will be brought to Committee for approval later in the year.

## **5. People Implications**

**5.1** There are no people implications associated with this report.

## **6. Financial & Procurement Implications**

**6.1** The draft Green Network and Green Infrastructure Supplementary Guidance sets out the circumstances in which the Council will seek developer contributions from new developments to green network/infrastructure enhancements. An annual report will be prepared for Committee detailing contributions received and how these have been used.

## **7. Risk Analysis**

**7.1** Maintaining an up-to-date development plan and planning guidance will help the Council to achieve the right type of development in the right place.

## **8. Equalities Impact Assessment**

**8.1** Assessments have been prepared for the draft Supplementary Guidance referred to in paragraph 4.12 and are included in Appendices 1 and 2.

**8.2** The Creating Places Supplementary Guidance has a wide range of potential positive impacts both in the consultation phase, as an opportunity for community empowerment and engaging with under-represented groups, as well as in its implementation, in terms of the eventual final shape of places; no groups with the protected characteristics are disadvantaged by these impacts. No negative impacts are identified.

**8.3** The policy has a wide range of potential positive impacts both in the consultation phase as an opportunity for community empowerment and engaging with under-represented groups, and in the delivery and design of greenspaces, playparks, and green networks/infrastructure which enhance connections between places; no groups with the protected characteristics are disadvantaged by these impacts. No negative impacts are identified.

## **9. Environmental Sustainability**

**9.1** The Council's recent planning documents reflect the direction of travel towards net-zero, and provision and enhancement of the green network and biodiversity.

## **10. Consultation**

**10.1** The consultation status of the documents referred to in this report is as follows:

- The draft National Planning Framework document has been published for consultation by the Scottish Government and the Council response will be brought to March meeting of the Planning Committee.

- Clydeplan, the current Local Development Plan (LDP2) and current Planning Guidance has been through consultation processes where required.
- The two new draft Supplementary Guidance documents referred to in paragraph 4.12 will be published for a minimum 6 week consultation period.

## 11. Strategic Assessment

11.1 The Council's land use planning documents will support Council's strategic priorities of:

- A strong local economy and improved job opportunities.

**Chief Officer:** Peter Hessel  
**Service Area:** Regulatory & Regeneration  
**Date:** 16<sup>th</sup> February 2022

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**Appendices:** Appendix 1 – Draft Supplementary Guidance on Green Network and Green Infrastructure  
 Appendix 2 - Draft Supplementary Guidance on Creating Places  
 Appendix 3 – Development Plan Scheme and Participation Statement 2021

**Background Papers:** None

**Wards Affected:** All



**Appendix 2**

**Local Development Plan 2**

**Draft Creating Places**

**Supplementary Guidance**

**Planning Committee**

**16 February 2022**



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## Introduction

“Creating places is about giving our communities an identity and making West Dunbartonshire a place where people want to visit and live. It is about integrating and thinking about how houses, communities, open spaces, schools, other community facilities, town centres, industrial areas and the countryside come together to create places that people are proud to call their home.”

*West Dunbartonshire  
Local Development Plan 2*

## Vision

### A Proud Past

The Clyde and the Leven have shaped the landscape of West Dunbartonshire and have been the setting for the area’s earliest settlement and industrial growth. West Dunbartonshire is characterised by towns and villages nestled between these rivers and the Kilpatrick Hills, or the Muirs, to the west of the Leven Valley. While each of the area’s towns and villages has its own unique character and history, this shared geography and landscape ties them together. The waterfront outlook; great access to recreation in the rugged moorland Kilpatrick Hills; and location, between Glasgow and the Loch Lomond and Trossachs National Park provide unique assets to be enjoyed by residents of West Dunbartonshire.

This riverside setting has contributed to some of the key historical developments in West Dunbartonshire, of which evidence can still be seen in the landscape. Old Kilpatrick, was once a staging point on the Antonine Wall, a Frontier of the Roman Empire.

Part of the wall can still be seen at Goldenhill Park, Clydebank where the outline of a Roman Fort is visible. The strategic location of Dumbarton Castle, allowed it to be the seat of the Kingdom of Strathclyde, as part of 1500 years of history of fortification at Dumbarton Rock. While the Castle continues to be a heritage asset and visitor attraction, the Rock itself continues to attract each generation’s best rock climbers to its challenging walls. The Forth and Clyde Canal, which starts at Bowling Basin, tracked a parallel course to the Antonine Wall, linking the River Clyde inland to Clydebank, Glasgow, Edinburgh and the Forth. This former working waterway has taken on a new lease of life since it was revived as a millennium project, and now serves as a leisure boating resource, alongside a key active travel route and part of the National Cycle Network. These monuments and archaeological legacies are part of the rich tapestry of development in West Dunbartonshire which is of national and even international interest and marked it as a place of significance, even before the

manufacture of prestige liners and battleships put Clydebank's shipbuilding on the global stage.

Singer Sewing Machines, John Brown's, Denny and Turkey Red Dye are a few of the industries which helped to drive the growth of Dumbarton, Clydebank and the towns in the Vale of Leven. These towns all now benefit from a mixture of housing, from historical conservation areas to contemporary developments coming together in strong communities. The lasting legacy of this industry can also be seen in the range of opportunities which exist for new industrial, business and housing development. These opportunities include key waterfront sites: Queens Quay, Clydebank; the former Oil Refinery at Carless, Old Kilpatrick; and Esso, Bowling. Although the area has experienced changing fortunes since the economy has shifted its focus away from the heavy industries which grew up along the Clyde, the North Clyde Riverside is still a key investment location for international businesses such as

Chivas and Agrekko, as well as, a wealth of enterprises of all scales.

## **A Promising Future**

This guide seeks to ensure that new development recognises and responds to West Dunbartonshire's unique location, making the most of the waterfront and connecting into the outstanding green network opportunities provided by its setting.

Our ambition is to build on West Dunbartonshire's unique history and heritage, providing high quality development and thriving places for the people of West Dunbartonshire. Development of Dumbarton Harbour, Exxon and Carless sites and the Queens Quay site in Clydebank, are critical for bringing formerly vacant sites back into use. These and other sites provide opportunities to bring the rivers back into the hearts of the communities, through high quality development which provides health, wellbeing and environmental benefits which stretch beyond the site boundary into the wider community.

## Status of this guidance

The Council recognises that the creation of high quality places is strategically important to bring people into the area and make it an attractive place to live, invest and visit. This is a key ambition of the West Dunbartonshire Local Development Plan (LDP2) and supports the delivery of the Council's Local Outcome Improvement Plan; the Plan for Place 2017-2027, and the priorities set out in the Council's Strategic Plan 2017-2022.

It is intended that this guidance will be adopted as statutory supplementary guidance, forming part of Local Development Plan 2. It provides further detail about how to meet the requirements of the Creating Places policies of Local Development Plan 2.

## Using this Guidance

This guidance does not set out prescriptive standards for design but uses examples to highlight how a well-considered design led approach can contribute to successful and sustainable places.

The guidance supports innovative and creative design, by not being prescriptive about architectural styles and details. However a design led approach based on a thorough appraisal of the site and an analysis of its context is a prerequisite for a high quality development and is expected for all development proposals.

The examples, many of which are from developments in West Dunbartonshire, show where a design approach has worked well for a particular site, rather than illustrating a feature which should be repeated.

Following this introductory section, the document is split into the following sections:

## Successful Placemaking Process

This section details the process for successful placemaking including the support that the Council will provide through its pre-application service as well as providing guidance on Local Development Plan 2 Policy CP3: Masterplanning and Development Briefs and Policy CP4: Place & Design Panel

## Design Considerations

This sets out and illustrates successful approaches to key considerations for each heading of the Local Development Plan 2 Policy CP1: Creating Place and Policy CP2: Green Infrastructure.

This section also provides design guidance in relation to other policies and sections of LDP2 showing how the criteria under Policies CP1 and CP2 relate specific types of development, such as waterfront or town centre development.

## Policy Context

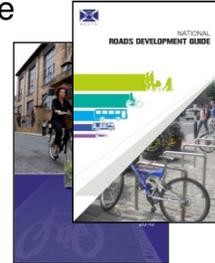
### National Policy

The Scottish Government places a strong emphasis on placemaking and a design-led approach within the planning system. This approach is set out within the Place Principle<sup>1</sup> and embedded within Scottish Planning Policy and the emerging National Planning Framework 4 as well as other key Scottish Government policy documents Designing Streets and Creating Places. This guidance sets out how development in West Dunbartonshire can meet the requirements of Scottish Planning Policy and the emerging National Planning Framework 4 in order to create successful and sustainable places.



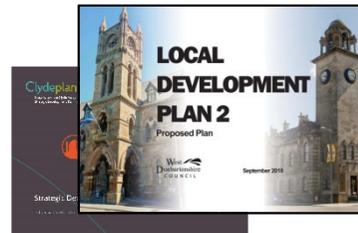
### National Guidance

This document provides local guidance in relation to the National Roads Development Guide and Cycling by Design. A well designed movement network which puts the needs of pedestrians at the top of the street design hierarchy is a key aspect of Designing Streets supported by these documents and this guidance.



### Development Plan

West Dunbartonshire's development plan consists of the Clydeplan Strategic Development Plan and the Local Development Plan 2 (LDP2) in addition to supplementary guidance, although this will change with the implementation of the provisions of the Planning (Scotland) Act 2019.



This guidance supports the Creating Places policies of LDP2:

- Policy CP1: Creating Places
- Policy CP2: Green Infrastructure
- Policy CP3: Masterplanning and Development Briefs
- Policy CP4: Place and Design Panel

Policy CP2: Green Infrastructure is also supported by the Green Network and Green Infrastructure Supplementary Guidance, which is closely linked to this document. These two guides should be read in conjunction with each other for all development.

<sup>1</sup> <https://www.gov.scot/publications/place-principle-introduction/>

## Successful Placemaking Process

Placemaking is a creative, and iterative process which uses a design led approach and collaborative refinement of proposals to create successful and sustainable places.

“Research shows that the way places function, look and feel can influence our health and wellbeing.....Improving the quality of places and the opportunities we have access to can help to tackle inequalities.”<sup>2</sup>

In West Dunbartonshire we encourage a design led and green infrastructure first approach to placemaking which builds on our existing assets to achieve outstanding development which can be enjoyed by our communities.

## Design Team

In order to achieve high quality design outcome, we encourage the use of an architect and landscape architect on all but the smallest applications. Smaller scale developments should have an architect as a minimum, while larger proposals may involve a range of different specialisms to bring expertise in landscape, urban and/or street design. Specific site constraints may require specialists such as ecologists to be involved. Proposals for listed buildings and conservation areas should be brought forward with the help of suitably qualified professionals with an expertise in the Historic Environment.

The Council cannot recommend particular practices or companies, but in order to assist you in identifying suitably qualified professionals links are provided at the rear of this document to relevant chartered institutes, which have registers of those which meet their standard of qualification.

## Collaboration

Meaningful engagement is essential for ensuring that a proposal contributes to the creation of successful and sustainable places. This includes early engagement with the Council, who will provide advice and guidance to inform the design development, including through the Place and Design Panel if appropriate. Through its pre-application advice service the Council can provide guidance on known site opportunities and constraints, as well as advice on who the key stakeholders will be for the proposal and how to approach engagement.

Meaningful engagement with the community, including children and young people, is also a key part of getting the best possible outcome. The community will have local knowledge which goes beyond what can be seen on site. A Local Place Plan or other spatial guidance may capture some of this; if local spatial guidance is not available, community views should be sought as part of the appraisal

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<sup>2</sup> <https://placestandard.scot/place-standard.pdf>

process. The Place Standard is a useful tool for capturing community's views of their place and aspirations for its future.

Consultation should also be used to test options for a development proposal with the community. This should include widespread public and stakeholder engagement, as appropriate and advised through the Pre-Application process.

For medium and larger scale developments there will be an expectation that 3D visuals will be produced. It would be beneficial for them to be produced at an early stage to support engagement activity. Images showing the topography and adjacent buildings or the surrounding context may be required for some developments. This will enable a better understanding of how the proposals might look in real life.



*The Council produced a 3D Flythrough of the development proposals for the housing site at Aitkenbar, this helped officers and the public to visualise the design of the proposals.*

## Planning Applications

Early engagement with the Council's Pre-Application Service is strongly encouraged. For Major Applications it is expected that this will be before the submission of a Proposal of Application Notice. For all developments it is advised to engage with the Pre-Application Service to discuss early concepts for the site including potentially a range of different options, before key design decisions are taken.

The Pre-Application Service will set out the level of information that is likely to be required in order to support the planning application. This could include specific studies or consultation requirements which it will be beneficial to be aware of in terms of project planning. This will be in proportion to the scale of the development and type of application. Failure to undertake necessary studies at an early stage can result in costly redesigns later.

The use of processing agreements is encouraged for major or complex local applications. The requirement for this as well as timing of attendance at the

Place and Design Panel will be clarified as part of the Pre-Application Service.

Development Management has a pre-application form which applicants are asked to complete so as to ensure that officers are provided sufficient information to be determine the level of pre-application service which will be required for the development. An initial site appraisal should also be provided to aid in identifying the requirements.

All enquiries relating to new development proposals should be directed to Development Management in the first instance. Where required, the case officer will consult other Council services, such as Roads or Environmental Health.

Where a proposal is likely to require Roads Construction Consent, the Pre-Application Service will include facilitating the early involvement of the Roads Service so that the teams can work closely together to ensure that that proposals meet the requirements of both services.

The Pre-Application Service will advise of requirements for Listed Building Consent or Conservation Area Consent and where appropriate will seek input from Historic Environment Scotland.



*At the former Council Offices at Garshake Road, Dumbarton a design brief highlighted the local significance of the mature trees on site, the developer therefore was required to undertake a tree survey so that a solution could be prepared which made the best use of these existing assets. This resulted in a proposal which protects the local character.*

### **Policy CP3 Masterplanning and Development Briefs**

This policy sets out the requirement for the preparation of masterplans or development briefs for the sites within the Delivering Our Places section of the Local Development Plan 2 as well as other major or complex applications such as those within sensitive locations or which are likely to have significant environmental impact.

The sites identified within Schedule 1 of Local Development Plan 2, for which there are existing or proposed masterplans or development frameworks, are supported by this policy. Where appropriate, this spatial guidance, or any subsequent revisions which emerge in the lifetime of the plan, will be taken forward as Supplementary Guidance. All other spatial guidance will be taken forward as non-statutory planning guidance.

Development proposals within conservation areas should make reference to the relevant Conservation Area Appraisal and Management Plan where one is available. This will help gain an understanding of the special

character of the place which proposals should respond to.

Site specific guidance for sites within the Delivering Our Places section of the Local Development Plan 2 should accord with the associated development strategy; they will however be more detailed, visual and form based than the Development Strategy. Development proposals should accord with the principles set out in the approved site specific guidance.

Proposals which are brought forward prior to the adoption of the required site specific guidance will only be supported where the required guidance is prepared as part of the planning application and accords with the principles set out in Local Development Plan 2.

Any such guidance should be for the entire Delivering Our Place site as identified within the Local Development Plan 2 so as to avoid piecemeal development of these key regeneration sites.

Applicants will be directed to the most up to date spatial guidance through the Pre-Application Advice Service.

### **Policy CP4 Place and Design Panel**

The Place and Design Panel<sup>3</sup> is a valuable resource available to applicants for major and locally significant developments. Through the Place and Design Panel, the Council will seek the expertise of relevant professionals to assist with reviewing proposals. This is intended to support applicants' design team and should not be seen as a substitute for appointing suitably qualified professionals.

Policy CP4 embeds the work of the panel within the statutory planning process so as to ensure that new development contributes to outstanding places and design in West Dunbartonshire.

Proposals which have been to the panel should show how recommendations of the design panel have been considered within Design Statements. This should include providing justification for recommendations within the panel

report which have not been taken forward.

The advice provided by panellists may not always reflect Local Development Plan 2 policies or other Council guidance and strategies. The Development Management Team will endeavour to clarify this context prior to panel sessions; and panel reports will note where panel recommendations do not fit with other policies.

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<sup>3</sup> [Place and Design Panel Terms of Reference can be found here](#)

## Design Considerations

### *Character and Identity*

West Dunbartonshire, its towns and villages have distinctive identities, which new development should contribute positively towards. In order to do so, design proposals must be based on an understanding of the physical and environmental characteristics of the site, as well as, its surrounding area.

A thorough appraisal of the site and its surroundings must be undertaken in order to build up this understanding. The appraisal should consider the established patterns of development, natural features, physical constraints and the historic environment. Evidence of the appraisal should be provided within Design and Access Statements.

Consideration should be given to the setting of the site, its character and the connections that can be made to it and through it which link it to its surrounding area.

### Setting

Existing landforms and natural features should be retained where they enhance the existing character and appearance of the area.

Established patterns of development should be respected. This will provide continuity and diversity within the urban structure, allowing the development to fit in while having its own identity as a place.

The size, scale, form and siting of buildings should respond appropriately to the topography of the site and area, as well as, the form of buildings which are nearby. Building lines, set-backs and boundary treatments all contribute to an area's character; where there is a strong established development form proposals should respond to this appropriately.

The Clyde, Leven and Forth and Clyde Canal have a special place in the history and culture of West Dunbartonshire. Development near to and adjacent to these assets should acknowledge this and address the water. This means retaining,

connecting to, or constructing, paths along the waterfront as well as orientating buildings so that they overlook and present active frontages to the waterfront and its adjoining paths. The view of the development from the water, and any waterfront pathways should also be carefully considered. Gable arrangements and frontages will provide variety and visual interest.

Sites at the edge of the urban area can have challenges of topography or drainage. A landscape led, green infrastructure first, approach to these challenges can make the most of existing environmental assets. Sites which were formerly in the greenbelt will be expected to create a strong and reinforced greenbelt edge as part of the landscape scheme. The key challenge for these sites is giving the development a unique character which fits within the surrounding context. Production of a landscape strategy at an early stage of the design development will be valuable where the site was previously undeveloped or had naturalised.

Development of gap sites or redevelopment of buildings, especially need to respond sensitively to their surroundings while ensuring amenity for residents. Where there is strong continuity of character this will include respecting building lines; plot shapes and sizes; building and ridge heights; and providing continuity in boundary treatments.

An increase in height, or coming forward of an established building line is only likely to be appropriate when the intention is to create a landmark feature, for example at a corner site. More variation may be appropriate if the area already has variation in the development pattern. The use of similar materials can help an infill development fit into its setting, as can responding to architectural features such as horizontal emphasis in window openings.

The specific needs of industrial development uses will be a key driver for the design of proposals, consideration of the wider impacts of the proposal can lead to higher quality design.



*The Malin Group is in the process of developing a large fabrication workshop at Carless, Old Kilpatrick. The nature of the processes to take place mean that the unit is very large in scale and highly visible from surrounding area. For this reason an iconic design approach was taken to give the building a landmark quality when viewed from afar.*

## Character

Landmark buildings and structures, vistas and gateways, help to define areas which are distinctive. Creating, protecting, and enhancing these features will add to the character of the area.

The colour, texture, pattern and appearance of materials, as well as, architectural styles and details can enhance the character and amenity of the area. Where appropriate materials and architectural styles should reflect the historic character of the site or create a distinctive sense of place.

Historic buildings, structures and routes which positively contribute to the local identity should be integrated into development proposals or restored where feasible. Development of historic buildings or areas with a strong historic character must be approached with sensitivity. Historic elements, such as railings and walls as well as trees and hedges must be preserved where these contribute positively to the character of the area. This approach is also supported in historic areas which are not designated conservation areas.



*The Creveul Court social housing in Alexandria town centre, responds to this setting by recreating the original street pattern and reflecting the scale of surrounding buildings. This creates a continuity in the urban form which helps the new development to fit into its surroundings.*

## Connections

Where there are established streets, paths and desire lines; or connections between green spaces through the site development proposals should retain, connect to and reflect the character of these adjoining connections.

Views into, out of, and across a site can help to visually connect the development into its surroundings. Consideration should be given to how views can be protected, enhanced or created.

Lighting schemes, signage and public art can aid orientation, as well as, contributing to a place's distinctive identity.

The visual connection through the site, for example towards a waterfront, can be just as important as the physical connections through the development. Particularly at waterfront sites, some sightlines of the water should be preserved.



*The Council offices at 16 Church Street, Dumbarton restored and retained the historic college building's facade, preserving an important landmark for the town. The use of sensitive materials such rustic blonde, multi brick and hosepipe pointed mortar complement the Kenmure sandstone and lime mortar of the retained façade enabling the modern energy efficient extension to enhance the historic character of the town centre.*

*Maintaining this landmark building which is highly visible around the town helps to ensure that visual connections to the wider area are preserved.*

## **Street Design**

Successful places have streets which are designed to meet the needs of all users and consider their function as part of the public realm; rather than having roads which are only designed for the efficient and safe movement of vehicular traffic.

This is a key requirement of Designing Streets which places the needs of pedestrians and cyclists at the top of the street design hierarchy to encourage these more sustainable modes of travel.

Consideration of the role of streets as places for people will help to ensure that new streets in West Dunbartonshire are safe, comfortable and attractive for all users, as well as, creating an accessible, inclusive and walkable network of streets and paths in line with the requirements of Designing Streets.

## **Pedestrians**

The structure of streets should enable safe, direct, inclusive and attractive pedestrian access to existing routes, places of work, amenities and public transport connections. A permeable network of streets and paths are preferred to cul-de-sac arrangements because they are more walkable.

Footways should be wide enough to accommodate pedestrians of all abilities and street furniture, as well as, outdoor activity associated with adjacent uses such as outdoor displays or seating areas. Where street furniture is proposed, accessibility for people with wheelchairs or strollers should be considered and unnecessary clutter avoided.

All pedestrian routes should be overlooked to increase passive surveillance. Accommodating pedestrians within the street instead of segregated routes further adds to the eyes on the street which provide a safety benefit for all users.

Connections to public transport must be considered from the outset and

walking and wheeling routes to public transport links should be direct, safe and attractive.



*By creating a pedestrian priority area which is overlooked by windows and entrances this development in Eaglesham, East Renfrewshire has created a space which is safe for play rather than being car dominated. The inclusion of porous paving and street trees highlights that this area is not just for cars.*

## Cyclists

Development should support the provision of cycling infrastructure for all levels of cycling ability, including both leisure and functional trips. Cycling routes should be safe, direct, continuous, comfortable and attractive. Developers are required to follow the guidance set out in Cycling by Design<sup>4</sup>.

Connections into, and creation of, a cycling network should be considered for all sites; with those sites adjacent to existing cycle paths being required to provide direct connections to them.

Where a street requires to be designed to have greater carriageway width for public transport; a higher design speed; or for heavy goods vehicles in industrial and business locations, then measures such as segregated footways and cycleways will be required.

Secure cycle storage must be provided for all development. For flatted development, this should be on the

ground floor, sheltered and providing space for at least one bicycle per flat.



*This new cycle link at Centre 81, Clydebank improves access to the National Cycle Network along the Canal towpath. Improving connections to this key asset should be considered for all development proposals which are near to it. This new connection uses high quality materials and public art highlight the status of this key route.*

## Vehicles

Access for service vehicles should be considered early in the design process so that these needs can be accommodated without undermining the quality of the place.

The character of a streets should reflect their importance and intended use; forming a hierarchy of streets. The design speed of new residential streets should not be more than 20mph.

Streets should be designed to naturally limit speed without the need for speed bumps or other traffic calming measures which adversely impact on the quality of the place. Narrowed carriageways, limiting forward visibility; constrained corner radii and material texture or colour are preferred methods for reducing the design speed of streets.

Pedestrian priority streets may be acceptable in areas where there will be low traffic speed and volumes. Pedestrians of all abilities must be

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<sup>4</sup> [Cycling By Design, Transport Scotland, 2021](#)

considered and consulted when designing pedestrian priority streets.

Pedestrians who are visually impaired can be disadvantaged by poorly designed pedestrian priority areas. Design features such as retaining some kerb definition or segregating cycle routes at below footway level can help visually impaired users can navigate pedestrian priority areas. Where a path is likely to be used by a lot of cyclists, demarcation of the route with different materials and a change of level can help to limit conflict and make the area more navigable for the visually impaired.



*This development in Coswig, Germany has a wide shared path for pedestrians and cyclists at its heart. Access and parking for vehicles is pushed to the perimeter of the development to help create a comfortable pedestrian environment. Pedestrians and cyclists can share this route due to it being sufficiently wide.*

## Parking

A variety of parking arrangements should be included as part of a design led approach to emphasise the hierarchy of streets and add to legibility of the place. This should include disabled spaces in the most accessible locations; electric vehicle charging and cycle parking facilities.

The need for parking should be considered as part of a wider travel plan for the development.

Parking requirements should mainly be met within a well-designed streetscape or between gables. Front garden parking will not generally be supported and will only be accepted as a small element of a variety of different parking arrangements.

A reduction of the Council's parking standard will be encouraged for sites which are in accessible or town centre locations and close to public transport hubs.

## Materials

A range of materials and treatments for streets and pedestrian routes should be used to highlight user priority, calm traffic and manage surface water run-off. All materials should be of a quality that is resilient to maintain their appearance and reduce long-term maintenance costs over time. Special consideration should be given to ensuring that materials are sufficiently robust in areas which will be highly trafficked or regularly accessed by heavier vehicles.

Street design should incorporate elements to facilitate sustainable surface water drainage, such as green infrastructure, permeable paving and innovative swales.

Services should be accommodated within the design of the street without having undue influence on other aspects of the design, such as the location of greenspaces, width of pavements, or location of street trees. Ducting of utilities and maintaining services together will be encouraged particularly where high-quality materials are proposed.



*Great Kneighton, Cambridge, by Proctor & Matthews, uses a mixture of parking courts, undercroft and on street parking to ensure parking needs are met while creating a safe and pleasant environment for pedestrians.*

*Changes in materials are used to highlight pedestrian, shared and trafficked areas of the streetscape creating variety and interest.*

## **Green Infrastructure**

The green network is a highly valued asset in West Dunbartonshire. New development is expected to contribute positively to this, by taking a green infrastructure first approach to development, preferring green infrastructure solutions for the delivery of on-site water management; biodiversity; access networks and open space.

Each of these functions is required to be protected and enhanced by Policies CP1 and CP2 of LDP2, as well as, the Green Network and Green Infrastructure Guidance.

This guidance shows how an Integrating Green Infrastructure approach can deliver a “fit for purpose” green network and highlights how layering these functions together can contribute to a high quality multifunctional green network, with multiple benefits for health, wellbeing, wildlife, as well as, climate change mitigation and adaptation.

## **Water Management**

The Integrating Green Infrastructure first approach should start by considering the ‘water journey’ through a development site.

A surface water management plan should be based on naturalised SUDS features, which provide a framework for the layout of the development.

Surface water run-off must be routed through SUDS before it is drained into the water environment.

Adequate space to accommodate SUDS must be included within site layouts, especially when considering applications for planning permission in principle. SUDS systems should be multi-functional, creating a positive and distinctive landscape setting and maximise the site’s biodiversity value.

The design of SUDS should respond sensitively to site topography and landscape character. SUDS ponds with an edge gradient of 1:6 or 1:8 will have greater accessibility and multi-functionality and are encouraged.

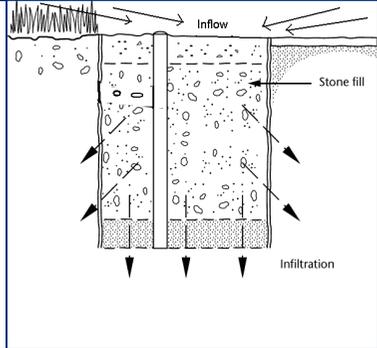
Underground retention tanks should only be used where management of water at surface level, has been demonstrated to not be viable.

The green infrastructure first approach should also be applied to industrial development. Drainage solutions which manage rain water at surface level are encouraged; especially green solutions, such as planting or green roofs.



*The Athletes Village in Glasgow included a strong green infrastructure framework from the outset. Swales are integrated into the streetscape to manage rainfall at surface. These green elements are designed to be safe and accessible meaning they did not require to be fenced off.*

Examples of different SUDS solutions.

<p><b>Rain Gardens</b> Shallow depressions planted with species able to tolerate short periods of inundation in free-draining soil. Slows rainfall run-off received from a downpipe or hard surface and offers some filtration.</p>		<p><b>Filter strips</b> Vegetated, usually grassy, areas of broad, flat and gently sloping land over 1m wide which intercept rainfall run-off from a site as overland sheet flow. Can be planted with native plants to create useable open space including wildflower meadows</p>	
<p><b>Permeable (or porous) surfaces</b> Including block pavers and some forms of concrete which allow water to drain through vertical holes or gaps between individual units. Allows run-off to percolate naturally into the ground or a collection chamber, reducing run-off from hard surfaces.</p>		<p><b>Bio-retention areas</b> Landscaped shallow depression specifically to capture and remediate polluted run-off from roads and car parks. Reduces run-off at localised flooding. Can be formally landscaped with shrubs and herbaceous plants.</p>	
<p><b>Swales</b> Linear, shallow channels that specifically transport water, for example from one SUDS feature to another. Slows down run-off and allows natural infiltration into the soil.</p>		<p><b>Detention basins</b> Vegetated basins which temporarily hold water allowing gradual infiltration into the soil and removal of pollutants. Potentially high ecological value.</p>	
<p><b>Ponds</b> Permanent water bodies which can add significant value in terms of amenity and biodiversity. Over-engineered and fenced-off ponds should be avoided to ensure SUDS ponds are integrated into the landscape.</p>		<p>Further detail on SUDS is provided in best practice guidelines issued by SEPA and CIRIA.</p>	

## Habitat Enhancement

Landscape design should be consistent with the wider landscape character, for example, continuation of a nearby woodland or formation of semi-natural grassland on rural fringes.

The site existing site conditions, for example, type of soil, topography and drainage, will help determine what works best for a site.

Naturalised SUDS are encouraged and should be designed to create opportunities to enhance and expand wetland and create other habitats for biodiversity.

Existing habitats should be retained and enhanced by providing links to wider greenspaces or riparian corridors to address habitat fragmentation.

Specimen tree planting is encouraged in key locations such as entry points, along major paths or in public spaces.

Planting should mostly be appropriate native species with any non-native species selected to provide food and shelter for wildlife.

Planting design should consider how to maintain seasonal interest and be linked with SUDS features.

There should be a balance between habitat protection and access. Some sites may need low impact design solutions, e.g. boardwalks in wetlands.

Interpretation boards can be used to promote responsible access and provide on-site education opportunities. Some routes may need to be designed to avoid disturbance to sensitive areas



*This development in Jordanhill, Glasgow retains and enhances woodland setting of the former college campus to create a unique environment for new build housing. This interpretation board highlights the importance of retaining biodiversity by identifying this sycamore as the oldest tree on the campus having survived more than 150 years. In the background the play area features wooden equipment to better suit the area's woodland character.*

## Access Networks

Paths should try to reflect desire lines and minimise road crossings where possible.

Development proposals may require to enhance existing path connections or form new connections to improve accessibility to the wider green network.

Path connections should be to destination points such as schools, shops and transport hubs with cycle parking at these location or for access to leisure or woodland;

The banks and margins of watercourses and canals often provide effective and attractive access routes for walkers and cyclists. Naturalised SUDS provide a similar feature and a potential location for active travel routes separate from the road network;

Paths should be compliant with Equalities Act 2010 and of a construction standard and width appropriate to the level of use. They should be designed to withstand water run-off or incorporate SUDS to improve

drainage. Main routes should be to an adoptable standard, however, self-binding materials may be appropriate for minor or secondary routes.

Paths should generally have wide verges with no fast growing plants which could reduce sight lines or create hiding places. Entrances should be wide and avoid use of steps or steep gradients.

Unnecessary barriers on paths are discouraged as they can limit accessibility for all users.

Typically on the edge of settlements these suburban housing should make the most of strong green network connections, trees on site and opportunities to connect to the wider countryside.



*The recently completed Council housing development at the former Haldane School focussed on ensuring good access to the neighbouring park via a woodland walkway.*

## Open Space

Open space requirements within developments should be coalesced into larger multifunctional spaces unless the specifics of the site dictate otherwise.

Distinctive landscape features or local habitats should be retained and enhanced to help form locally distinctive spaces.

Allotments and growing grounds can provide a recreational benefit for a wide range of age groups if included within the open space provision.

Open spaces should have clearly defined public/private boundaries and features to prevent unauthorised vehicle access.

Amenity open space around buildings should be appropriate to the scale of the building. This should avoid creating large areas of unusable open space, whilst still providing the necessary defensible space to ground floor uses.

A sense of ownership can be created through design, use of quality materials

and community involvement at an early stage.

Open spaces should have good natural surveillance with properties overlooking. The arrangement of corners, fencing or landscaping should be considered so to not create blind spots. Open spaces should be well-lit, e.g. using downlighters, at key areas such as entrances.

Children's play areas and kick-about spaces should be in a central or accessible location and not positioned to the rear of dwellings.

Children's play areas and/or multi-use games areas must comply with the British and European Standard for playground equipment and surfacing, namely BS EN 1176.

Children's play areas should include a number of pieces of equipment appropriate to their scale and the area which they serve. Major applications and/or developments in an area where there are no play areas within 400m, will require to have at least 6 pieces of equipment.

All play areas must include appropriate accessible play equipment, so that they can be enjoyed by users of all abilities. Consideration should be given to ensuring that there is equipment for all age groups including children aged 11 and older.

Play areas should incorporate a variety of innovative play equipment. Innovative approaches such as play along the way, where equipment is spread across the site or natural play equipment, will be supported where it is incorporated into the multifunctional green network and provides accessible equipment.

Detailing, such as fencing, surfacing, seating, bins and signage should reflect characteristics and materials of the local area;

Multi-use games areas (MUGAs) should be separated from footpaths to limit impacts on passers-by; planting and trees can create a visual and noise buffer between these uses. Facilities and fittings should be suitable for their intended use; be robust and consider their future maintenance.

## ***Layout and Form***

The relationship between buildings, streets and spaces has a significant impact on whether a place will feel welcoming and comfortable for all users. The layout and form of these should protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.

## **Urban Structure**

Development should form part of the wider network of streets and spaces, reflecting the character of the place in which it will be built and responding to this character to create its own identity.

Buildings should positively define and enclose streets and open spaces by fronting onto them with windows and entrances/doors facing towards them; this will provide active frontages and passive surveillance.

Building lines and setbacks should emphasise the spaces that the buildings address and reflect the character of their location. Strong existing building lines and setbacks should be reflected and reinforced.

Designing buildings so that they are forward of the building line may be appropriate at junctions where it can add to the legibility of the place.



*Kippen Dairy, Alexandria follows the existing building line, but then steps back to denote a large area of open space adjacent to Main Street and the Smollet Fountain.*

### **Streets, Blocks & Plots**

The size and shape of development plots should not limit opportunities for future changes in use, development form and extensions over time.

Where larger plots are required for commercial, industrial and civic buildings, rear elevations and servicing should not be orientated towards the street and pedestrian connections through the site should be maintained.

The proportion of the plot that is developed should ensure the all residences have access to usable private or shared amenity space for leisure or drying. This should be in addition to space which is given over to parking, cycle storage, bin stores or other servicing requirements.

Where communal gardens cannot be provided for a flatted development, balconies and/or a roof garden may provide useable outdoor space for residents.

The relationship between public frontage and private space to the rear

should be consistent and will generally result in a perimeter block.

Private spaces should be clearly delineated and defensible with appropriate boundary treatments.

### **Density & Mix**

Mixed use development is encouraged where it will enhance the vibrancy and walkability of the community. This means the inclusion of small ancillary and compatible uses such as shops, nurseries or leisure facilities within residential, industrial or business led developments will be supported where it can be demonstrated that they meet the terms of Policy SC5 Ancillary Retail Uses.

Larger developments will be expected to ensure land or units are available for future provision of neighbourhood services where these are not already available within a 10 minute walking distance.

The density of a development should ensure the efficient use of space while reflecting and responding its location and context. Higher density forms will be accepted in locations which are most accessible and which contribute to the legibility of the place, such as corners and main streets.

Large-scale development should have a range of densities, scale and

massing across the site to add vitality and character to the place. For residential development, a range of dwelling types and sizes should be included within the development to add visual interest and meet the needs for a range of different household groups; mixed tenure developments are also encouraged.

Higher density and urban development forms are required for all town centre and edge of centre sites. Proposals should consider the tenement form for main streets within town centres. Typically 3 to 4 storey tenements are characteristic, although consideration of the setting of the site will give an indication of what height is suitable. 3 storey townhouses may be appropriate for quieter streets and edge of centre locations.

Mixed use approach is particularly encouraged within town centres. Non-residential units should be delivered at the ground floor of developments, particularly on main streets or corners. Where other non-residential uses are proposed at ground floor, consideration should be given to how these uses

relate to the street, particularly orientating internal areas with high levels of activity towards the street.



*Locating outdoor seating and interesting window displays towards this open space adds vibrancy and visual interest to this public space in Meissen, Germany.*

## Height & Massing

The massing, spacing and orientation of buildings must respond to issues such as solar orientation and prevailing wind, in order to ensure resource efficiency and provide opportunities for renewable energy generation.

Overlooking, privacy and the ability for sunlight and daylight to reach habitable rooms and garden ground will be key considerations for both development height and building-to-building distances.

18m separation between directly facing windows of habitable rooms is a guideline for ensuring privacy for residences. This distance may require to be wider for taller buildings; allowing sunlight to reach amenity spaces between blocks. Where windows are not directly facing, some reduction of this may be appropriate. Where an innovative design or site constraints require less space between buildings, internal space arrangements or window profiles should be considered to ensure privacy.

North facing gardens; gardens which are at a lower level than neighbouring properties; or gardens with significant areas given to retaining walls, may require to be longer to provide useable space and sunlight, the 18m guideline may not provide sufficient space in such circumstances.

The space between gables has a strong influence on the character and amenity of a street. As a minimum this should allow homeowners to walk between the gable and boundary fence and in some instances may be greater depending on house size and character of the area.

A more generous space of at least 3m from gable to fence would allow future extension of the property or a driveway to be formed on one side. Driveways to the side are preferred for detached, semi-detached and end-terrace properties. Front garden parking is discouraged.

Higher buildings within a development can also be used to signify key locations within the site such as open

space or connections to local access networks.



*The gable at this corner building at Irvine Harbour, North Ayrshire creates a sense of height which signifies the edge of the development. It has a high level of visual interest, and fronts onto an area of public realm with public art to signify that this is a key location within the layout.*

## ***Buildings and Materials***

The form of individual buildings and materials used can have a significant impact on how people use a place as well as its long term economic and environmental sustainability.

The orientation of buildings and consideration of the activities that take place within them and around them help places to be attractive and welcoming.

Energy efficiency, robustness, climate, historical character and aesthetic considerations will all contribute to the decision about which materials are appropriate for a site. A design led approach to the materials will ensure that the development proposals fits into its setting and will continue to have a lasting positive impact for the community.

## **Buildings**

Main entrances should be identifiable and address the public realm. Where a building is located at a corner, the main entrance should reinforce the hierarchy of streets and provide emphasis at the corner.

Buildings at corners should be carefully designed to help people find their way around or to indicate that they may be entering a new place. Consideration should be given to how corner buildings relate to existing built forms; responding to the established building lines or heights.

Buildings which have community uses or amenities serving the surrounding area should be easily identifiable and recognisable as a focal point.

The relationship between the building and the street should reflect their respective functions; such as a café opening out onto a seating area or a house having a front garden.

The internal layout of a building should consider which rooms require more privacy or could be orientated towards

the public realm to create visual interest or passive surveillance.

All residences should be dual aspect. Although single aspects cannot be avoided in some cases, this will not be acceptable for residences with 3 bedrooms or more, or when the residence is north facing.

Where possible, buildings should be capable of being adapted in the future and be able to accommodate inclusive access and internal circulation.

Where mixed tenure housing is proposed it should not be possible to differentiate tenure due to architectural form or quality

## Materials

Materials and detailing should reflect the design approach of the building, as well as, creating exteriors and elevations which are visually interesting when viewed from a range of distances and assist in creating a sense of place.

High quality materials should be integral to the design of the building to create an outstanding building and place.

Ensure materials are of a high quality, durable and sustainable. Materials selected should be robust in nature as well as appropriate to the location and microclimate. Building detailing should design out maintenance issues and enable future replacement or repair.

The use of locally traditional materials such as sandstone and slate is encouraged; the recovery and reuse of these materials during demolitions is also supported particularly within historic settings.

Materials and detailing will be a particular consideration for waterfront

development. More robust materials and simple details will be required, so as to be resilient to the elements.

The coordination of materials, colours; architectural details and proportions can give a development a unique identity or assist with reflecting the surrounding character. Applicants are encouraged to submit a palette of materials at the application stage.

Pre-Application advice or local guidance may recommend the use of particular materials and finishes, such as brick finish, metal in certain locations. Pre-application advice will also advise when early clarification of materials is necessary for certain sites.

Development of demolished historic buildings, whether listed or otherwise, should reuse the traditional materials such as stone, brick and slate where possible.

Alterations to listed buildings must use materials which are in keeping with the listed building and not damage the historic structures.



*The Queens Quay Design Codes illustrate a range of materials which are suitable for use throughout the development. A palette of materials have been chosen which making reference to the historic use of the site and will be stand up to the elements at this waterfront location.*

### ***Sustainable Design***

It is recognised that all development in West Dunbartonshire will have to contribute to carbon reduction as part of the response to climate change. The design of new developments and the buildings within them can significantly reduce carbon emissions.

A fabric first approach which seeks to reduce the need for heating is encouraged. The Council is supportive of proposals which exceed the minimum building standards requirements and achieve Silver or Gold aspect of the building regulations. The use of carbon reducing technology such as microgeneration or connection to local district heating system, such as the Queens Quay Energy Centre is also encouraged.

### **Sustainable Construction**

Consider the sustainability of the development in the overall building design including the reuse of materials through the building process. The reuse of building materials or use of locally available materials will significantly reduce the carbon footprint associated with the development process.

The design of the building should aim to enhance energy efficiency through solar orientation; passive heating, cooling and ventilation; as well as, choice of materials and other such strategies to improve energy efficiency.

Following the Accredited Construction Details (Scotland) 2010, will assist with limiting thermal bridging and air infiltration as part of the fabric first approach.

Approaches to achieving net zero carbon buildings, such as Passivhaus or those which aim to be carbon neutral through clean energy generation are encouraged.

Consideration should be given to the inclusion of green infrastructure as a method of reducing carbon emissions, such as green roofs, green walls or accessible green decks within the built form.

The form of development has significant impacts on the energy efficiency of individual residences. Residences with shared walls, ie flats and terraces, are more efficient, and lose less heat directly, than detached houses. More sustainable forms of development are encouraged where these complement the character of the surrounding area.

Non-standard house types and innovative approaches to increasing the sustainability of housing developments is encouraged.

The microclimate can be an important consideration for sites which front onto waterfronts, particularly the Clyde.



*Goldsmith Street, Norwich is a development of ultra-low-energy homes which are estimated to reduce annual energy costs for residents by 70%.*

### **Low Carbon Technology**

Opportunities for small scale renewable energy to be incorporated within the building as part of the development or in the future should be considered. Designs which preclude the future addition of solar panels will not be acceptable.

It is anticipated that local heat networks will become an increasing part of the energy mix within West Dunbartonshire. Where one is already in place, which has capacity to support a development, properties should be connected to this utility. In all other areas, development should be heat network ready.

Further guidance on what types of renewable energy development are supported and criteria used in assessment of such applications will be detailed in the emerging Renewable Energy Supplementary Guidance.



*The Queens Quay Energy Centre. Clydebank supports an energy network for the whole Queens Quay site with network connections available for sites to the north of Glasgow Road. The iconic design of the building makes it landmark at the waterfront to complement the Titan Crane.*

## Accessibility

The Council is seeking to promote measures which ensure greater levels of accessibility across all tenures of housing in West Dunbartonshire. It is therefore suggested that a proportion of housing units across a development must be fully accessible or able to be converted to be fully accessible. A minimum of 10% of properties is recommended.

At least one level access should be provided to all houses; in general this should be the principal entrance.



*Through the Council's Affordable Housing Design Guidance, all grant funded residential development in West Dunbartonshire is required to provide 10% of units as fully accessible. The Crevuel Court development, in Alexandria achieves this by being designed to 'barrier free' in line with Housing for Varying Needs Guidance; this allows greater accessibility and flexibility for future adaptation.*

*The development also includes photovoltaic solar panels to improve the sustainability of the development and support fuel poverty reduction in West Dunbartonshire.*

## **Appendices**

### **Glossary**

**Accessibility** – The ease with which a building, place or facility can be reached by people, goods and services. This includes elderly and disabled people, those with young children and those encumbered with luggage or shopping.

**Active Travel** – travel that involves physical activity such as walking or cycling.

**Active Frontage** – The frontage or edge of a building or space that has windows and doors as opposed to blank walls, fences and garages.

**Adopt** – With regard to roads, to add to the Local Roads Authority's list of public roads.

**Allocated Parking Spaces** – Parking spaces or driveways which are for the exclusive use of the residents of the individual dwelling and their visitors.

**Architect** – Architect is a protected term and only those meeting the RIBA part 3 qualifications and registered with

the Architects Registration Board (ARB) are legally entitled to call themselves architects. A link to the ARB is provided below.

**Biodiversity** – The variability in living organisms and the ecological complexes of which they are part.

**Block** – The area bounded by a set of streets and undivided by any other significant streets.

**Built form** – Buildings and structures.

**Climate Change** – the long term shift in weather patterns such as precipitation and temperature.

**Carriageway** – That part of a road intended for use by vehicular traffic. Auxiliary traffic lanes, passing places lay-bys and bus bays are included.

**Conservation Area** – an area of specific architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

**Conservation Area Appraisal** – A published document defining the

special architectural or historic interest that warranted the Conservation Area being designated.

**Cycle Lane/Cycleway** – Part of the carriageway intended for use by cyclists only. Part of the road, but separate from the carriageway. Pedestrians and cyclists may share a cycleway or they may be segregated from each other.

**Daylight** – The volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between dawn and dusk.

**Delivering Our Places** – the areas of West Dunbartonshire, including key regeneration areas, which the Council wants or expects to change over the next 5-10 years.

**Design Statement** – accompanies a planning application to explain the design principles and concept of a proposed development.

**Desire lines** – The shortest, most direct route between facilities or places. Even when obstacles are in the

way, people will still try to follow the desire line.

**Development Brief** – sets out guidelines and requirements for the development of a site.

**Edge of Centre** – a location which is adjacent to or within easy walking distance of a Town Centre.

**Eyes on the street** – People whose presence in adjacent buildings or on the street make it feel safer.

**Footway** – A surface reserved for pedestrians; can include cyclists if a core path.

**Greenbelt** – a policy designation to direct development to the most appropriate locations and support regeneration, protect and enhance the character, landscape setting and identity of settlements and protect and provide access to open space.

**Green Infrastructure** – functional elements of a development such as open space, active travel routes, SuDS and habitat networks that contribute to the green network.

**Green Network** – connected areas of natural, semi natural and created greenspace, active travel and recreational routes, watercourses, woodland and other habitats that together form an integrated and multi-functional network.

**Habitat Network** – a set of separate areas of habitat that connect together in some way to allow a particular species to be able to move between each individual patch of habitat.

**Housing/Tenure mix** – The range of housing in an area or development in terms of such factors as its type, size, affordability, accessibility or tenure.

**In-curtilage parking** – Parking within a building's site boundary, rather than on a public street or space.

**Integrating Green Infrastructure** – an approach to ensure that multifunctional green infrastructure is included at the outset of designing successful place.

**Landform** – The shape of the land. Landform can be described in terms such as elevation or shape.

**Landscape character** – The distinct nature of an area of land in terms of such elements as its shape, geology, soils, vegetation, land uses and settlement patterns.

**Legibility** – The quality of a place as being welcoming, understood easily by its users and easy for visitors to orientate themselves in.

**Listed Building** – building or structure of special architectural or historic interest that has statutory protection due to its character or appearance.

**Local Development Plan (LDP)** – provides the spatial planning strategy for an area and the framework for development management decision-making.

**Locality Place Plans** – developed by Community Planning, these plans will develop a vision for a 'place', which will inform how development, infrastructure, service delivery and funding should be targeted in a local community, and will reflect the input and aspirations of the local community. This will change and be replaced by

Local Place Plans with the implementation of the provisions of the Planning (Scotland) Act 2019.

**Massing** – The combined effect of the arrangement, volume and shape of a building or group of buildings.

**Masterplan/Masterplanning** – describes and illustrates how a proposal for the comprehensive development of a specific site will meet the vision for the site and how it will work on the ground.

**Material Consideration** – A consideration that must be taken into account, where relevant, in a decision on a planning application.

**Mixed use** – A mix of uses within a building, on a site or within a particular area. ‘Horizontal’ mixed uses are side by side, usually in different buildings. ‘Vertical’ mixed uses are on different floor of the same building. Places which have a mix of uses are likely to be lively at different times for different reasons.

**Open Space** – includes all green spaces and civic spaces which contribute to the amenity of an area.

**Passive Solar gain** – The effect of the sun’s heat on the temperature of a building’s fabric and ambient indoor temperatures, thus minimising heating requirements in winter.

**Passive Surveillance** – The discouragement to wrong-doing by the presence of passers-by or the ability of people to be seen out of surrounding windows. Also known as Natural surveillance (or supervision).

**Passivhaus Standard** – A commercial accreditation for construction of “a building, for which thermal comfort can be achieved solely by post-heating or post-cooling of the fresh air mass, which is required to achieve sufficient indoor air quality conditions – without the need for additional recirculation of air.” Alternative approaches to achieving the environmental benefits of this standard are available.

**Path/Footpath** – A highway on which the public has a right of way on foot only.

**Pavement** – 1 (UK) The raised surface for pedestrians beside a street or road. 2 (US) The structure of a road, including its surface and underlying structure. 3 A paved surface.

**Permeability** – The degree to which an area has a choice of routes through it.

**Place and Design Panel** – works collaboratively with developers, architects, landowners and key agencies to provide advice and assistance in pre-application proposals to help ensure projects contribute to a culture of design excellence.

**Place Standard Tool** - provides a simple framework to structure conversations about place allowing you to consider all the elements of a place in a methodical way.

**Placemaking** – Creating somewhere with a distinct identity.

**Pre-Application Service** – Advice from the Development Management team on development proposals prior to submission of a planning application.

**Primary route** – A street upon which more movement, variety and activity takes place than on smaller surrounding ones.

**Private space** – The parts of a village, town or city to which public access is restricted.

**Processing Agreement** - an agreed framework for project management of a planning application or related group of applications.

**Public space/realm** – The parts of a village, town or city (whether publicly or privately owned) that are available, without charge, for everyone to use or see, including streets, squares and parks.

**Road** – Any way (other than a waterway) over which there is a public right of passage (by whatever means) and including the verge and any bridge (whether permanent or temporary)

over which or any tunnel through which, the way passes; includes carriageway, cycleway and footway.

**Roads Construction Consent** – The authority to construct a new road or an extension of an existing road irrespective of whether or not such roads are to be submitted for adoption as public granted by the Local Roads Authority under Section 21 of the Roads (Scotland) Act 1984.

**Semi-private space** – Space that may be privately owned or managed but into which the members of the public may enter if they have a legitimate reason, such as a front garden.

**Service Strip** – Reservation for Statutory Undertaker services (gas, water, etc) normally located within confines of footway or verge.

**Settlement pattern** – The distinctive way in which the roads, fields, paths and buildings are laid out in a particular place.

**Shared Surface** – Pedestrian priority area shared with cycles and motor vehicles.

**Streetscape** – The appearance of a street; the street and all the elements associated with it.

**Streetscene** – The roadways, pavements, street furniture signage and other elements that together comprise the street environment.

**Sunlight** – Sunlight refers to direct sunshine and is much brighter than ambient daylight.

**Sustainable Drainage Systems (SuDS)** – a sequence of water management practices and facilities designed to drain surface water more sustainably than the conventional practice of routing run-off through a pipe to a watercourse.

**Sustainable Development** – development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

**Swale** – A linear depression (often beside a road) that allows rainwater to soak away.

**Topography** – 1 A description or representation of artificial or natural features on or of the ground. 2 Mapping the shape of the land surface.

**Town Centre** – centre which provides a diverse and sustainable mix of activities and land uses which create an identity that signals their function and wider role.

**Travel Plan** – A travel plan aims to promote sustainable travel choices (for example, cycling) as an alternative to single occupancy car journeys that may impact negatively on the environment, congestion and road safety. Travel plans can be required when granting planning permission for new developments.

**Tree Preservation Order (TPO)** – used to protect individual and groups of trees and areas of woodland considered important for amenity or because of their cultural or historical significance.

**Unallocated/Visitor Parking Spaces** – Parking spaces which do not relate directly to any particular dwellings and

are considered to be for the use of either residents or visitors on a “first come first served” basis.

**Urban structure** – The framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one another.

**Verge** – Soft landscaped area adjacent to the road.

**Walkability** – The ease with which it is possible to walk around an area, from one point to another or from housing to facilities.

## Useful Contacts

Architects Registration Board (ARB)

[https://arb.org.uk/](https://arb.org.uk)

Architecture and Design Scotland

[www.ads.org.uk](http://www.ads.org.uk)

Historic Environment Scotland (HES)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

Scottish Environment Protection  
Agency

[www.sepa.org.uk](http://www.sepa.org.uk)

NatureScot

[www.nature.scot](http://www.nature.scot)

Scottish Water

[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Transport Scotland

[www.transportscotland.gov.uk](http://www.transportscotland.gov.uk)

Scottish Canals

<https://www.scottishcanals.co.uk/>

Royal Town Planning Institute

[www.rtpi.org.uk](http://www.rtpi.org.uk)

Royal Incorporation of Architects in  
Scotland

[www.rias.org.uk](http://www.rias.org.uk)

Landscape Institute

[www.landscapeinstitute.org](http://www.landscapeinstitute.org)

Institute of Conservation (ICON)

[www.icon.org.uk](http://www.icon.org.uk)

Institute of Historic Building  
Conservation (IHBC)

[www.ihbc.org.uk](http://www.ihbc.org.uk)

Institution of Civil Engineers (ICE)

[www.ice.org.uk](http://www.ice.org.uk)

Royal Institution of Chartered  
Surveyors (RICS)

[www.rics.org/uk](http://www.rics.org/uk)

## Contact Us

Forward Planning

LDP@west-dunbarton.gov.uk

Development Management

DM@west-dunbarton.gov.uk

Placemaking Coordinator

Place&DesignPanel@west-  
dunbarton.gov.uk

<b>AssessmentNo</b>	440	<b>Owner</b>	mspurway
<b>Resource</b>	Transformation		<b>Service/Establishment</b> Regulatory
	First Name	Surname	<b>Job title</b>
<b>Head Officer</b>	Pamela	Clifford	Planning and Building Standards Manager
	(include job titles/organisation)		
<b>Members</b>	Alan Williamson, Development Planning and Place Team Leader Matthew Spurway, Policy Planning Officer		
	<i>(Please note: the word 'policy' is used as shorthand for strategy policy function or financial decision)</i>		
<b>Policy Title</b>	Draft Supplementary Guidance: Creating Places		
	<b>The aim, objective, purpose and intended out come of policy</b>		
	The Creating Places guidance supports the Creating Places Policies of LDP2. It details the process for successful placemaking including the support that the Council will provide through its Pre-Application Service and Place & Design Panel. The guidance uses examples to highlight how a well-considered design led approach can contribute to successful and sustainable places. Using examples, many of which are from developments in West Dunbartonshire, the guidance supports innovative and creative design without being prescriptive about architectural styles and details. The Creating Places Supplementary Guidance sets out a design lead approach to development which aims to ensure future development is of a high quality and sustainable. This places emphasis on making it easier and more pleasant to access services by walking, cycling and public transport; ensuring good access to high quality public realm and open spaces for recreation and homes which meet the needs for all of our residents.		
	<b>Service/Partners/Stakeholders/service users involved in the development and/or implementation of policy.</b>		
	The Draft Guidance will be consulted on with a wide range of stakeholders. This will included our communities; landowners, developers and their agents; key agencies and services across the Council.		
<b>Does the proposals involve the procurement of any goods or services?</b>	<b>Yes</b>		
<b>If yes please confirm that you have contacted our procurement services to discuss your requirements.</b>	<b>No</b>		
<b>SCREENING</b>			
<i>You must indicate if there is any relevance to the four areas</i>			
<b>Duty to eliminate discrimination (E), advance equal opportunities (A) or foster good relations (F)</b>	<b>Yes</b>		
<b>Relevance to Human Rights (HR)</b>	<b>Yes</b>		
<b>Relevance to Health Impacts (H)</b>	<b>Yes</b>		
<b>Relevance to Social Economic Impacts (SE)</b>	<b>Yes</b>		
<b>Who will be affected by this policy?</b>			
The plan will have relevance to all people who live, work and visit here, those who own land, property and businesses as well as those who would wish to invest in the area.			
<b>Who will be/has been involved in the consultation process?</b>			
The Draft Supplementary Guidance is going forward to committee for approval to consult. Consultation will follow thereafter. Future consultation will include interaction with the West			

**Please outline any particular need/barriers which equality groups may have in relation to this policy list evidence you are using to support this and whether there is any negative impact on particular groups.**

	Needs	Evidence	Impact
Age	<p>Boosting participation of under-represented groups is an aim of the Councils 2021-2025 Equality Outcomes, younger people are often under represented</p>	<p>Older people less likely to live in the most energy efficient homes Scottish House Condition Survey 2019 (Last updated: December 2020) Adults aged 65 and over are the least likely to visit the outdoors for recreation Source: Scottish Household Survey 2019 (Last updated: September 2020) Young people and those over 60 were more likely to use the bus. Younger people were more likely to use the train. Older people walk and cycle less frequently.</p> <p>Transport and Travel in Scotland 2019 (Last updated: September 2020)</p>	<p>This policy promotes a stronger approach to energy efficiency for new homes. This will have widespread benefits across the age groups, but has the potential to have the greatest impact for older people who currently are less likely to live in the most energy efficient homes. This policy promotes greater access to high quality outdoor space for recreation, which will have widespread benefits across the age bands, it has the potential to have greater positive impact on people over 65 who currently are less likely to access outdoor space for recreation, by promoting measures which ensure that open spaces are accessible and safe. This policy seeks to ensure that new development provides safe access to public transport which has benefits across the age bands, this will particularly benefit younger people and people over 60 who are more likely to use public transport.</p>

			<p>The policy also supports the creation of high quality environment for walking and cycling, this will have widespread benefits across the age groups. This has potential to benefit older age groups, who typically are less likely to walk or cycle as a mode of transport, by promoting measures which make the public realm more accessible and safe.</p>
<b>Cross Cutting</b>	<p>The Council is committed to it's Community Empowerment Strategy therefore it is important that strong joint work across the Council and partners supports this.</p> <p>Boosting participation of under-represented groups is an aim of the Councils 2021-2025 Equality Outcomes</p>	<p>Evidence suggests (for Example the Scottish Social Attitudes Survey) shows that the more contact different groups have with each other, the less likely people are to hold negative attitudes about other groups.</p>	<p>Inclusive projects which bring different groups together provide and opportunities to foster good relations and strengthen social cohesion.</p>
<b>Disability</b>	<p>Boosting participation of under-represented groups is an aim of the Councils 2021-2025 Equality Outcomes</p>	<p>Adults with a long-term illness or disability are less likely to visit the outdoors. Source: Scottish Household Survey 2017 (Last updated: September 2018) Sick or disabled adults more likely to use bus. Source: Transport and Travel in Scotland 2019 (Last updated: September 2020)</p>	<p>This policy promotes greater access to high quality outdoor space for recreation, which will have widespread benefits across the age bands, it has the potential to have greater positive impact on people with a disability who currently are less likely to access outdoor space for recreation, by promoting measures</p>

			<p>which ensure that open spaces are accessible and safe. In particular the policy includes measures to ensure that new play areas include accessible play equipment. Improving access to bus infrastructure will particularly benefit people who are sick or disabled as they are more likely to use buses. This policy does not disadvantage any groups.</p>
<p><b>Social &amp; Economic Impact</b></p>	<p>As this is important strategic work the guidance should reflect the needs of Fairer Scotland Duty and the Statutory Guidance to assessing impact in this area</p>	<p>Adults living in the most deprived areas less likely to visit the outdoors In 2019, 43% of adults in the 20% most deprived areas of Scotland visited the outdoors at least once a week, compared to 66% of adults in the 20% least deprived areas. Source: Scottish Household Survey 2019 (Last updated: September 2020) People from households with lower incomes are more likely to take the bus, and less likely to take the train than those on higher incomes. Source: Transport and Travel in Scotland 2019 (Last updated: September 2020)</p>	<p>Proposals to improve access and quality of open spaces will benefit people of all economic and social statuses. However there is potential for the impact to be more positive for people living in the most deprived neighbourhoods as these groups have reported using outdoor space for recreation less than others. Improving access to public transport will benefit all groups but has the potential for greatest gains for households on lower incomes, as these groups in particular access bus transport more often than other groups.</p>
<p><b>Sex</b></p>	<p>It is important that out door spaces are perceived as safe and inclusive</p>	<p>Men and women equally likely to visit the outdoors. Source: Scottish Household Survey</p>	<p>With regards to access to the outdoors, the benefits will be evenly split between</p>

		<p>2019 (Last updated: September 2020) A slightly higher proportion of men walk almost every day. 24% of men walked as a means of transport on 6-7 days in the last week in 2019, compared to 20% of women. A higher proportion of men cycle. 7% of men had cycled at least once as a means of transport in the last week, compared to 3% of women. Source: Transport and Travel in Scotland 2019 (Last updated: September 2020)</p> <p>Women use bus more frequently Women use the bus slightly more than men. 40% of women had used the bus in the last month in 2017 compared to 37% of men. There is little difference in train use by gender. 30% of women and 29% of men had used the train within the past month. Source: Transport and Travel in Scotland 2019 (Last updated: September 2020)</p>	<p>women and men, as these groups access outdoor space with comparable frequencies. This policy seeks to improve accessibility and quality of the public realm for walking, cycling and wheeling. This has widespread benefits for both sexes, but has greatest potential to remove barriers to cycling for women, who tend not to cycle as often as men. The improvements that this policy seeks to bring in terms of access to public transport has benefits for both sexes, but may benefit women more, as they access bus travel slightly more frequently than men.</p>
<b>Gender Reassign</b>	Access to safe public spaces is important.	Those who have changed or are changing gender may suffer from greater isolation.	The widespread benefits are expected to be positive across these groups however data is not available as to whether this will be evenly positive.
<b>Health</b>	It is important that	Research shows that	Improving the

	communities of place and experience have an opportunity to influence the process, and that physical and mental health considerations are taken into account	the way places function, look and feel can influence our health and wellbeing.....Improving the quality of places and the opportunities we have access to can help to tackle inequalities.” Placestandard.scot	quality of the public realm is a key ambition of this policy and it is intended to have benefits for health and wellbeing.
<b>Human Rights</b>	The Council must act in accordance with the requirements of the European Convention on Human Rights	The policy may place limits on the use of property for some land owners.	Any limit on the use of property is based on consideration of the potential impact on the enjoyment and use of adjacent properties by their owners as well as the general interest of the wider community.
<b>Marriage &amp; Civil Partnership</b>	Cross cuts with sex in some aspects	Data is not currently available for these groups in relation to this policy.	Unlikely to have a differential impact outside those linked to sex
<b>Pregnancy &amp; Maternity</b>	Public spaces need to be accessible for people looking after children and using push chairs etc.	Data is not currently available for these groups in relation to this policy	The widespread benefits are expected to be positive across these groups however data is not available as to whether this will be evenly positive. The policy does set out requirements which seek to ensure that developments create places which are accessible for wheeling, so will specifically benefit parents/carers with pushchairs/strollers. No aspect of this advice disadvantages other groups.
<b>Race</b>	Boosting participation of under-represented	The ethnic groups most likely to have access to a car or	The benefits of this policy will particularly benefit

	groups is an aim of the Councils 2021-2025 Equality Outcomes; BME groups are often under represented	van at the time of the 2011 Census were White: Other British and Pakistani (both 83% of households). The figure for the overall population was 77%. African households, at 47%, were least likely to have access to a car. Source: Analysis of Equality Results from the 2011 Census: Part 2 (Published: March 2015)	groups without access to a car, this is not evenly distributed by race, however all groups will benefit from this policy and none will be disadvantaged.
<b>Religion and Belief</b>	There is some cross cutting of religion and ethnicity in terms of considerations	Data is not currently available for these groups in relation to this policy	The widespread benefits are expected to be positive across these groups however data is not available as to whether this will be evenly positive.
<b>Sexual Orientation</b>	LGB people are often under represented in similar processes so it is important that views are gathered inclusively	Little difference in visits to the outdoors between LGB and straight people. Source: Scottish Household Survey 2017 (Last updated: September 2018)	The benefits of proposals to improve access to high quality open space will be evenly distributed in relation to sexual orientation.

**Actions**

**Policy has a negative impact on an equality group, but is still to be implemented, please provide justification for this.**

n/a

**Will the impact of the policy be monitored and reported on an ongoing bases?**

The implementation will be monitored annually through the Housing Land Audit, Industrial Land Supply Audit, Town Centre Outlet Survey and the Planning Performance Framework.

**Q7 What is your recommendation for this policy?**

Introduce

**Please provide a meaningful summary of how you have reached the recommendation**

The policy has a wide range of potential positive impacts both in of an opportunity for community empowerment and engaging with under represented groups, and in the eventual final shape of places; no groups with the protected characteristics are disadvantaged by these impacts. No negative impacts are identified.

**West Dunbartonshire  
Local Development Plan**

**Development Plan Scheme and  
Participation Statement  
2021**

## **West Dunbartonshire Development Plan Scheme and Participation Statement**

### **Introduction**

This document provides information on existing Development Plan coverage within West Dunbartonshire and how participation will be encouraged in the plan-making process.

### **What is a Development Plan?**

It is a document which sets out policies and proposals for the use of land and buildings in the area it covers. It does this by identifying uses that will be acceptable on particular sites and by setting out criteria for the assessment of development proposals.

### **What types of Development Plan are there?**

There are two tiers of Development Plan currently in operation within Scotland (although this will change through the implementation of the Planning (Scotland) Act 2019).

Strategic Development Plans are applicable to the city-regions of Glasgow, Edinburgh, Aberdeen and Dundee, and cover more than one local authority area. These set out a long-term vision for the development of the city-regions and provide a framework for Local Development Plans.

Local Development Plans provide a more detailed planning framework, usually at a local authority level, setting out policies for assessing planning applications and identifying sites for development or protection from development.

Local Development Plans can be supported by Supplementary Guidance, which provides more detailed information on specific issues. Councils can also produce non-statutory Planning Guidance, which does not form part of the Development Plan.

### **What Development Plans are currently in place in West Dunbartonshire?**

The Strategic Development Plan for the area, Clydeplan, was approved by Scottish Ministers on 24<sup>th</sup> July 2017 and covers the West Dunbartonshire Council area with the exception of that area within the Loch Lomond and the Trossachs National Park. Further information, including the Development Plan Scheme and Participation Statement for Clydeplan, can be found at [www.clydeplan-sdpa.gov.uk](http://www.clydeplan-sdpa.gov.uk).

The West Dunbartonshire Local Plan was adopted in March 2010.

The West Dunbartonshire Local Development Plan (LDP1) remains at proposed plan stage and this plan was not adopted. The Examination Report included a recommendation that a site at Duntiglenan Fields in Clydebank be included as a housing development opportunity. At its meeting of 27 April 2016, the Planning Committee declined this recommendation and the Scottish Ministers directed that the Plan is not to be adopted unless the recommendation is accepted. The plan, incorporating the accepted

modifications of the Examination Report, is referred to as the West Dunbartonshire Local Development Plan: Proposed Plan (2016).

Local Development Plan 2 was submitted to the Scottish Ministers for adoption on 26 August 2020. On 18 December 2020, the Scottish Government issued a Direction that the Plan should not be adopted unless specified modifications relating to housing matters are made. The Council is continuing to consider that Direction.

The Council has produced a number of planning guidance and other useful information documents which are listed in Appendix 1.

The Plan covering the National Park is the Loch Lomond & the Trossachs National Park Local Development Plan 2017 - 2021. Further information, including the Development Plan Scheme and Participation Statement for the Park Authority Local Development Plan can be found at [www.ourlivepark.com](http://www.ourlivepark.com).

### **Planning (Scotland) Act 2019**

The Planning (Scotland) Act 2019 makes fundamental changes to the development planning system in Scotland. The first step towards implementing this new system is the preparation and publication of the fourth National Planning Framework 4 (NPF4). The draft NPF4 was laid before Parliament and published for consultation on 10 November 2021. On approval, expected in 2022, NPF4 will form part of the Development Plan for all Planning Authorities, along with Local Development Plans. Strategic Development Plans will be removed from the development plan framework, with Regional Spatial Strategies prepared, which will not form part of the Development Plan. Alongside the publication of the finalised NPF4, Regulations and Guidance relating to the preparation of new style Local Development Plans will be published. When these are published, the Council will set out its timetable for preparing the next Local Development Plan (LDP3).

## Participation

The Council is keen to encourage participation in the preparation of its Local Development Plan (LDP).

### Who can participate in the preparation of the new Plan?

Participation in the plan-making process is open to everyone: from individuals, community groups and small local businesses to investors, land owners, housebuilders and national and international companies.

### When will participation happen?

Participation in the preparation of LDP2 is effectively completed as the Plan has been through the Main Issues Report and Proposed Plan consultation stages and Examination. The remaining action is to inform participants of the adoption of the Plan, when that occurs.

As detailed above, the Planning (Scotland) Act 2019 will not be fully implemented until Regulations and Guidance are published. These are expected in 2022. Therefore, whilst the new requirements for consultation and participation are not known at the time this Participation Statement is being written, the Council will encourage participation throughout the development of Local Development Plan 3.

### Contact us and register for participation

A Local Development Plan participant database has been established to record the details of all individuals and organisations that want to be kept up to date with the Local Development Plan process. Interested individuals or organisations can have their details added to the database by contacting us through any of the methods below -

**Email:** [ldp@west-dunbarton.gov.uk](mailto:ldp@west-dunbarton.gov.uk)  
**Telephone:** 0141 951 7930  
**Write:** Forward Planning  
Planning & Building Standards  
West Dunbartonshire Council  
16 Church Street  
Dumbarton  
G82 1QL

Further information and key documents can be found online at –  
[www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/local-development-plan/](http://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/local-development-plan/)  
Facebook logo - <https://www.facebook.com/WDCouncil>  
Twitter logo - <https://twitter.com/wdcplanning>

## Appendix 1- Guidance and other Useful Information

### **Other Planning Guidance**

Clydebank Business Park Planning Guidance, 2017  
Clydebank Town Centre Development Framework, 2021  
Commuted Payments for Parking 2015  
Dumbarton Waterfront Path Planning Guidance, 2017  
Frontiers of the Roman Empire (Antonine Wall) World Heritage Site, 2011  
Our Green Network, 2015  
Pay Day Lending & Betting Shops, 2016  
Renewable Energy, 2016  
Residential Development: Principles for Good Design, 2014  
Queens Quay Design Codes, 2020

### **Other Useful Information**

Alexandria Streetscape Design Guide, 2007  
Alexandria Town Centre Masterplan, 2008  
Alexandria Town Centre Masterplan, 2021  
Bowling Basin Charrette Report 2014  
Clyde Riverside Masterplan, 2000  
Clydebank Design Guidelines (Page and Park), 2003  
Clydebank Town Centre Charrette report, 2015  
Dumbarton Town Centre Public Realm Design Guide, 2001  
Dumbarton Town Centre & Waterfront – Revised Urban Strategy, 2014  
Dumbarton Rock & Castle Charrette Report, 2015  
Kilpatrick Hills Local Landscape Area: Statement of Importance, 2015

### **Protocols on Facilitating Appropriate Development on Key Development Sites**

Protocol 1: Pre-Application Advice  
Protocol 2: Liaison Meetings  
Protocol 3: Elected Member Involvement in Pre-application Discussions  
Protocol 4: Planning Processing Agreements

### **Development Management Advice Notes and Design Guides**

Fences, walls, enclosures  
Driveways  
Decking  
Satellite Dishes  
Extensions & Conservatories  
Domestic Garages & Garden Outbuildings  
Porches  
Dormers & Velux Windows  
Shopfront Design Guide



## WEST DUNBARTONSHIRE COUNCIL

### Report by the Chief Officer – Regulatory and Regeneration

Planning Committee: 16<sup>th</sup> February 2022

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**Subject: Planning Performance Framework 2020-21**

#### **1. Purpose**

- 1.1** To inform the Committee of the recent comments received from the Scottish Government regarding the Planning Performance Framework submitted by this Council for 2020-21.

#### **2. Recommendations**

- 2.1** That the Committee notes the content of this report and the comments received from the Scottish Government.

#### **3. Background**

- 3.1** The annual Planning Performance Framework (PPF) was submitted to the Scottish Government at the end of July 2021 and feedback was received in December 2021. The Scottish Government have assessed the Planning Performance Framework against a set of performance markers and it is seen as a measure of continuous improvement. The Performance Markers give an indication of good performance, good practice and help to identify priority areas for improvement action. This year again, no peer review of the reports was undertaken in the SOLACE Groups (Society of Local Authority Chief Executives).

#### **4. Main Issues**

- 4.1** The PPF report outlined our performance and demonstrated our achievements, actions and improvements in 2020-21 and is contained in Appendix 1. Planning Performance Framework also included a section of how the Planning Service had reacted to the pandemic situation. The general format of the report remained around defining and measuring a high quality planning service and it was assessed through quality of outcomes, quality of service and engagement, governance and culture of continuous improvement. The report again was based on case studies in order to showcase good performance, good practice and the use of innovative ideas.

- 4.2** The Minister for Public Finance, Planning and Community Wealth Mr Tom Arthur in the feedback report once again thanked planning staff for all the work that has been done during the pandemic, making necessary adjustments and to support the ongoing recovery. On a national level figures indicated that performance has remained relatively stable and this is testament to the hard work and flexibility of authorities during these very difficult times. Overall good progress continues to be made by Scotland's planning authorities.
- 4.3** The assessment of the annual Planning Performance Framework is based on performance markers which are rated green, amber or red. These ratings are based on the evidence provided within the Planning Performance Framework reports. Where no information or insufficient evidence has been provided a 'red' marking has been allocated. This year the Council saw an improvement in the performance markers with 9 green performance markers, 3 amber and 1 red markers compared to the previous year of 8 green performance markers, 3 amber markers and 2 red markers. The feedback report is contained in Appendix 2. Green performance markers were received this year for processing agreements, early collaboration with applicants and consultees, legal agreements, enforcement charter, regular and proportionate policy advice, corporate working across services, the conclusion of legacy cases, developer contributions and sharing good practice, skills and knowledge. Three Amber markings were given for decision making, continuous improvement and the development plan scheme. The timescales for dealing with major applications of 11.2 weeks is faster than the previous year and much faster than the Scottish average of 41.3 weeks. The average timescales of 12.6 weeks for local applications was faster than the previous year but is slightly slower than the Scottish average of 12.4 weeks and the average timescales for householder applications of 9.6 weeks is faster than the previous year but is slower than the Scottish average of 8.1 weeks. A good range of service improvement commitments were identified for the 2021-22 reporting year.
- 4.4** The one red marker was for the Local Development Plan. The current adopted Plan was 11 years old at the end of the Planning Performance Framework reporting period. As reported in the Development Plan Update report to this Committee, the replacement plan (LDP2) has been through Examination and the Committee has taken a decision to adopt that Plan, but officers are still considering a change to the Plan required by a Scottish Ministers Direction, and that has delayed the adoption of a more up-to-date Plan.

## **5. People Implications**

- 5.1** There are no personnel issues associated with this report.

## **6. Financial and Procurement Implications**

- 6.1** None.

## **7. Risk Analysis**

7.1 There are no risk issues.

## **8. Equalities Impact Assessment (EIA)**

8.1 It is not considered that the report or recommendations raise any equalities issues.

8.2 None.

## **9. Consultation**

9.1 No consultation was necessary for the preparation of this report.

## **10. Strategic Assessment**

10.1 The content of this report fully supports the Council's Strategic Priorities.

**Peter Hessett**  
**Chief Officer - Regulatory and Regeneration**  
**Date: 16<sup>th</sup> February 2022**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
Email: [pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)

**Appendices:** Appendix 1: Planning Performance Framework 2020-21  
Appendix 2: Performance Markers Report 2020-21

**Background Papers:** None

**Wards Affected:** All



## Planning Performance Framework



## Foreword

Welcome to 10th annual Planning Performance Framework which outlines our performance, showcases through case studies our achievements and the quality of service we deliver in 2020-21. We continue to deliver the majority of the Planning Service through home working in this global pandemic. This has brought challenges and opportunities for the delivery of the service. As restrictions start to lift, most staff are looking forward to coming back to the office in a hybrid form. Progress on our key regeneration sites and developments has continued this year. Development on Queens Quay is making good progress with the new residents of the care home enjoying their new high quality home and the energy centre now providing low cost and low carbon energy to various developments. Further details of the progress of Queens Quay is provided later in the document.

The Council's affordable housing programme is making good progress with new residents living in their new homes and using the surrounding quality environment. This year, two significant private housing developments were approved on former Council office sites

and one now is under construction. On both developments officers have worked very closely with the private housebuilder to raise the quality of the houses and the surrounding environment so they take into account the particular characteristics of the area and are of very high quality. We are very keen to see these new houses constructed and what they will bring to our communities and the local area.

Other significant development for the West Dunbartonshire area is the approval of the masterplan for Exxon and the approval of a major extension to the Golden Jubilee hospital. Both developments will help transform the area and provide much needed employment and services. Further details are provided later.

Our work in West Dunbartonshire continues to be recognised on a national level and beyond with the Team Leader in Forward Planning being asked to speak at the Academy of Urbanism – Landscape and Urbanism event in November which focused on our green infrastructure approach and the Building with Nature accreditation and the links to Ian McHarg.

I also presented at an RTPi online event about how we are championing quality places together with representatives from Vale of Glamorgan Council and the Government on the new national Design Codes. It was really good to share experience across the nations. The Service continues to be impacted by the financial pressures of the Council and this has been more pronounced with the pandemic where we have seen a reduction in income due to a fall in high fee paying applications. It is hoped that once restrictions are lifted that development and income will go back to the pre pandemic level. This year we welcomed a number of new people to the Planning team:

- Wojciech Borowski - Planning Officer
- Marta Borkowska - Support Officer
- Eva Hutchison - Support Assistant

Our Technical Support Co-ordinator Irene McKechnie retired from her position as Technical Co-ordinator this year and has been replaced by Ashleigh Ross, one of our Support Officers. Irene is remaining with us on a part time basis to undertake

the role of service improvements. Irene has been a substantial support to myself, the Planning Service and the wider Council and it is good that she is remaining with us to undertake the service improvement role. I wish Ashleigh all the best in her new role.

The Forward Planning Team Leader - Antony McGuinness recently took up a post in South Ayrshire Council. Antony led the work on LDP2 and the Locality Place Plans and always played an important role in the Planning Performance Framework. His substantial planning knowledge and his "can do attitude" will be missed and we wish him well in South Ayrshire.

Please enjoy reading the document about the work we are undertaking in West Dunbartonshire and please free to offer feedback and comments.

*Pamela Clifford*

Planning, Building Standards and  
Environmental Health Manager

July 2021

[pamela.clifford@west-dunbarton.gov.uk](mailto:pamela.clifford@west-dunbarton.gov.uk)



# Introduction

## Context

West Dunbartonshire is one of the smallest local authorities in Scotland with just over 90,000 residents and is made up of rural, urban and waterfront areas. The Planning Authority excludes parts of Balloch and the countryside to the east and west of Loch Lomond which forms part of Loch Lomond and the Trossachs National Park Planning authority area.



## Our Vision

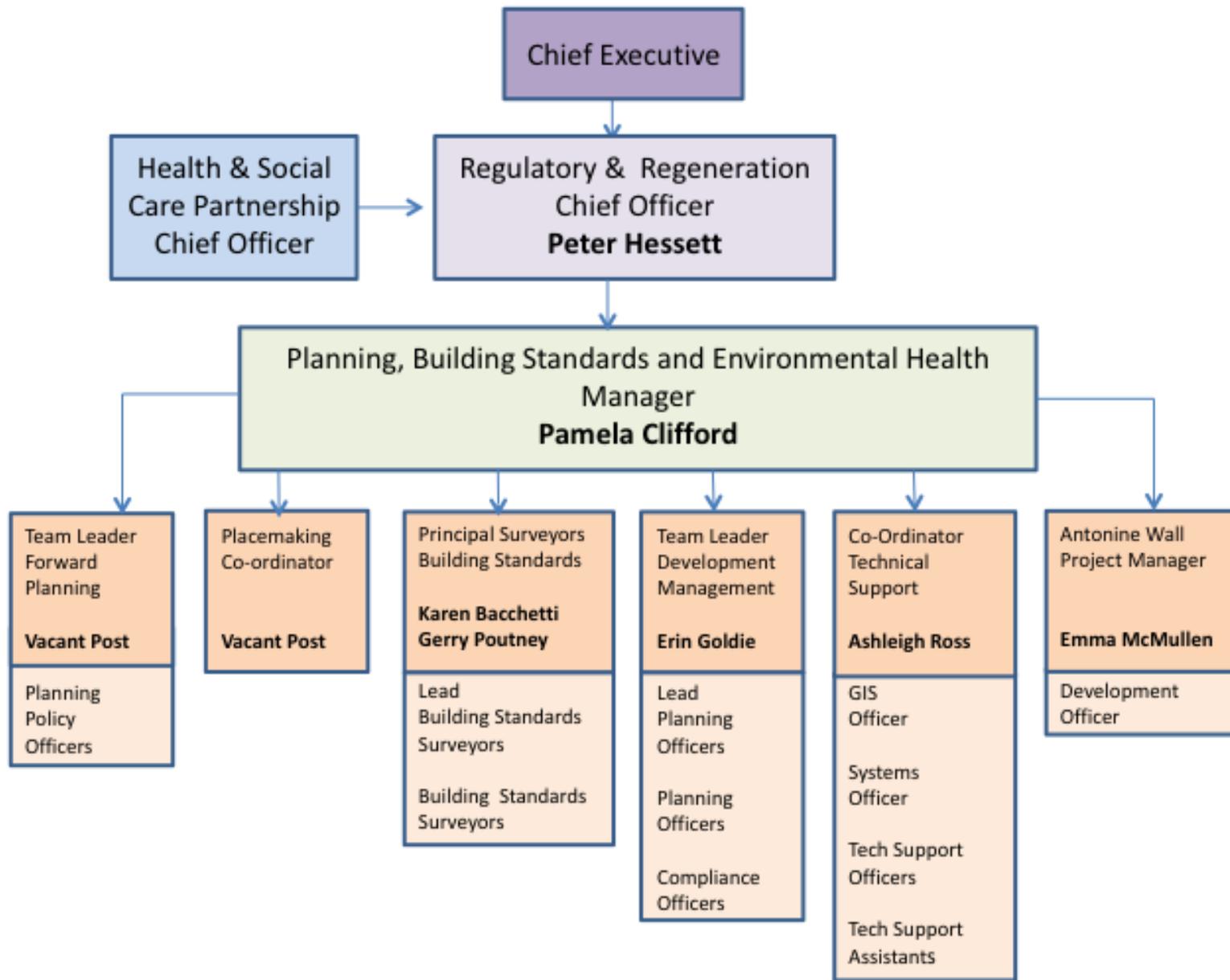
***“West Dunbartonshire Council will deliver high quality services led by priorities identified by the communities of West Dunbartonshire in an open and transparent way”.***

The Strategic Plan 2017-2022 sets out the vision and direction for Council services. It will inform the delivery of Council Services and provide a context for decision making at a service level. The strategic priorities will be delivered through the Service Delivery Plans and those of the Strategic Partners in the Community Planning Partners. Key strategic priorities:

- Strong local economy and improved job opportunities
- Supported individuals, families, carers living independently and with dignity
- Meaningful engagement with active, empowered and informed citizens who feel safe and engaged
- Open, accountable and accessible local government
- Efficient and effective frontline services that improve the everyday lives of residents

The Planning Service is identified as a lead service in delivering the first priority of a strong local economy and improved job opportunities through the local development plan, the Place and Design Panel and the planning application process.

The Local Development Plan 2 remains at Finalised Stage until the issue at Duntiglennan Fields is resolved at the Court of Session.



## What is the Planning Performance Framework

The Planning Performance Framework (PPF) defines and measures how a planning authority is achieving a high-quality planning service. The general format is determined by the Template and Guidance Notes issued in May 2021.

The PPF has been designed to be flexible and to evolve as experience grows. The report begins with a qualitative story of that year's performance supported by case studies.

The information and policy that sits behind this performance story is then included prior to the considering of what improvements are desired in the coming year. It then provides more measured information on the authorities' work programmes called National Headline Indicators (NHI). This is followed by the Scottish Government Annual Official Statistics for that Authority. It ends with a snapshot of the workforce and planning committee meeting information for that planning authority.

The PPF is used both as a promotional tool and an audit document.

The Scottish Government assess the PPF against a set of performance markers.

These markers give an indication of good performance, good practice and help to identify priority areas for improvement action. In order to demonstrate the importance of meeting the 15 Performance Markers, these have been identified against evidence within the report. In addition a Performance markers checklist is contained in Appendix 1.

The case studies throughout the Report give examples of how good practice and quality development has been achieved resulting in a high performing planning service.

## Part 1: Qualitative Narrative and Case Studies

### Quality Design

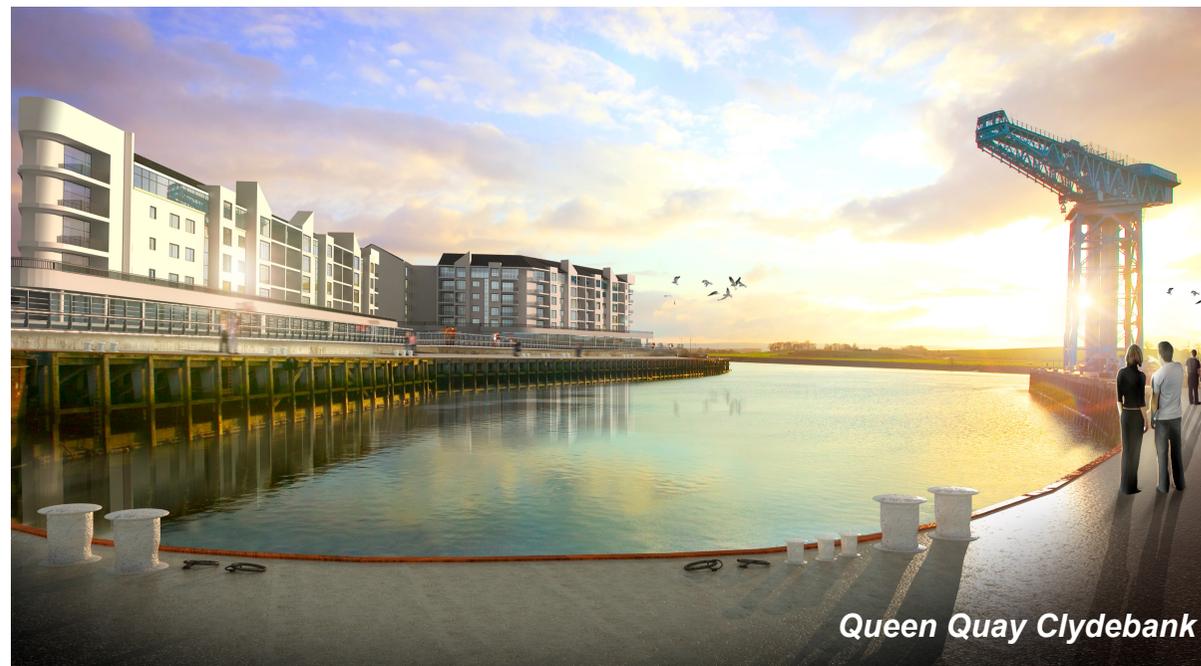
#### Queens Quay Update

The Queens Quay site has featured in a number of the Planning Performance Framework documents over the years. This 23 hectare residential led mixed-use development which reintegrates the waterfront with the wider Clydebank area, is one of the largest regeneration sites in Scotland. Last year it was reported that the main spine road was completed together with the pathway along the waterfront and around the Basin.

This year the Clydebank Care Home welcomed its first new residents and it provides state of the art care and accommodation for our elderly residents. The energy centre is now operational and provides low cost and low carbon energy to the care home, College and Leisure Centre with plans to expand to the Golden Jubilee hospital and other Council properties.

The energy centre with the landmark building and 32metre high gold flue is attracting a lot of interest from Government officials, sustainability experts and will be promoted in COP 24 in November. Work is well underway with new Clydebank Health Centre and the 142 affordable housing units which are due to be completed early 2022.

Regular meetings continue to take place with the overall site developer and the developers of each of the ongoing sites to ensure that conditions are discharged and the overall quality of the development is maintained.



## Queens Quay Design Codes

The Design Codes built upon the approved documents associated with the masterplan Planning Permission in Principle for Queens Quay by providing detailed guidance regarding the future development form in particular the housing element.

Consultation took place on the Draft Queens Quay Design Codes in February 2020 and as reported last year a total of 25 responses were received from various individuals including the landowner. Many of the comments received through the consultation required further consideration to ensure that there is clarity around the detail, the purpose and application of the Design Codes and resulted in changes in the final Design codes document which was presented to the Planning Committee in September 2020 for approval.

It has always been envisaged that the Design Codes document would strike a balance between providing guidance and being overly prescriptive to deliver high quality places.



*Queens Quay Design Code Extract*

This would be integrated into the planning and design processes that would shape the Queens Quay environment. An over prescriptive document would weaken the approach and vision for the Queens Quay site, however, a level of guidance and advice that still allows freedom for developers to innovate would be encouraged with marketability and commercial viability would be embedded in the Design Codes. As result the landowner/ developer has made an application to vary a condition of the Planning Permission in Principle to incorporate reference to the approved Design Codes for Queens Quay to ensure its requirements are given due weight as a material planning consideration as part of subsequent planning applications coming forward and it also stands as non-statutory planning guidance.

Performance Markers 3 and 11

## Annexe 1: Queens Quay Energy Strategy

It is intended that Queens Quay will be one of the most sustainable new residential and mixed use areas in Scotland. New housing and other uses can be connected to the District Heating Network and by the inclusion of a Sustainability annex as part of the Design Codes it is our aspiration that all future housing is connected to the District Heating System whilst the building fabric still meets the minimum quality standards of the Building (Scotland) Act.

The requirements of the annex brings together the District Heating Network with the building regulations put forward by the Building Standards Domestic Technical handbook set in the Building (Scotland) Regulations 2004. New dwellings on Queens Quay must be designed to comply with Gold Aspect 1 of Section 7 in the Domestic Technical Handbook thus balancing the need for sustainable development with low occupant running costs.



By connecting to the district heating network and achieving Silver Aspect 2 of Section 7 in the Domestic Technical Handbook most properties can then achieve Gold Aspect 1. The Local Development Plan 2 contains a number of policies to encourage and support this Sustainability annex.

The draft Sustainability annex has been published for consultation and a finalised Sustainability annex will be placed to Committee shortly taking into account the representations received during the consultation process.

## Annexe 2: Queens Quay Street Naming Strategy

A Street Naming Strategy and list of street names was approved for consultation in August 2020 for the principal public spaces and streets identified in the masterplan. The strategy and street names seek to reflect the history and heritage of the site and the surrounding area within Clydebank. They also aim to proactively contribute to placemaking and streetscape across the Queens Quay site, sharing key heritage narratives and telling Clydebank's stories to a much wider audience.

A public consultation ran for 6 weeks from 9th September to 23rd October and was publicised on the Council's news and consultation webpages, as well, as social media pages. Elected members, Community Councils, equalities groups and other community groups were contacted directly regarding the consultation. A total of 17 formal responses and this has shaped the final street names.

The street naming strategy centres on a storytelling approach, bringing focus to Clydebank's rich history and heritage and linking the former John Brown's yard to the landscape beyond Clydebank and involved working very closely with the Council's Cultural Heritage Co-ordinator. Through these narratives, opportunities exist to create digitally available heritage interpretation and associated learning materials that tell Clydebank's story from its pre-burgh history to the global boom of shipping and industry, encapsulated by the internationally recognised term 'Clydebuilt'.

There is an opportunity to include additional names for streets that reference the various trades and skills carried out at John Brown's shipyard. This would reflect the many thousands of workers at the yard who – over the century of its existence – contributed to its success and that of Clydebank. These are included Beacon, Bothy School, Foundry, East Yard, Rigger etc. This approach offers insight to the workings of the yard and represents numerous opportunities to engage Clydebank's citizens in memory sharing, reminiscence and storytelling.

Performance marker 12

## Virtual Place & Design Panel: Sandpoint Marina Development Brief

Sandpoint Marina is a private housing opportunity in Dumbarton. A housebuilder with an interest in the site approached the Council seeking pre-application planning advice. A brief was prepared providing details of the planning context and design advice which will guide the development of the site. In the past the Council has prepared design guidance for council assets which to be disposed of for development. This was the first brief for an allocated site which is not in Council ownership. A draft brief for the site was presented to the first online Place and Design panel session in order to allow the Panel to continue to operate during covid restrictions.

The virtual meeting allowed panellists to take part from across Scotland, enabling participation from some who would not normally be able to attend in person panel session. In a change from previous panels, a virtual site visit, made up of photos and videos of the site and its

surroundings, was presented to give the opportunity for panellists to familiarise themselves with the site. The Terms of Reference for the Place and Design Panel have been amended to address virtual Place and Design Panels

A number of key themes emerged from the discussion which have been incorporated into the finalised brief. These included a more aspirational vision for this site which better articulated the Council's ambitions for high quality design; making more use of the previous studies which provide guidance for the site and embedding a design led approach which responds to the unique landscape and townscape which the development must fit into.

The online format of the panel session was successful in shaping the brief which has been issued to the developer of the site. There were certainly some benefits to having the meeting online such as being able to invite panellists from further afield and requiring less time from all of the panellists because they weren't

required to travel to the meeting in person. It was also beneficial to be able to record the audio conversation to inform the reporting of the session, this enabled the Place and Design Officer to engage more in the conversation and focus more on facilitation rather than note taking. The virtual site visit also worked well, and it would be beneficial for this kind of information to be shared with panellists in advance of a panel sitting in the future, whether or not the session was to be online or in person.





*Sandpoint Marina Dumbarton*

## Delivering Quality Housing

### Pre application Engagement

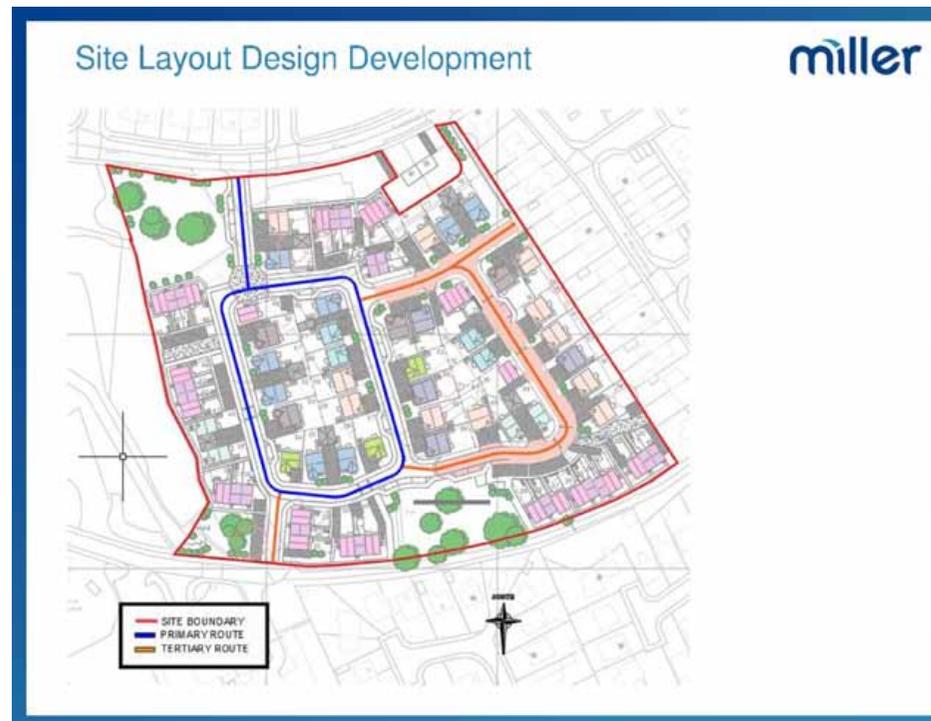
The Development Management team continue to provide access to free pre-application advice to all stakeholders and this includes major schemes too during the pandemic. Ahead of applications and Proposal of Application Notices being submitted developers are encouraged to engage with the team with a view to starting discussions. This allows the team to identify issues and betterment early in the process and provides a degree of certainty to the developer in any submission as well as additional technical information which would be needed to support an application. Ahead of a formal application submission the Elected Member Briefing continues to take place whereby the developer presents their development to Councillors and takes questions. This provides an early opportunity for elected members to become involved in major proposals with a view to limiting potential delays in the more formal process or at the Planning Committee stage.

A few examples of early engagement and the benefits this provides are below.

### Garshake Road, Dumbarton (76 dwellings)

This was an application for residential redevelopment at the former WDC office building. A number of meetings were held ahead of the application submission whereby issues with the layout, house orientation, materials palette, tree retention, footpath links and developer contributions were discussed. Various options were discussed and ongoing virtual meetings continued whereby a more creative and distinctive layout was achieved and a more bespoke material palette was also secured.

No revisions were necessary upon application submission and the application was determined within the 16 week determination period.



## Clydebank East (88 dwellings)

This application was submitted in May 2021 and is also for the residential redevelopment for a key Council housing site at the boundary of West Dunbartonshire and Glasgow City Council. Several virtual meetings were held whereby a clear message to the architects was to create a landmark building to mark entry to West Dunbartonshire, to be brave and bold with materials and look at increasing the height of flatted elements of the build. As the Proposal of Application Notice had been submitted over 2 years ago the architects were asked to re-engage with the community which resulted in some positive discussions taking place with the wider community.



This application has been submitted on behalf of the Council's Housing Service. A Design Workshop was facilitated by the Housing Service and local community members were invited and their views were sought on this proposal. This is a format that housing colleagues are likely to repeat on forthcoming housing applications and evidences the benefits of early collaboration. The application has now been submitted and reflects the pre-application discussions. It is anticipated that this application will also be determined within the 16 week target date.

## Cardross Road, Dumbarton (90 dwellings)

This proposal relates to the residential redevelopment of a former school site. The Proposal of Application Notice has been responded to and the Elected Member Briefing has also taken place. There have now been several virtual meetings with a view to securing a creative layout that works well with the challenging site gradients, access and tree retention. Further work is needed to create more distinctive use of materials and discussions remain ongoing with a view to seeking to agree details ahead of formal application submission. These examples show three key sites at different stages but all show the benefit of early engagement with the team to resolve issues, to involve Councillors at an earlier stage and hopefully, provide greater certainty in the application process for all stakeholders.



The team have also taken the opportunity to review responses provided and have finalised a template for pre-application responses for major proposals. This provides a consistency of response across the team and a good level of detail and signposting for developers/agents.

## Enabling Regeneration

### Exxon Site

Last year we advised that the 56 hectares former ESSO site had taken an exciting and progressive step forward with the lodging of a Masterplan Planning Permission in Principle application for the Council's City Deal project.

The application was determined by the Planning Committee in January of this year and all Elected Members had an opportunity to visit the site to view the proposals.

The masterplan approach has divided the site into seven Development Zones.

- Zones A, B,C – areas where buildings proposed for business, industrial and storage uses
- Zones D and E – landscaping and open space due to topographical and flooding constraints
- Zone F – Transport infrastructure
- Zone G – Listed Dunglass Castle and Henry Bell Obelisk and their settings

There were 228 representations to the application on multiple issues from the principle of development, placemaking, ecology and biodiversity, traffic issues, flooding and heritage. In terms of this application it was very important that the information requested was proportionate to the issues raised and working closely with stakeholders allowed this to happen. A total of 31 conditions were imposed on the planning permission to meet the requirements of the stakeholders such as Historic Environment Scotland, SEPA, Nature Scot, the Council's Contaminated Land Officer as well as meet some of the issues raised through representation.

Given the natural heritage opportunities of the site, an initial landscape framework was submitted following discussions with Nature Scot. A more detailed Landscape Framework will compliment the masterplan and set out placemaking principles, objectives and parameters once detailed applications are brought forward. This will maximise the riverside location, deliver multi-functional green infrastructure spaces and biodiversity enhancements as well

as harness opportunities for active travel. A Placemaking group has been set up which will drive the objectives of the Landscape Framework and includes representatives from the applicant, Planning Service, Nature Scot, RSPB, GCV Green Network, Sustrans and the Council's Biodiversity Officer and Sustainability Officer. This will feed into the detailed application ensuring the issues of stakeholders are addressed at an early stage and in order to put natural placemaking at the forefront of the development.

Performance Markers 3, 11 and 12



*Exxon Site & Scott's Yard Bowling*

## Sheephill Quarry – Review of Minerals Permission and Extension to Quarry

This year saw two of the longest running and most complex applications in Scotland being determined by the Council. The Review of Minerals (ROMP) application was first submitted in 1998 and the extension application in 2002. The ROMP application does not revisit the principle of whether the quarry should be allowed as this was established by 1949 permission but brings planning conditions up to date with new conditions based on current best practice methods and environmental procedures. If the new conditions affect the economic viability of the quarry the Council may be required to compensate the quarry operator accordingly. The 1949 permission for the quarry was subject to seven conditions which are no longer “fit for purpose” due to changes in environmental and working practices.

The matter is further complicated by the 1949 permission which allows the quarry to operate right up to the edge

of residential properties on Miltonhill. The intention behind the planning application for the new extension was that the existing permission to develop next to Miltonhill would be “swapped” for the new consent to develop the north western extension. Both the ROMP and planning application for the extension were presented to Committee in 2005 but the decisions were not issued as the required Legal Agreement had not been signed due to difficulties on the part of the applicant in securing all of the necessary signatures. Updates on the progress of the applications were presented to various Planning Committee meetings over the 15 years.

The final determination of the ROMP this year will allow the quarry to operate under modern working conditions which include 42 conditions on hours of working, noise, dust and blasting monitoring, landscaping, phasing and restoration conditions. The agreement of the conditions provides a comprehensive compliance monitoring framework for complaints received and to secure the future restoration of the quarry.

Performance Markers 11 and 4

## Extension to Golden Jubilee Hospital Clydebank

The national recognised Golden Jubilee Hospital required a new “Surgical Centre” to provide a range of elective and scheduled orthopaedic care and surgery services. The specific location was particularly selected for the proposed extension as it connects to the main hospital to allow for existing services on that side of the building to be directly extended. The extension was 3 storeys in height and reached a height of 17 metres. It was located adjacent to a row of 25 properties comprising a mix of two storey semi-detached houses and three storey town houses which had short back gardens. These residents expressed concerns about the impact of the extension. Careful consideration has been given to potential impacts of the 3 storey extension upon amenity of these properties in terms of overbearing, overshadowing and overlooking of both their rear elevations and rear private garden ground.

A detailed daylight and solar assessment was requested to assess the shadow cast by the building at different times of days and during different seasons. The conclusion of the assessment was that there will be no impact during spring, summer and autumn and limited overshadowing of these properties during winter months and this was presented to residents and the Planning Committee. It has been established that through this robust assessment that any reduction in sunlight/daylight post development

would not materially noticeable to the occupants of these properties. Windows on the second and third storey level of the extension are to be finished in obscured glazing achieved through condition which will allow light into the rooms of the hospital but will remove any perception of being overlooked by the residents. These changes required and negotiated by Planning allowed a national important but sensitive application to be approved by the Planning Committee.

Performance Marker 3 and 11



## Clydebank Town Centre Development Framework

Clydebank town centre will be shaped by a number of factors over the coming years, including the ongoing trend of internet shopping and its impact on traditional shopping centres, the regeneration of Queens Quay and the new homes being delivered there, and the potential provided by the proposed Clyde/Renfrew Bridge. The redevelopment of the Playdrome site together with other emerging opportunities in the town centre must be considered in that context, to ensure credible offers for the site and for the right development to be delivered.

A Clydebank Town Centre Working Group comprising of Regeneration, Planning, Asset Management and Roads and Transportation has been formed.

To that end the Council has commissioned consultants to develop a Framework to develop guidance for the marketing of the Playdrome site, to inform options for the creation of a town centre transportation hub, to make town centre improvements, identify site opportunities and to recommend better connectivity. The Framework will take account of the impacts of specific opportunities and challenges to Clydebank, and will provide a vision for the future of the town centre that is both ambitious and deliverable. The guiding principles of Clydebank Town Centre Development Framework will be to:

- Promote not restrict growth;
- Provide deliverable solutions for development opportunities and recommend suitable delivery vehicles assessed against current market conditions;
- Ensure there is a framework for connected, complementary growth in the town center;

- Consider and recommend necessary infrastructure or alterations to existing;
- Design and plan for a strong relationship and safe and convenient pedestrian/cycle connections between the shopping center, Glasgow Road, Queens Quay, Kilbowie Road and Argyll Road and the potential transportation hub on Chalmers Street; and
- Build a sense of place so that each opportunity offered is part of a cohesive whole, with environmental, health and wellbeing, and climate change considerations.

The Development Framework is not intended to “reinvent the wheel” and the external consultancy team will incorporate the community aspirations that developed from previous Clydebank Charrettes and public consultation. The Framework is anticipated to be completed before the end of 2021.

Performance Marker 11 and 12

## Heritage Regeneration Conservation Area Appraisal for Dumbarton Town Centre

A Conservation Area Appraisal process is underway for the new Conservation Area in Dumbarton Town Centre, which was designated in August 2019; the sixth in West Dunbartonshire. Fiona Sinclair Architects have been appointed to carry out the Appraisal, bringing a wealth of experience and expertise in heritage and conservation assessment, and with Nick Wright part of the team to lead the public consultation events.

The Appraisal will be conducted in two stages: the first stage will include a building study and urban analysis, based on visual surveys, to understand the condition, uses, character and importance of the buildings and public realm within the conservation area. It will also analysis previous studies to develop a comprehensive character assessment of the town, identifying the key challenges and opportunities for enhancement of the area.

Stage two work will include a more detailed physical survey of key buildings identified for improvements, with cost estimates provided. The Appraisal will be used to develop a robust policy and priority framework for planning decisions and set the groundwork for future funding bids to enhance and regenerate the Conservation Area, including future Conservation Area Regeneration Scheme funding and projects stemming from the Levelling Up Fund.

Crucially, the Appraisal has been designed to maximise public input and engagement with two separate consultation events planned, after each stage of the appraisal is published, plus an initial information and awareness event. This allows all comments and ideas received to feed into the evolving appraisal report. The team will be engaging with as many local residents, businesses, community groups, clubs, and other stakeholders as possible. It will also try to go beyond what most consultations achieve by engaging young people and collaborating with local schools.



*High Street Dumbarton*

## Rediscovering Antonine Wall

Over the past year, the Rediscovering the Antonine Wall project, which is hosted by West Dunbartonshire Council, responded to the pressures of lockdown. This has had a significant impact on the community engagement projects, but other projects have progressed despite the restrictions. The primary focus during 2020-21 has been the creation of replica Roman distance stones, based on the originals found in close proximity to the line of the Antonine Wall. Building on the success of the Bridgeness Slab, the project has installed a total of five replica stones across the central belt of Scotland, one in each local authority through which the Wall runs.



*Replica Distance Slab*

In West Dunbartonshire, the stone at Portpatrick Road in Old Kilpatrick was created by students at City of Glasgow College as a partnership with the stone

masonry department to promote work experience opportunities for young people.

In addition to the replica stones, two of the sites feature large Roman head sculptures. At Nethercroy in North Lanarkshire, a sculpture named Silvanus has been created from corten steel and a partner sculpture named Aurelius, constructed of resin and concrete, has been installed at Lambhill Stables. Both sculptures have been installed in areas of regeneration and are already making an impact in terms of being visitor attractions. Silvanus in particular became a destination on social media during lockdown, with members of the public keen to visit to have their photograph taken with the sculpture. This has helped the project to achieve its key aim of raising awareness of the Antonine Wall by creating accessible visitor attractions and providing a signpost to the route of the Wall.

In November 2020, the project was selected as an example of best practice by Eurocities. Rediscovering the Antonine Wall was included in the Cultural Heritage in Action European Union Catalogue of Good Practices.

One of only 30 projects selected from across the European Union and the only UK project to be selected, the project was further shortlisted in a group of 12 to host a peer learning visit of delegates from across the Europe. A virtual week long peer learning visit was held with good attendance from delegates from the Europe and the UK.

The Arniebog distance stone and Silvanus sculpture at Nethercroy now have been shortlisted for the Engaging People Awards by the Association for Heritage Interpretation.

Performance Marker 12



*Silvanus Sculpture Nethercroy  
North Lanarkshire*

## Policy Framework

### Local Development Plan 2: Proposed Plan

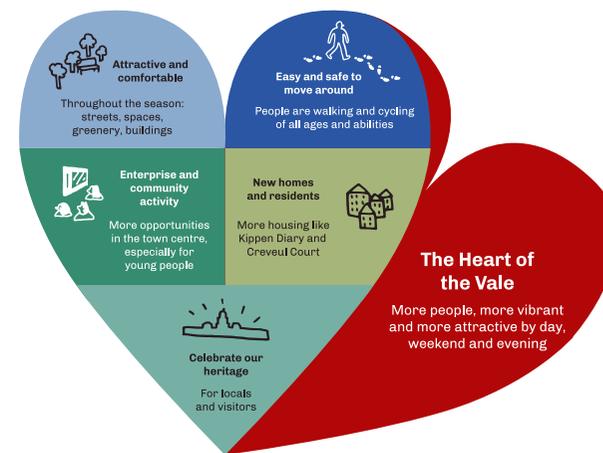
Planning Committee agreed to adopt Local Development Plan 2 on 23rd August 2020. The Intention to Adopt Local Development Plan 2 was advertised on 28 August 2020 and the Plan and associated documents were forward to the Scottish Government for adoption on the same date. On 18 December 2020, the Scottish Ministers issued a Direction to not adopt the Plan unless the modifications specified in the Direction were made. The required modifications are in relation to the Housing Land Requirement chapter of the Plan are in relation to recent decisions of the Court of Session.

At the time of writing, the Council had not made a decision on whether to comply with the Directive or not as the Council are awaiting for the outcome of the Court decision to the appeal at Duntiglennan Fields Clydebank.

Performance Markers 6,10,12

### Locality Place Plans

Previous Planning Performance Framework documents detailed the Council's approach to aligning and integrating Spatial and Community Planning, the policy framework for Locality Place Plans in Local Development Plan 2; and the pilot Locality Place Plans. Last year the Planning Performance Framework outlined the considerable progress that has been made on the Alexandria Locality Place Plan, which has been community led which was designed and written by the Alexandria Community Action Network and supported by both the Forward Planning and Communities Team in an supporting role. The Group are made up of members of local community groups such as the Central Alexandria Tenants and Residents Association; the Leamy Foundation and businesses. A draft Neighbourhood Action Plan has been subject to an initial consultation as part of the Alexandria Masterplan consultation. This is to soft test the proposed actions and projects with the community. The draft Neighbourhood



Action Plan has also been through the Community Planning Partnership Delivery Improvement Groups and at the time of writing we are close to an agreement on how the community aspirations will be delivered by themselves; the Council/ Partners; or in partnership but led by the community.

The Locality Plan for the Leven Ward has been prepared and will be combined with the Neighbourhood Action Plan to form the Locality Place Plan for Alexandria. This will then be subject to further consultation in the second half of 2021.

Performance Markers 10, 12

## Engagement

### Alexandria Masterplan

The previous PPF explained the ongoing project to prepare a revised masterplan for Alexandria Town Centre in order to create a collective vision for the future of the Town Centre. The masterplan project, has been using a participatory approach to engagement with local groups in Alexandria since autumn 2019. Prior to the COVID-19 pandemic this included online engagement, targeted meetings with the Town Centre Forum, local groups and schools as well as a public event at a vacant unit on Main Street.



Images: Proposal graphics from the consultation



This project was about to commence stakeholder engagement on draft proposals as the Covid-19 pandemic started to cause disruption to working practices. The team agreed an approach to engagement which involved small targeted review meetings with a range of stakeholders via Zoom. This enabled focussed discussion on the themes of Arts and Heritage, Community Development, Greenspace and Land Use. These meetings took place with council officers as well as sessions with community groups. Following these early reviews proposals were refined and collated to into a web based consultation on the Alexandria.town website.

As a parallel process the Community Action Network, see Alexandria Locality Place Plan, had a section of the website dedicated to their visioning exercise for the whole town. Although, accommodating this community organisation's processes caused some delay to the masterplan consultation, it was considered that aligning the consultations would limit consultation fatigue in this area. Officers, their consultants and the community action network are currently reviewing comments with a finalised masterplan intended to be published later in the year.

### Performance Markers 10, 11, 12





## Working In Partnership

### Health and Social Care Partnership

Health and well-being is being embedded within the planning process in West Dunbartonshire with regular liaison meetings being held between officers from Planning and West Dunbartonshire Health and Social Care Partnership (HSCP). Processes have been put in place to allow the HSCP to comment, from a health and well-being perspective, on planning applications.

In particular, the HSCP have been developing a Health Impact Assessment Tool and this is currently being trailed on the Council's new Local Housing Strategy. This tool will help the Forward Planning and Development Management Teams to undertake health impact assessment as prescribed in the Planning Scotland (Act) 2019 as this continues to be implemented.

Senior Managers in HSCP and Planning have been supporting the Shaping Places for Wellbeing programme from the Improvement Service and Public Health Scotland whereby working in partnership to achieve the place and wellbeing

outcomes to increase prevention and reduce inequalities and collaborative cross system partnership working which is centred on the experiences of citizens and communities and data driven decision making actions.



*Clydebank Health and Care Centre*

## Regional and local partnerships

### **City Region Land Use and Sustainability Portfolio Group**

The Council continues to work collaboratively with the other 8 Councils within the City Region. The Land Use and Sustainability Portfolio is led by the Chief Executive of East Dunbartonshire Council and contributes to the City Region and City Deal structures. Recent discussions have taken place on National Planning Framework 4 and the minimum all tenure housing figures to be included within it; climate change, flooding consequences, the indicative Regional Spatial Strategy and the integration of Clydeplan into the City Region Structure. During Covid 19, all meetings have been held online and the work of the group has progressed in a virtual environment.

### **Clydeplan**

The Council continues to work collaboratively with the Clydeplan team by providing information on housing land audits; business and industrial; and retail

figures and other data and information. Officers continue to participate in the Steering Group, Heads of Policy Group; topics groups and the development management forum. The main discussions this year have been focussed on the new Housing Needs and Demand Assessment and the minimum housing figures to be incorporated in National Planning Framework 4. All meetings have been held virtually throughout the Covid pandemic.

### **Glasgow and Clyde Valley Green Network Partnership**

The Council continues to be a partner with the other 7 Glasgow and Clyde Valley authorities, the Central Scotland Green Network, the Forestry Commission, SNH, SEPA, Scottish Enterprise and the Glasgow Centre for Population Health. The Council, contributes to the Green Network Blueprint Strategy which sets out how the Green Network will allow people to move around and between their communities via off-road paths and greenspaces and identifies where these connections currently exist and where there is a need to complete the

Network. The Planning and Building Standards and Greenspace Services continue to work with officers from the Partnership on delivery plans associated with the Blueprint Strategy for West Dunbartonshire.

Other work has focused on climate change, the Clyde Climate Forest and other nature based solutions. Over the course of the year the Partnership Manager has retired and the Partnership has been absorbed into a new Strategic Environment Partnership which is an amalgamation of the Partnership board and the Clydeplan Environmental Topic Group. This new group will be managed by the Clydeplan manager. During Covid, the partnership has been able to advance its work virtually.

### **West of Scotland Archaeology Service**

The Council continues to be a partner of the West of Scotland Archaeological Service (WOSAS) and attends the steering group meetings to ensure the Council has oversight of the Service in partnership with other Local Authorities.

This shared service maintains the Historic Environment Record and offers quality Development Management advice in respect of archaeological resources.

### **Scottish Canal Liaison Meetings**

The six weekly liaison meeting with Scottish Canals, the Regeneration Service and the Planning Service to discuss progress on projects at Bowling Basin and on other related items focussed on the Forth and Clyde Canal. Due to operational issues, the meetings have not been held as regularly this year, however, we have continued to meet to discuss the projects at Bowling Harbour and to start the work to prepare a funding bid for a linear park in Clydebank.

### **HoPS: Executive and Performance and Practice Sub Committee**

Heads of Planning Scotland (HOPS) is a representative organisation for senior planning officers from Scotland's 32 local authorities, 2 national park authorities and 4 strategic development planning authorities and maintains a high profile and is a valued contributor to the reform

agenda. During these Covid times it continues to play an important role in driving and implementing change at national and local levels.

The Planning, Building Standards and Environmental Health Manager is a member of the HoPS Executive and Vice Chair of the Performance and Practice Sub Committee. The Performance and Practice Sub Committee's work over the past year has been focused on the key areas of performance, resources, skills and digital transformation. The Sub-committee held three virtual meetings in October, February and May. There has been a good mix of members, representatives from the Improvement Service including Spatial Information, Scottish Government including Digital Planning, RTPi Scotland and COSLA attending the meetings. Key activities have been more limited than usual in 20/21 mostly due to the consequences of the Covid situation and the impact on planned Scottish Government work related to performance and fees. However, the sub-committee has considered the feedback from the

Quarterly Fees Surveys undertaken to gain a national view on Covid related impacts on Planning Services.

The Planning Performance Framework (PPF) remains core business for the subcommittee. Members of the sub-committee undertook a review of the Key Markers and HOPs Executive have made representation to the Scottish Government to alter some of the Key Markers. This is yet to be considered by the Scottish Government Planning Performance High Level Group.

### **HoPS: Development Planning and Development Management Sub-Groups**

Officers from the Planning service also fully participates in the Heads of Planning in Scotland (HoPS) Development Planning and Development Management Sub-Groups.

The work of the Development Planning sub-group has fed into the overall work of HoPS and this year especially in relation to the new Planning Act and National Planning Framework 4. In particular, the sub-group have been heavily involved in determining what should be in the Development Planning Secondary Legislation and the Local Place Plan Legislation, Regional Spatial Strategies, NPF 4 housing figures, as well as, digital planning. The Forward Planning Team Leader also became Senior Vice Chair of the Group this year.

The Development Management Sub Group has also contributed to key areas of work, especially in relation to the implementation of the new Planning Act, non-domestic Permitted Development, small scale housebuilding; validation and determination; and Covid-19 emergency legislation and temporary relaxation of planning controls.



## Service and Council Governance

### Council

Planning Committee continues to meet on a monthly basis with the exception of July. In 2020/21 17 planning applications were determined by Planning Committee with a total of 9 Hearings. A total of 7 Committee site visits took place. The Committee also considered 14 policy and corporate reports on Local Development Plan Examination Report, Design Codes, Street naming, Sustainability annex, Development Plan Scheme and Annual Review of Quarries and Landfill Sites. Separate briefings (Monthly Elected Member Bulletin) were issued to elected members on Sheephill Quarry, Enforcement matters, appeal decisions and the Scottish Government Consultations on NPF4 and Proposed Changes to Pre-Application Consultation Requirements in Planning.

All decisions were made in line with the approved scheme of delegation (April 2019) which provides a good balance between the use of delegated powers and referring applications and items for a Committee decision.

### Financial Governance

The service budget continues to be monitored on a monthly basis by the Manager and Service Accountant. There was a reduction in planning fee income for 2020/21 and this was due to a reduction in the number of large and medium scale applications which would result in a high planning fee.

Planning fee income for 2020/21 was £183,878. This was £157,820 less than the previous year. It is hoped that planning fee income will increase for the remaining of 2021 as some of the planning fee income is used to support additional staff such as the Compliance Monitoring Officer.

The main payments continue to be Clydeplan, West of Scotland Archaeology Service, Ordnance Survey and the Green Network Partnership. Additional payments this year were Legal Fees in terms of external advice for Local Development Plan and Duntiglennan Fields Clydebank.

### Corporate Working across Services

Strong cross service working between Planning, Regeneration, Housing Services, Asset Management, Health and Social Care Partnership, Greenspace, Roads Service and Community Planning continued during the pandemic through the use of teams and via email.

In January 2020 the Regeneration Service came under the responsibility of the Chief Officer Regulatory following the retirement of the Strategic Lead for Regeneration. By having both Planning and Regeneration Services under the same Chief Officer this has further strengthened the strong already corporate working between both services.

## The More Homes Board

The Project Board continues to provide strong governance in the delivery of the Council's affordable housing supply programme ensuring the delivery of high quality Council homes within the agreed timescales. The More Homes Board brings together the expertise from Planning, Housing, Roads, Legal Services, Procurement, Asset Management, Architects and Surveyors. The More Homes Board has played an important role during the pandemic to discuss and resolve issues and to allow the completion and occupation of much needed high quality affordable housing.



## City Deal Groups

The Exxon Project Board continued to meet on a bi-monthly basis through the pandemic to give advice and support for the Council's City Deal Project. As detailed earlier the Planning Permission in Principle for the masterplan was approved this year and the Project Board is now supporting the detailed implementation of the various aspects of the development.

## Developer Contributions

Developer Contributions from planning applications continue to be taken for green network enhancements and parking improvements. The majority of developer contributions being sought are in relation to the provision or upgrading of open space or green network enhancements, usually where onsite provision was not possible or appropriate. The developer contribution fund is managed by the Forward Planning Team. Between 31 March 2020 and 31 March 2021 we received £271,157.42 from planning applications decided in that period, which were taken for single houses and large scale residential developments in line with Our Green Network Planning Guidance. This included a Developer Contribution of £200,000 to provide more sustainable travel as a result of a large extension at the Golden Jubilee Hospital.

Local Development Plan 2: Proposed Plan included a Policy on Developer Contributions, which outlined the types of Green Infrastructure Projects and this Plan is nearing its adoption (see section on the Local Development Plan). Supplementary Guidance on Green Networks and Green Infrastructure (which has been drafted and will be due for consultation in Autumn 2021) provides further detail on a list of green infrastructure projects that the contributions will be spent on. These projects will also be subject to public consultation.

Currently, we are still progressing a number of strategic green infrastructure projects, including: biodiversity, habitat and path improvements for Faifley Knowles in partnership with the Central Scotland Green Network and the Glasgow and Clyde Valley Green Network Partnership; a Linear Park along the length of the Forth and Clyde

Canal in Clydebank in partnership with Scottish Canals and Glasgow and Clyde Valley Green Network Partnership; a local nature reserve at Havoc Fields, Dumbarton; upgrades at Lusst Glen, Old Kilpatrick to make a multi-functional Park and wildlife reserve; and a strategic access project linking Dalmuir Station and Golden Jubilee Hospital and into the wider Clydebank area and beyond. These projects are at still at an early stage, but developer contributions will be used as match funding towards the implementation and delivery of these projects, which will increase the opportunities for recreation, health and well-being for the communities within Clydebank and further afield.

**Case Study: Promoting Sustainable Travel through Developer Contributions**

No further car parking was proposed as part of the large extension to the Golden Jubilee Hospital which was detailed earlier. The site is well served by public transport with frequent bus services running along the nearby Dumbarton Road and the Dalmuir Train Station is a 10-15 minute walk away however the route to the Hospital is not easily accessed or signposted. The Golden Jubilee has agreed to make a financial contribution of £200,000 towards enhancing cycle and pedestrian linkages and this has been secured by a legal agreement.



The financial contribution will further support the Travel Plan which identifies measures to increase the number of people travelling to the site by sustainable transport modes and reduce car journeys particularly single occupancy car travel.

This financial contribution will facilitate improvements of nearby footpaths and cycle paths and is now being taken forward by the Council's Regeneration Team with additional financial contributions being sought from other organisations.

Performance Marker 13 and 15

## Pandemic Response

As reported last year the Planning Service responded swiftly to the government lockdown by implementing our business continuity plan. During 2020/21 the majority of staff continue to work from home although some members of the Technical Support officers have been in the office to carry out tasks which cannot be carried out effectively from home. The Service continue to use Jabber instant messenger, WhatsApp groups, Zoom and Microsoft Teams as a means of communicating with team members, other teams and with our customers.

We continue to assist applicants in implementing the online arrangements and procedures for the pre-application consultation with communities.

Planning Committee continues to be held remotely through Zoom with input from applicants and objectors and hearings taking place, when required. Site visits for elected members also continued during this period. There has been close working with Committee Services and Legal Services to ensure that the Planning

operating during these challenging times. Good positive feedback has been received from elected members, applicants and objectors regarding the continuation of the service and Committees during these challenging times.

## Planning Compliance and Monitoring

This year we received a significant increase in enforcement cases with 219 being recorded in the reporting period and 2 Enforcement Notices served. The majority of the cases are household complaints, with other complaints received regarding unauthorised commercial development and advertisement, quarry complaints and non-compliance with planning conditions. As a result of the increase in the number of complaints this was resulted in a service review of planning enforcement. A new online enforcement complaint form has been introduced together with a general response letter. This has resulted in approximately 3-4 complaints being received per week. Other changes being

taken forward is further categorisation of the complaint when it is received, less use of site visits for more minor breaches. It is hoped that the implementation of these service improvements will result in a more streamline and robust enforcement service.

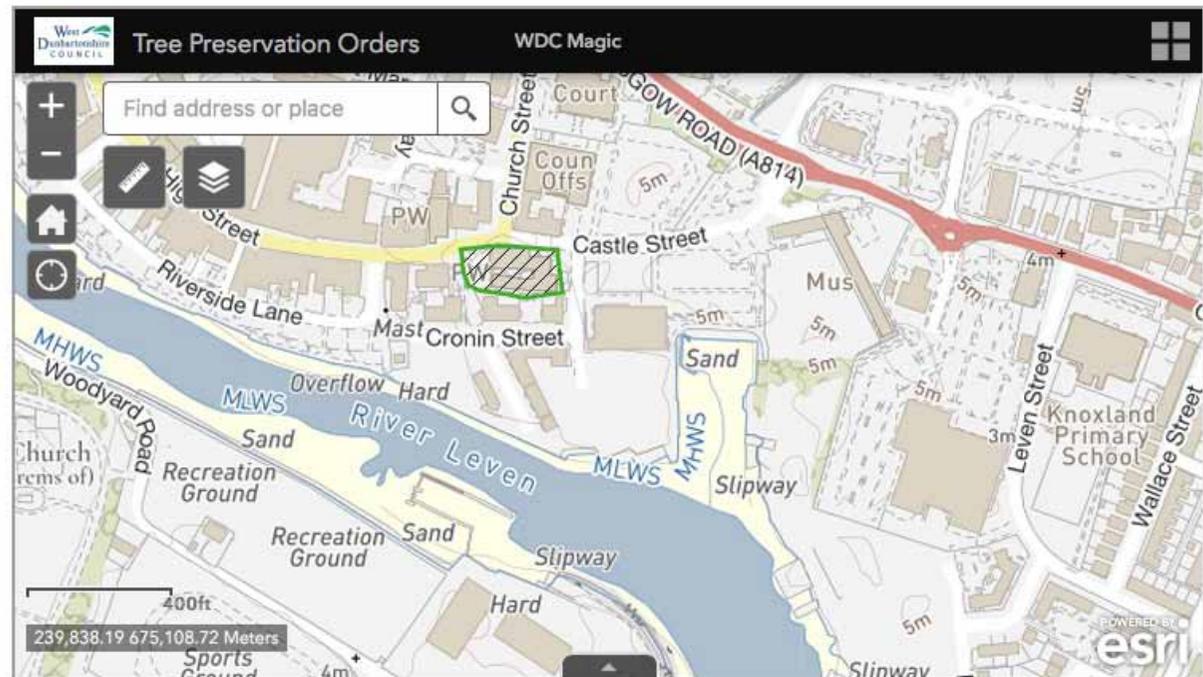
The updated Enforcement Charter on the Council's website continues to explain the enforcement process to the public as well as ensuring that adopted procedures are fair and reasonable and the public are kept informed at each stage of the process.

Performance Marker 5

## Corporate Geographical Information System (GIS)

During 2020/21 there has been close working between the GIS officer and the Improvement Service regarding data for the Spatial Hub. This involved the collation of datasets from planning and other council services, correction/cleansing of this and conversion to the Spatial Hub schemes together with responding to regular address file matching reports in terms of the Corporate Address Gazetteer (CAG).

There was a soft launch for the new ESRI system which involved preparing user manuals, visual presentations and short awareness training for power users in the first instance. There is a lot of interest in the new ESRI mapping system from other services of the Council and an officer from the Organisational Development Service has been assisting in enrolling “data champions” in various services so that the full functionality of the new mapping system is maximised and encouraging other Services to self serve.



<https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/tree-preservation-orders/>



## Continuous Improvement

### Our Benchmarking Partners

The West of Scotland Planning Benchmarking Group is a good example of Councils working collaboratively in a cost effective way.

The group (West Dunbartonshire, East Renfrewshire, Renfrewshire, East Dunbartonshire, North Ayrshire and Inverclyde Councils) were not able to hold any face to face meetings in 2020/2. The email group has continued during this period to get views on specific planning issues. It is intended to have an online Benchmarking meeting in the next few weeks as the Councils involved in the Benchmarking Group have missed the collaborative working and to get a Group view on specific planning issues.

### People Management

Support for staff continues through “Be the Best Conversations” to keep staff motivated and engaged and to identify training needs. This year attendance at external training events was online and this allowed wider access to courses and events which would not otherwise be previously accessible. Events attended included Local Place Plans, Reallocating road space for walking and cycling, RTPi week event, RTPi annual conference - health and wellbeing, Place Standard Alliance Event, Place Standard Tool Improvement Programme Strategic Planning: moving with the times.

### Placemaking Co-ordinator Post

The Place and Design Officer left the Council in February. This was an opportunity to look at the role and responsibilities of the post to ensure it meets the future requirements of the Service and Council. The job title has changed to “Placemaking Co-ordinator” with more focus now on acting as a “Place Champion “ for the council embracing and advocating a place based approach in achieving health and wellbeing and creating well designed quality places. The postholder will still have responsibility for the operation and management of the Place and Design Panel but will develop networks in and outwith the Council to facilitate co-ordinated placemaking decisions and uphold an overall culture supportive of placemaking.

## Community Led Action Plans/ Locality Place Plans Benchmarking and Learning Group

The benchmarking learning group is chaired by the Forward Planning Team Leader and has grown in strength and memberships since last year. The Group now has planners, community planners and senior officers from the majority of Councils meeting every 3 months to discuss and learn from each other in terms of community planning, spatial planning, community led action plans and the forthcoming local place plans. This year the group has concentrated on understanding the implications of local place plans and how this will change existing community planning and planning structures and the resources that will be available to meet the new requirements. The group has also fed into the responses from HoPS to the Local Place Plan regulations and will continue to assist the HoPS Development Planning Sub-Committee in this regard.

During the Covid 19 pandemic, the group has met on line through Teams and the group is hosted and received administrative support from the Improvement Service. The benefits of virtual meetings has helped to increase the groups size and also to exchange knowledge and expertise from a wider range of colleagues than would have been able to do at traditional meetings.

### Service Improvements

We have focused on making various changes to our existing processes and ways of working to improve both the customer journey and efficient ways of working.

- New validation process where all householder planning applications are validated by Technical Support Team.
- Portal 360 introduced and now LIVE on the Web
  - quick and easy way of searching Planning Applications online.
  - currently investigating using this to search Enforcement Cases online
  - investigating the possibility for showing the Weekly List using Portal 360 given the data come direct from Uniform this will streamline, improve and provide up to date information.
- New planning pre-application achieve form with associated process which has reduced the volume of enquiries being received.
- New Section 50 Cert and Section 50 Consultation e-processes now LIVE. Introduction of new online achieve forms for both. Web site updated with links to online forms.
- New HMO e-process now LIVE. Requests to be distributed evenly across the team by the lead planner.
- New Enforcement Enquiry achieve form and response set up – reduced number of Enforcement cases to average 2 to 3 per week.
- New enforcement e-process now LIVE currently being rolled out to compliance officers this includes DMS workflow functionality.
- Enforcement undertaking Service Review to ensure complaints are categorised and planning related, reduce site visits and adopt a more desk top focus and strategic approach towards monitoring the major regeneration sites.

## Part 2: Supporting evidence

### Quality of outcome

Terms of Reference of Place and Design Panel

<https://www.west-dunbarton.gov.uk/media/4314971/x-planning-building-standards-place-and-design-officer-design-panel-place-and-design-panel-terms-of-reference-and-governance.pdf>

Protocol on pre application advice (Protocol 1)

[https://www.west-dunbarton.gov.uk/media/4313073/facilitating\\_appropriate\\_development\\_inc\\_protocols\\_3-4.pdf](https://www.west-dunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf)

Protocol on Liaison meetings (Protocol 2)

[https://www.west-dunbarton.gov.uk/media/4313073/facilitating\\_appropriate\\_development\\_inc\\_protocols\\_3-4.pdf](https://www.west-dunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf)

Committee reports

<https://www.west-dunbarton.gov.uk/council/councillors-and-committees/minutes-agendas-and-reports/>

Spatial/Community Planning links

<https://www.west-dunbarton.gov.uk/planning-building-standards/>

### See Sections

- Quality Design
- Delivering Quality Housing
- Enabling Regeneration
- Heritage Regeneration
- Policy Framework

### Quality of service and engagement

Protocol on Processing Agreement (Protocol 4)

[https://www.west-dunbarton.gov.uk/media/4313073/facilitating\\_appropriate\\_development\\_inc\\_protocols\\_3-4.pdf](https://www.west-dunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf)

Conservation Area Appraisals

<https://www.west-dunbarton.gov.uk/planning-building-standards/conservation-areas/>

Proposed Plan

<https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/local-plan/>

Development Plan Scheme

[https://www.west-dunbarton.gov.uk/media/4317902/appendix-1-development\\_plan\\_scheme\\_and\\_participation.pdf](https://www.west-dunbarton.gov.uk/media/4317902/appendix-1-development_plan_scheme_and_participation.pdf)

Committee reports

<https://www.west-dunbarton.gov.uk/council/councillors-and-committees/minutes-agendas-and-reports/>

### See Sections

- Engagement

## Governance

Elected members pre application procedures (Protocol 3)

[https://www.west-dunbarton.gov.uk/media/4313073/facilitating\\_appropriate\\_development\\_inc\\_protocols\\_3-4.pdf](https://www.west-dunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf)

Planning Enforcement Charter

<https://www.west-dunbarton.gov.uk/media/4319625/planning-enforcement-charter-2020.pdf>

Committee reports

<https://www.west-dunbarton.gov.uk/council/councillors-and-committees/>

Pre Application Governance

<https://www.west-dunbarton.gov.uk/planning-building-standards/planning-applications/pre-application/pre-application-advice/>

### See Sections

- Service and Local Governance

## Culture of continuous improvement

West of Scotland Archaeology Service

[www.wosas.net](http://www.wosas.net)

Committee reports

<https://www.west-dunbarton.gov.uk/council/councillors-and-committees/>

### See Sections

- Continuous Improvement

## Part 3: Service Improvements 2021-22

In the coming year we will:

- Undertake an Urban Capacity Assessment and Open Space Strategy and Play Sufficiency Assessment;
- Assist with the preparation of an Action Plan for North Clyde Riverside;
- Assist with the preparations and implementation of the Clydebank Town Centre Development Framework;
- Publish and implement the Conservation Area Appraisal of the Dumbarton Town Centre Conservation Area;
- Continue to implement the review the Planning website and implement changes;
- Continue to take forward the implementation of projects associated with the outcomes of the Clydebank Can Community Led Design Workshops and work in conjunction with Scottish Canals and other Council Services to take forward the community projects;
- Progress the implementation of the Strategic Access project linking Dalmuir Station and the Golden Jubilee Hospital;
- Continue the implementation of the new GIS/mapping system to wider Council Services and assess its usage and effectiveness ;
- Continue to prepare and publish locality place plans in conjunction with the Performance and Strategy and Communities Teams based around place where appropriate;
- Continue to assist in the review of the masterplan for Alexandria and assist with its implementation;
- Continue to assist in preparation of a signage strategy for the area;
- Assist with the implementation of Council Climate Change Strategy for the area;
- Assist with the preparations of a Renewable Energy Strategy for West Dunbartonshire;
- Implement the Strategic Green Infrastructure Projects in conjunction with the Central Scotland Green Network and the Glasgow and Clyde Valley Strategic Environment Partnership;
- Implement and help deliver Green Infrastructure Projects with the Council's Greenspace Service;
- Seek to approve of the Sustainability and Arts Strategy Annexes of the Design Codes;
- Produce a housing visionary document of quality housing;
- Implement further streamline automated Development Management processes and provide training if required;
- Implement streamline enforcement processes following full Enforcement review;
- Take part in the Shaping Places for Wellbeing Programme;
- Develop a 20 minute neighbourhood case study;
- Hold "Be the Best " conversations;
- Continue to use social media.

## Delivery of our Service Improvement Actions in 2020 - 2021

Committed Improvements	Complete
<p><b>Assist with the preparation of an Action Plan for North Clyde Riverside</b>  <i>The preparation of the Action Plan had been put on hold awaiting the publication of the draft National Planning Framework 4 and the proposed national developments.</i></p>	Ongoing
<p><b>Undertake a Conservation Area Appraisal of the Dumbarton Town Centre Conservation Area</b>  <i>The consultants undertaken the Conservation Area Appraisal commenced its preparation in June 2021.</i></p>	Ongoing
<p><b>Continue to take forward the implementation of projects associated with the outcomes of the Clydebank Can Community Led Design Workshops and work in conjunction with Scottish Canals and other Council Services to take forward the community projects.</b>  <i>A submission to the TCGF fund was successful for a community hub within Clydebank Town Centre and this is currently being progressed. A proposal for a Linear Park utilising the Forth and Clyde Canal is being brought together for a funding bid to Sustrans for a design and feasibility study to be undertaken.</i></p>	Ongoing

Committed Improvements	Complete
<p><b>Progress the implementation of the Strategic Access project linking Dalmuir Station and the Golden Jubilee Hospital</b>  <i>A high level transport appraisal and design and feasibility brief has been completed and we are currently progressing with the procurement of contractors to undertake the design and feasibility of the project.</i></p>	Ongoing
<p><b>Review the Planning website and implement changes</b>  <i>The Planning website has been implemented as part of the service improvements being undertaken.</i></p>	Complete
<p><b>Continue to assist in the review of the masterplan for Alexandria</b>  <i>The masterplan was being consulted upon at the time of writing the PPF. See case study on the Alexandria Masterplan.</i></p>	Ongoing
<p><b>Continue to assist in preparation of a signage strategy for the area</b>  <i>The strategy is currently being prepared.</i></p>	Ongoing

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Committed Improvements	Complete
<p><b>Assist with the preparation of Council Sustainable Development Strategy and Climate Change Strategy for the area</b>  <i>There has been close working between the Forward Planning Team and the Council's Sustainable Officer. Work is ongoing with the production of a Renewable Energy Strategy and the Climate Change Strategy was in its consultation stage at the time of writing the PPF.</i></p>	Ongoing
<p><b>Implement the Strategic Green Infrastructure Projects in conjunction with the Glasgow and Clyde Valley Green Network Partnership</b>  <i>The Faifley Knowes project has been subject to consultation and a project steering group has been set up. Central Scotland Green Network are leading on the project and funding bids are being prepared for submission in 2020/21 to progress the delivery of the project.</i></p>	Ongoing
<p><b>Approve the Design Codes as Supplementary/ Planning Guidance</b>  <i>The Design Codes have been approved as non-statutory planning guidance.</i></p>	Complete

Committed Improvements	Complete
<p><b>Implement the new GIS/mapping system to wider Council Services and assess its usage and effectiveness</b>  <i>The new GIS/mapping system continues to be rolled out throughout the Council. A number of training sessions have been undertaken in this regard in order for Services to be able to use the system.</i></p>	Ongoing
<p><b>Publish the next edition of the Planning and Building Standards newsletter</b>  <i>Due to other commitments and the pandemic this was not issued.</i></p>	No
<p><b>Continue to prepare and publish locality place plans in conjunction with the Performance and Strategy and Communities Teams based around place where appropriate</b>  <i>Progress continues to be made on the preparations and publication of locality place plans. See case study on Alexandria Locality Place Plan.</i></p>	Ongoing

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Committed Improvements	Complete
<p><b>Continue to expand the benchmarking and learning group with other Council's in terms of community led action plan's/neighbourhood plans/Local Place Plans</b></p> <p><i>The group continues to expand with the majority of local authorities represented on the group. See case study on this within the continuous improvement section of the PPF.</i></p>	Ongoing
<p><b>Seek to approve of the Sustainability, Street Naming, Arts Strategy Annexes of the Design Codes</b></p> <p><i>The street naming strategy has been approved and forms part of the Design Codes as non-statutory planning guidance. Consultation on the Sustainability annex has taken place but the document has yet to be finalised. See case study on Queens Quay.</i></p>	Partial
<p><b>Produce a housing visionary document of quality housing</b></p> <p><i>This has not been achieved due to other commitments. Both the Design Codes and Creating Places guidance provides examples of quality housing.</i></p>	Partial

Committed Improvements	Complete
<p><b>Improve and streamline Development Management processes and provide training if required</b></p> <p><i>Service improvements have been implemented to streamline the Development Management process such as a new pre application form and validation of householder applications by the Technical Support team. See case study on Service Improvements</i></p>	Complete
<p><b>Hold annual service day or service visit</b></p> <p><i>Due to Covid pandemic it was not possible to hold an annual service day or undertake a site visit.</i></p>	No
<p><b>Hold "Be the Best " conversations</b></p> <p><i>The are ongoing " Be the Best" conversations happening throughout the year.</i></p>	Ongoing
<p><b>Implement new Committee report format</b></p> <p><i>This has not been progressed due to other work commitments and the covid pandemic. .</i></p>	No
<p><b>Continue to use social media</b></p> <p><i>The service continues to regularly use social media to promote our work.</i></p>	Ongoing

## Part 4: National Headline Indicators (NHIs)

### A:NHI Key outcomes - Development Planning:

<b>Development Planning</b>	<b>2020-2021</b>	<b>2019-2020</b>
<b>Local and Strategic Development Planning</b>		
Age of local/strategic development plan(s) at end of reporting period	<b>11 years and 0 months</b>	<b>10 years and 0 months</b>
Requirement: less than 5 years		
Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme?	<b>N (See explanation in context section)</b>	<b>N (See explanation in context section)</b>
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	<b>N</b>	<b>N</b>
Were development plan scheme engagement/consultation commitments met during the year?	<b>Y</b>	<b>Y</b>

	<b>2020-2021</b>	<b>2019-2020</b>
<b>Effective Land Supply and Delivery of Outputs</b>		
Established housing land supply	<b>4,793 units</b>	<b>4,964 units</b>
5-year effective housing land supply programming	<b>2,725 units</b>	<b>2,271 units</b>
5-year effective land supply total capacity	<b>3,832 units</b>	<b>3,339 units</b>
5-year housing supply target	<b>1,159 units</b>	<b>1,150 units</b>
5-year effective housing land supply (to one decimal place)	<b>11.8 years</b>	<b>9.9 years</b>
Housing approvals	<b>301 units</b>	<b>363 units</b>
Housing completions over the last 5 years	<b>891 units</b>	<b>879 units</b>
Marketable employment land supply	<b>32.71 ha</b>	<b>32.71 ha</b>
Employment land take-up during reporting year	<b>0 ha</b>	<b>0 ha</b>

B: NHI Key outcomes – Development Management:

Development Management	2020-2021	2019-2020
<b>Project Planning</b>		
Percentage and number of applications subject to pre-application advice	<b>255 (44%)</b>	<b>45%</b>
Percentage and number of major applications subject to processing agreement	<b>0 (0%)</b>	<b>0%</b>
<b>Decision Making</b>		
Application Approval Rate	<b>93.5%</b>	<b>97.6%</b>
Delegation Rate	<b>94.4%</b>	<b>92.5%</b>
Validation	<b>52.2%</b>	<b>39%</b>
<b>Decision-making Timescales</b>		
Major Developments	<b>11.2 weeks</b>	<b>14.8 weeks</b>
Local Development (non-householder)	<b>12.6 weeks</b>	<b>16.8 weeks</b>
Householder Developments	<b>9.6 weeks</b>	<b>12.7 weeks</b>
<b>Legacy Cases</b>		
Number cleared during reporting period	<b>8</b>	<b>4</b>
Number remaining	<b>6</b>	<b>8</b>

C: Enforcement activity

	2020-2021	2019-2020
Time since enforcement charter published/reviewed Requirement: Review every 2 years	<b>10 months (SEP 20)</b>	<b>21 months</b>
Complaints lodged and investigated	<b>219</b>	<b>88</b>
Breaches identified - no further action taken	<b>33 (21 NFA)</b>	<b>16</b>
Cases closed	<b>102</b>	<b>62</b>
Notices served	<b>2</b>	<b>1</b>
Direct action	<b>0</b>	<b>0</b>
Reports to Procurator Fiscal	<b>0</b>	<b>0</b>
Prosecutions	<b>0</b>	<b>0</b>

### Contextual Statement

As detailed in previous Planning Performance Framework documents, the Planning Committee took a final decision in April 2016 to decline a recommendation of the Examination Report and therefore the Local Development Plan remains unadopted and remains at Proposed Plan stage.

Local Development Plan 2: Proposed Plan was submitted to the Scottish Ministers for adoption on 28th August 2020. On 18th December 2020, the Scottish Ministers issued a Direction not to adopt the Plan unless the modifications specified in the Direction were made. These related to the housing land requirement chapter of the Plan. At the time of writing the PPF, the Council had not made a decision on whether to comply with the Direction or not. It is presently awaiting for a Court of Session decision on an appeal for residential development at Duntiglennan Fields Clydebank. A Court hearing took in place in early July 2021 and a decision is expected in the next few months.

The inclusion of the site at Duntiglennan Fields in Proposed Plan 1 prevented the Council from adopting Local Development Plan 1. Once the Court of Session decision is received on Duntiglennan Fields the Council will determine whether it will accept the Scottish Government Direction or not and whether Local Development Plan 2 will proceed to adoption.

Housing figures are based on the draft 2020 Housing Land Audit (base dated 31/3/2019). Comparison figures are from the agreed 2019 Housing Land Audit (base date 31/3/2019).

Housing approvals are for the year ending 31 March 2021 and include all housing approvals on sites of 4 or more units, including changes of house types, permissions in principle and in detail. Housing completions are for the 5 year period ending 31 March 2021. Employment land figures are based on the 2021 industrial and business land monitoring (base date 31/3/ 2021).

In the reporting period 6 major applications were determined. This included a major extension to the Golden Jubilee Hospital and key residential developments on the former Council offices of Garshake Dumbarton and Rosebery Place Clydebank. The Council's City Deal project which involves significant redevelopment of the former oil refinery site also was determined this year.

Once again resources have been heavily focused on front loading these complex and high profile applications through the pre application service and at the planning application stage which ensured speedy and quality decision making with an excellent determination of 11.2 weeks which is well below the Scottish average of 41.3 weeks and well below the statutory 4 month determination period for major applications. In terms of both local development and householder applications there was a significant improvement in the average weeks determination period from last year and we hope that this trend will continue into 2021/22. The Development Management Team is a small team and any vacancy will have an impact on performance and speed of determination. There was a vacant Planning Officer post for the first quarter of the reporting period. This post has now been

filled and the Lead Planning Officer has returned from maternity leave. The Development Management Team is now fully staffed and despite the challenges of the pandemic we consider that we have performed very well in this reporting year.

There was an increase in the delegation rate which averaged at 94.4% and the approval rate was 93.5% demonstrating front loading applications and working very closely with applicants to get acceptable developments. Excellent progress has been made to clear legacy cases with 8 cleared during the reporting period. One of the Lead Planning Officers has been focusing on the legacy cases moving them to be refused or withdrawn if a legal agreement has not been progressed or if a financial contribution has not been received.

The current Enforcement Charter is up to date and was agreed by Planning Committee in this reporting year. There has been a substantial increase in the number of complaints lodged and investigated in this period however the additional resource of the Monitoring Officer has assisted. As detailed under the section Planning Compliance and Monitoring the enforcement service is being reviewed and the introduction of an online enforcement reporting form and general response form should assist with addressing the increase in enforcement cases. There was an increase in the number of local reviews and appeals although they remain low compared to the overall number of applications determined. Again this is a reflection of front loading applications through the pre-application service and during the application stage.

## Part 5: Official Statistic

### A: Decision-making timescales (based on 'all applications' timescales)

<b>Timescales</b>	<b>2020-2021</b>	<b>2020-2021</b>	<b>2019-2020</b>
<b>Overall</b>			
<b>Major developments</b>	<b>6</b>	<b>11.2 weeks</b>	<b>14.8 weeks</b>
<b>Local Developments (non-householder)</b>	<b>57</b>	<b>12.6 weeks</b>	<b>16.8 weeks</b>
Local: Less than 2 months	<b>29 (50.9%)</b>	<b>7.3 weeks</b>	<b>6.1 weeks</b>
Local: More than 2 months	<b>28 (49.1%)</b>	<b>18.0 weeks</b>	<b>18.5 weeks</b>
<b>Householder developments</b>	<b>135</b>	<b>9.6 weeks</b>	<b>12.7 weeks</b>
Local: Less than 2 months	<b>90 (66.7%)</b>	<b>6.6 weeks</b>	<b>7 weeks</b>
Local: More than 2 months	<b>45 (33.3%)</b>	<b>15.5 weeks</b>	<b>14.4 weeks</b>
<b>Housing Developments</b>			
<b>Major Housing Developments</b>	<b>3</b>	<b>8.0 weeks</b>	<b>15.7 weeks</b>
<b>Local Housing Developments</b>	<b>10</b>	<b>21.9 weeks</b>	<b>16.3 weeks</b>
Local: Less than 2 months	<b>3 (30.0%)</b>	<b>7.3 weeks</b>	<b>5.7 weeks</b>
Local: More than 2 months	<b>7 (70.0%)</b>	<b>28.2 weeks</b>	<b>17.8 weeks</b>
<b>Business and Industry</b>			
<b>Major Business and Industry</b>	<b>1</b>	<b>23.7 weeks</b>	<b>12.6 weeks</b>
<b>Local Business and Industry</b>	<b>29</b>	<b>10.4 weeks</b>	<b>14.5 weeks</b>
Local: Less than 2 months	<b>18 (62.1%)</b>	<b>7.3 weeks</b>	<b>5.8 weeks</b>
Local: More than 2 months	<b>11 (37.9%)</b>	<b>15.6 weeks</b>	<b>16.6 weeks</b>
<b>EIA Developments</b>	<b>0</b>	<b>n/a</b>	<b>0 weeks</b>
<b>Other Developments</b>	<b>32</b>	<b>9.6 weeks</b>	<b>0 weeks</b>
<b>Planning/Legal Agreements</b>	<b>1</b>	<b>7.4 weeks</b>	<b>27.4</b>
Major: Average time	<b>0</b>	<b>n/a</b>	<b>n/a</b>
Local: Average time	<b>1</b>	<b>7.4 weeks</b>	<b>27.4</b>

B: Decision-making: local reviews and appeals

Type	Total Number of Decisions	Original Decision Upheld			
		2020-21		2019-20	
		No.	%	No.	%
Local Reviews	3	0	0%	1	1
Appeal to Scottish Ministers	7	3	42.9%	2	2

## Part 6: Workforce Information

	<b>Tier 1</b> <i>Chief Executive</i>	<b>Tier 2</b> <i>Director</i>	<b>Tier 3</b> <i>Head of Service</i>	<b>Tier 4</b> <i>Manager</i>
<b>Head of Planning Service</b>				<b>1</b>

<b>Staff Age Profil</b>	<b>Headcount</b>
<b>Under 30</b>	<b>2</b>
<b>30-39</b>	<b>5</b>
<b>40-49</b>	<b>10</b>
<b>50 and over</b>	<b>5</b>

<b>RTPI Chartered Staff</b>	<b>Headcount</b>
<b>Chartered Staff</b>	<b>8</b>

The Planning and Building Standards Service sits under the Chief Officer for Regulatory and Regeneration who now reports directly to the Chief Executive. Regulatory and Regeneration Services also includes Planning, Building Standards, Legal, Committee, Environmental Health and Regeneration Services. The Planning and Building Standards Manager is also responsible for the Environmental Health Service. The Service Structure is provided at the front of the document. The Planning Service is divided into four teams –Development Management, Forward Planning, Technical Support, Antonine Wall Project Team and a Placemaking Co-ordinator.

The Technical Support Co-ordinator semi-retired and one of the Support Officers was successful in getting the Technical Support Co-ordinators post. Two new Support Officers have joined the team and a new Support Assistant. A new Planning Officer joined the Development Management Team. The Antonine Wall Project Team has a Project Manager and one Development Officer. The age profile of the workforce is ageing with a high number of people over 40 years old

## Part 7: Planning Committee Information

<b>Committee &amp; Site Visits</b>	<b>Number per year</b>
<b>Full council meetings</b>	<b>14</b>
<b>Planning committees</b>	<b>10</b>
<b>Area committees</b>	<b>n/a</b>
<b>Committee site visits</b>	<b>7</b>
<b>Local Review Body</b>	<b>3</b>
<b>LRB site visits</b>	<b>2</b>

## Appendix 1 - Performance Markers

No	Performance Marker	Evidence
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	<p>The average timescale for major development is 11.2 weeks (Scottish average of 41.3 weeks); local development (non householder) development is 12.3 weeks (Scottish average of 10 weeks) and householder development is 9.6 weeks (Scottish average of 8.1 weeks).</p> <p>Source: <a href="http://www.gov.scot/publications/planning-performance-statistics-2018-19-annual/">http://www.gov.scot/publications/planning-performance-statistics-2018-19-annual/</a></p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> <li>• offer to all prospective applicants for major development planning applications; and</li> <li>• availability publicised on website</li> </ul>	<p>Protocol on Processing Agreements:</p> <p><a href="https://www.westdunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf">https://www.westdunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf</a></p> <p>Processing agreements offered to all applicants of major development and important local development. Applications are front loaded at the pre application stage which allows the application stage to be much smoother and quicker and removes the need for a processing agreement.</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> <li>• availability and promotion of pre-application discussions for all prospective applications; and</li> <li>• clear and proportionate requests for supporting information</li> </ul>	<p>Protocol on Pre application advice <a href="http://www.westdunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf">http://www.westdunbarton.gov.uk/media/4313073/facilitating_appropriate_development_inc_protocols_3-4.pdf</a></p> <p>Case studies: Virtual Place and Design Panel – Sandpoint Marina, Exxon, Golden Jubilee Hospital, Queens Quay, Early Engagement –Delivering Quality Housing</p>

No	Performance Marker	Evidence
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	<p>No legal agreements were entered into in terms of developer contribution towards local open space provision or associated green infrastructure. Developer contributions secured by other legal mechanisms. See planning guidance below.</p> <p><a href="https://www.west-dunbarton.gov.uk/media/4309581/our-green-network-supplementary-guidance.pdf">https://www.west-dunbarton.gov.uk/media/4309581/our-green-network-supplementary-guidance.pdf</a></p>
5	Enforcement charter updated / re-published within last 2 years	Enforcement Charter was updated in September 2020 and approved by the November 2020 Planning Committee. It was published thereafter.

No	Performance Marker	Evidence
6	<p>Continuous improvement:</p> <ul style="list-style-type: none"> <li>• progress/improvement in relation to PPF National Headline Indicators; and</li> <li>• progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>	<p>Case Study: Local Development Plan 2: Proposed Plan</p> <p>Development land statistics broadly stable. See Housing Land Supply 2019: <a href="https://www.west-dunbarton.gov.uk/media/4319146/final-agreed-2019-audit.xlsx">https://www.west-dunbarton.gov.uk/media/4319146/final-agreed-2019-audit.xlsx</a></p> <p>Decision making timescales for major development is still well below the national average. Although timescales for householder and local development are above the national average there has been an improvement from last year. This was due to a high workload and staffing issues. There was a vacancy for a Planning Officer and this took some time to recruit. For further information provided in contextual statement.</p> <p>Good feedback from developers/service users  <a href="http://www.gov.scot/publications/planning-performance-statistics-2018-19-annual/">http://www.gov.scot/publications/planning-performance-statistics-2018-19-annual/</a></p> <p>The updated Enforcement Charter was approved by Committee in September 2020 - See section on Service and Council Governance Good progress was made on last years service commitments – see delivery of our service improvement actions 2020-21 and also our service improvements 2021-22 detailing our commitments for the coming year.</p>
7	Local development plan less than 5 years since adoption	Eleven years since Local Plan adoption. See Local Development Plan 2: Proposed Plan case study for further information.
8	<p>Development plan scheme – next LDP:</p> <ul style="list-style-type: none"> <li>• on course for adoption within 5 years of current plan(s) adoption; and</li> <li>• project planned and expected to be delivered to planned timescale</li> </ul>	<p>Most recent Development Plan Scheme, <a href="https://www.west-dunbarton.gov.uk/media/4317902/appendix-1-development_plan_scheme_and_participation.pdf">https://www.west-dunbarton.gov.uk/media/4317902/appendix-1-development_plan_scheme_and_participation.pdf</a> relates to Development Plan Scheme for Local Development Plan taken to September 2020 Planning Committee. The new Development Plan Scheme will be taken to September 2021 Planning Committee. Local Development Plan 2 meeting the timescales of the Development Plan Scheme approved in September 2020.</p>

No	Performance Marker	Evidence
9	Elected members engaged early (pre-MIR) in development plan preparation – if plan has been at pre-MIR stage during reporting year	Pre-MIR Elected Member Ward meetings and workshops into the Main Issues Report. See development plan preparation Planning Performance Framework July 2017 - Case Study :Local Development Plan 2 :Main Issues Report.
10	Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – if plan has been at pre-MIR stage during reporting year  *including industry, agencies and Scottish Government	Wide range of stakeholder engagement pre-MIR (Scottish Water, SEPA, SNH etc) and pre-proposed plan.  See Planning Performance Framework July 2017 - Case Study :Local Development Plan 2 :Main Issues Report
11	Regular and proportionate policy advice produced on information required to support applications.	Preparation of new Supplementary Guidance associated with Local Development Plan 2 has commenced. The Guidance on Creating Places and Green Network and Green Infrastructure will be subject to consultation in Autumn 2021 with the other SG's subject to consultation Autumn to Winter 2021.  Development Brief for Sandpoint Marina – Virtual Place and Design Panel Alexandria masterplan, Clydebank Town Centre Development Framework, Exxon, Sheephill Quarry Golden Jubilee Hospital, Queens Quay, Early Engagement: Delivering Quality Housing  Current Planning Guidance can be found at <a href="http://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/otherguidance-and-information/">http://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/local-development-planning/otherguidance-and-information/</a>

No	Performance Marker	Evidence
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Case studies: Locality Place Plans, LDP2, Alexandria masterplan, Clydebank Town Centre Development Framework, Rediscovering the Antonine Wall, Place and Design Panel, Elected member Briefings, Engagement case studies, Working in Partnership section, Service and Council Governance, Early Engagement: Delivering Quality Housing, Queens Quay, Exxon
13	Sharing good practice, skills and knowledge between authorities	Case studies: West of Scotland Benchmarking Group, Rediscovering the Antonine Wall, Place and Design Panel, Queens Quay, Working in Partnership section, Heads of Planning (Scotland), Community Led Action Plans/ Local Place Plans Benchmarking/ Learning Group
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Progress being made to clear legacy cases, as the majority are associated with legal agreements and outstanding financial contributions. All applicants have been contacted with 8 legacy case cleared and 6 legacy cases remained during the year.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> <li>• set out in development plan (and/or emerging plan); and</li> <li>• in pre-application discussions</li> </ul>	<p>Main contributions expected are towards the green network. Local Development Plan 2: Proposed Plan contains a policy on developer contributions and applied proportionately. Developers made aware of developer contributions at pre application stage.</p> <p>See section: Developer Contributions and <a href="https://www.west-dunbarton.gov.uk/media/4309581/ourgreen-networksupplementary-guidance.pdf">https://www.west-dunbarton.gov.uk/media/4309581/ourgreen-networksupplementary-guidance.pdf</a></p> <p>Case Study: Promoting Sustainable Travel – Developer Contributions</p>



*Council Offices Church Street*

## CONTACT DETAILS

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16 Church Street Dumbarton G82 1QL

Telephone: 0141 951 7930

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## OTHER FORMATS

This document can be made available on request in alternative formats such as large print, Braille, audio tape or computer disc as well as in five community languages.

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。



# Item 10

## Appendix 2

Minister for Public Finance, Planning and Community  
Wealth  
Tom Arthur MSP



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Joyce White  
West Dunbartonshire Council

29 November 2021

Dear Joyce White

I am pleased to enclose feedback on your authority's tenth Planning Performance Framework (PPF) Report, for the period April 2020 to March 2021.

This is the first time I have written to you individually in my capacity as Planning Minister since my appointment earlier this year. I am very grateful for the support and welcome I have received and look forward to working with you.

This year has continued to present challenges for people working within planning, in the development sector and across Scotland's communities. We know people are doing the best they can to engage and operate, sometimes in ways and circumstances that may not be ideal, and with many still predominantly working from home. I appreciate that many of you will have had to make difficult choices in what work is prioritised, in much the same way the Government and Planning and Architecture Division has had to. However, we should all be very proud of how planning has responded to the coronavirus pandemic, adjusting as necessary to keep going and supporting recovery. I want to take this opportunity to thank you and your staff for all the work that has been done during the pandemic and to support our ongoing recovery.

When my predecessor wrote to you last year he indicated that the pandemic had required a rethink about the timing and prioritisation of our planning work programme. A number of our workstreams were paused or delayed as a result, including the review of the planning performance and fee regimes, which had been the subject of a detailed consultation that concluded in early 2020. However, in October 2021 we published a revised planning implementation programme (<https://www.gov.scot/publications/transforming-planning-practice-updated-planning->

[reform-implementation-programme/](#)). You will note that we have now recommenced our planning performance and fees review, which reflects the importance Scottish Government attaches to this work. We are currently finalising proposals and intend to lay regulations before the end of the year to introduce increased fees, providing a boost to planning authorities' resources. We also intend to commence the recruitment of the National Planning Improvement Coordinator early in 2022.

Turning to the 2020-21 PPF reporting year, although, as expected, there have been some small changes overall in the markings awarded, the figures indicate that performance has remained relatively stable. This is a testament to the hard work and flexibility of authorities during these very difficult times and I believe that overall good progress continues to be made by Scotland's planning authorities.

If you would like to discuss any of the markings awarded below, please email [chief.planner@gov.scot](mailto:chief.planner@gov.scot) and a member of the team will be happy to discuss these with you.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tom Arthur', written in a cursive style.

**Tom Arthur**

Minister for Public Finance, Planning and Community Wealth

**CC: Pamela Clifford**

## PERFORMANCE MARKERS REPORT 2020-21

Name of planning authority: **West Dunbartonshire Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	<b>Decision-making:</b> continuous reduction of average timescales for all development categories [Q1 - Q4]	Amber	<p><b>Major Applications</b> Your average timescale of 11.2 weeks is faster than the previous year and faster than the Scottish average of 41.3 weeks. <b>RAG = Green</b></p> <p><b>Local (Non-Householder) Applications</b> Your average timescale of 12.6 weeks is faster than the previous year but is slower than the Scottish average of 12.4 weeks. <b>RAG = Amber</b></p> <p><b>Householder Applications</b> Your average timescale of 9.6 weeks is faster than the previous year but is slower than the Scottish average of 8.1 weeks. <b>RAG = Amber</b></p> <p><b>Overall RAG = Amber</b></p>
2	<p><b>Processing agreements:</b></p> <ul style="list-style-type: none"> <li>offer to all prospective applicants for major development planning applications; and</li> <li>availability publicised on website</li> </ul>	Green	<p>Processing agreements are offered for all applications for major development and important local development. <b>RAG = Green</b></p> <p>Processing agreement information is available through your website. <b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>
3	<p><b>Early collaboration</b> with applicants and consultees</p> <ul style="list-style-type: none"> <li>availability and promotion of pre-application discussions for all prospective applications; and</li> <li>clear and proportionate requests for supporting information</li> </ul>	Green	<p>You provide a pre-application advice service which is promoted through the website and have a protocol in place. <b>RAG = Green</b></p> <p>You provide case study evidence to demonstrate how requests for supporting information are clear and proportionate to the applicant. <b>RAG = Green</b></p> <p><b>Overall RAG = Green</b></p>
4	<b>Legal agreements:</b> conclude (or reconsider) applications after resolving to grant permission	Green	Your report states that no applications with legal agreements were determined during the reporting period. However, the

	reducing number of live applications more than 6 months after resolution to grant (from last reporting period)		annual statistics show that one application was determined in 27.4 weeks which is faster than the Scottish average.
5	<b>Enforcement charter</b> updated / re-published within last 2 years	Green	Your enforcement charter was Replaced in November 2020 meaning it was 4 months old at the end of the reporting period.
6	<b>Continuous improvement:</b> <ul style="list-style-type: none"> <li>• progress/improvement in relation to PPF National Headline Indicators; and</li> <li>• progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>	Amber	Your LDP is out of date and will not be replaced in the required timescale however, your enforcement charter is up to date. Timescales for dealing with all applications are faster than last year and you made some progress with legacy cases. <b>RAG = Amber</b>  You have completed 5 out of 21 of your improvement commitments with the majority remaining to be completed over the next reporting year. You have identified a range of commitments for the next reporting year. <b>RAG = Amber</b>  <b>Overall RAG = Amber</b>
7	<b>Local development plan</b> less than 5 years since adoption	Red	Your LDP was 11 years old at the end of the reporting period. It is noted that you have commenced preparation of a new plan.
8	<b>Development plan scheme</b> – next LDP: <ul style="list-style-type: none"> <li>• on course for adoption within 5 years of current plan(s) adoption; and</li> <li>• project planned and expected to be delivered to planned timescale</li> </ul>	Amber	Your next LDP is not on track for adoption within the five year cycle. <b>RAG = Red</b>  Your report states that your LDP is meeting the timescales as set out in your Development Plan Scheme which was approved by committee in September 2020.  <b>Overall RAG = Green</b>
9	<b>Elected members engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	N/A	
10	<b>Cross sector stakeholders* engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i> <i>*including industry, agencies and Scottish Government</i>	N/A	
11	<b>Regular and proportionate policy advice</b> produced on information required to support applications.	Green	You have commenced preparation of supplementary guidance with consultation expected on Creating Places and Green Networks and Infrastructure to be undertaken in Autumn 2021 with other consultation on SPG to follow.
12	<b>Corporate working across services</b> to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	You have provided some good case studies to demonstrate how you work with other council services.
13	<b>Sharing good practice, skills and knowledge</b> between authorities	Green	Your report identifies working with other local authorities through benchmarking groups, HOPS and the Community Led Action Plans/Local Place Plans Benchmarking Group

14	<b>Stalled sites / legacy cases:</b> conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have cleared 4 cases during the reporting year, with 8 cases still awaiting conclusion. We note that you are in contact with the applicants and look forward to further progress.
15	<b>Developer contributions:</b> clear and proportionate expectations <ul style="list-style-type: none"> <li>• set out in development plan (and/or emerging plan); and</li> <li>• in pre-application discussions</li> </ul>	Green	Developer contributions are set out in relation to green network. LDP2 contains policy which will be applied proportionately. <b>RAG = Green</b>  Case studies demonstrate how requests are discussed early in the application process. <b>RAG = Green</b>  <b>Overall RAG = Green</b>

**WEST DUNBARTONSHIRE COUNCIL**  
**Performance against Key Markers**

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
1	Decision making timescales								
2	Processing agreements								
3	Early collaboration								
4	Legal agreements								
5	Enforcement charter								
6	Continuous improvement								
7	Local development plan								
8	Development plan scheme								
9	Elected members engaged early (pre-MIR)	N/A	N/A	N/A			N/A	N/A	N/A
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A			N/A	N/A	N/A
11	Regular and proportionate advice to support applications								
12	Corporate working across services								
13	Sharing good practice, skills and knowledge								
14	Stalled sites/legacy cases								
15	Developer contributions								

**Overall Markings (total numbers for red, amber and green)**

<b>2012-13</b>	1	6	6
<b>2013-14</b>	1	2	10
<b>2014-15</b>	2	2	9
<b>2015-16</b>	1	5	7
<b>2016-17</b>	1	4	10
<b>2017-18</b>	1	5	9
<b>2018-19</b>	2	3	8
<b>2019-20</b>	2	3	8
<b>2020-21</b>	1	3	9

**Decision Making Timescales (weeks)**

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	2020-21 Scottish Average
Major Development	32.4	19.8	24.6	23.4	18.3	28.5	14.8	11.2	41.3
Local (Non-Householder) Development	15.2	10.5	10.7	10.0	11.8	14.4	16.0	12.6	12.4
Householder Development	7.5	6.8	7.3	6.8	7.0	8.6	12.7	9.6	8.1

## WEST DUNBARTONSHIRE COUNCIL

### Report by the Chief Officer - Regulatory and Regeneration

Planning Committee: 16<sup>th</sup> February 2022

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**Subject: Appeal Notice of Intention - DC02/447: Extension to Quarry, Sheephill Quarry, Milton, Dumbarton**

#### **1. Purpose**

- 1.1 To provide the Committee with an update regarding the appeal decision for the above application, further information relevant to the Review of Minerals Permission application (ROMP) and the Scheduled Monuments Permission.

#### **2. Recommendations**

- 2.1 That the Committee notes the intended outcome of the appeal and current situation regarding the ROMP and Scheduled Monument Consent.

#### **3. Background**

- 3.1 The Committee will recall that the above application was refused by the Council in March 2021. Shortly after, the appellant appealed the decision to the Planning and Environmental Appeals Division. The Council has been notified of a "Notice of Intention" that the Reporter is minded to allow the appeal and grant planning permission subject to 39 conditions and following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 or some suitable alternative arrangement, securing a bond sufficient to cover the expected restoration and aftercare works for the quarry extension. The Reporter has given the appellant and the Council up to a 12 week period to conclude the planning obligation. The principal of such a bond had been previously agreed between the appellant and Council officers and it is necessary to ensure that the quarry extension site is restored after it has been worked. If, by the end of the 12 week period, the relevant obligation has not been registered or recorded the Reporter will consider whether planning permission should be refused or granted without a planning obligation.

#### **4. Main Issues**

- 4.1 A copy of the Notice of Intention is contained within Appendix 1. The Reporter in reaching the decision on balance found that the proposal was in

accordance with the development plan. There was some tension with policy DC8 Minerals albeit the need for the development is one of several considerations, however it was concluded that the policy does not explicitly state that a need for the development must be demonstrated. For the same reason there is some tension with policy GB1 Green Belt. The only significant environmental effects are the visual effects of the extension from some locations, including cumulative effects with the extraction of the remainder of the quarry. However the Reporter concluded that these did not give rise to significant conflict with the development plan.

- 4.2** In respect of the other main issues it was concluded that there would be no other significant environmental effects and no conflict with the development plan. The updated noise assessment was not found to be inconsistent with the advice in Annex A of PAN50 and subject to the proposed noise conditions which sets noise limits, significant adverse noise effects are unlikely. In terms of blasting/vibration there are a number of proposed conditions which would control blasting in the extension area identical to those now imposed in the ROMP permission. There is no technical evidence before the Reporter which indicates that blasting from the extension area would cause vibration at problematic levels for any nearby properties. A similar conclusion was reached on dust deposition and relevant conditions would aim to ensure the extension area is operated so as to minimise the release of dust. In terms of the effects on core path users it was acknowledged there might be increased levels of noise and dust for path users in the vicinity of the proposed extension but this would only be for a fairly short stretch of path and unlikely to be a significant deterrent to users of the path. The low ecological value of the site means that there are no significant effects on biodiversity. Other matters identified by objectors were not considered to have a significant effect.
- 4.3** It was concluded by the Reporter that the proposed development accords with the relevant provisions of the development plan and that there are no material considerations which justify refusing to grant planning permission. The Reporter considered that the reasoned conclusions on the significant environmental effects of the proposed development are up to date. For the most part, the Reporter has imposed the conditions proposed by the Council and only made slight amendments so they align with the ROMP conditions. The Reporter has removed Conditions 19 and 20 relating to the main quarry road and to wheel washing of vehicles leaving the quarry and removed the first condition that the proposed development commence with 2 years as he does not believe that they are necessary for the appeal development.

Update on Review of Minerals Permission (ROMP)

- 4.4** The appellant is appealing the conditions contained within the ROMP Decision Notice and has requested that the ROMP application should be determined only subject to the conditions set out in the Decision Notice with the exception that condition 2 in the Decision Notice should be deleted. Condition 2 excludes the Milton Hill area from quarrying. An appeal was lodged by the

appellant on 21<sup>st</sup> December 2021 to the Planning and Environmental Appeals Division. The appellant has stated that condition 2 is contrary to the local development plan and there is no other planning justification for imposition of condition 2. Condition 2 of the ROMP should be removed on the grounds that the imposition of it restricts the mineral rights of the appellant. Following the issuing of the Notice of Intention to grant planning permission for the extension area, the appellant and the Council have agreed to suspend (i.e. suspend) the ROMP appeal pending the conclusion of the planning obligation and the issuing of the Decision Notice for the extension area.

Once the Decision Notice is issued, and planning permission granted, for the extension area the appellant has agreed to withdraw the appeal against the ROMP conditions.

#### Scheduled Monument Consent

- 4.5 The Council lodged representations to Historic Environment Scotland to the application for Scheduled Monument Consent for removal of Sheephill Fort. Historic Environment Scotland on 21<sup>st</sup> November were minded to grant Scheduled Monument Consent for quarrying operations which affect the Scheduled Monument subject to a number of conditions regarding the excavation, recording and publishing of findings regarding the Sheephill Fort. The application is presently awaiting a decision from the Scottish Ministers who have extended the time period for consideration.

### **5. People Implications**

- 5.1 There are no personnel issues.

### **6. Financial and Procurement Implications**

- 6.1 The appellant has made a claim against the council for the award of its expenses in making the appeal against the refusal of the extension application. The Council has opposed any award of expenses. The claim will be dealt with by the Reporter at the same time as determining the appeal for the extension area.
- 6.2 There are significant financial implications for the Council if the appeal of the ROMP conditions proceeds and is successful.

### **7. Risk Analysis**

- 7.1 A risk assessment is not required.

### **8. Equalities Impact Assessment (EIA)**

- 8.1 There are no equalities issues identified.

## 9. Consultation

9.1 Consultation was carried out during the planning and appeal processes.

## 10. Strategic Assessment

10.1 The ROMP and extension application supports the strategic priorities of the Council.

**Peter Hessett**  
**Chief Officer – Regulatory and Regeneration**  
**Date: 16<sup>th</sup> February 2022**

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**Person to Contact:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager  
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**Appendices:** Appendix 1 – Appeal: Notice of Intention – EIA Development: 18<sup>th</sup> January 2022

**Background Papers:** Planning Committee Reports  
- 11<sup>th</sup> March 2020  
- 11<sup>th</sup> November 2020  
- 26<sup>th</sup> January 2021  
- 3<sup>rd</sup> March 2021  
- 10 November 2021

**Wards affected:** Ward 3 (Dumbarton)



Notice by David Liddell, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-160-2034
- Site address: Sheephill Quarry, Milton, G82 2RN
- Appeal by William Thompson & Son (Dumbarton) Ltd against the decision by West Dunbartonshire Council
- Application for planning permission DC02/447 dated 28 March 2003 refused by notice dated 26 March 2021
- The development proposed: Quarry Extension
- Application drawings: see Schedule 2 of this Notice
- Date of site visit by Reporter: 31 August and 26 November 2021

Date of notice: 18 January 2022

### Notice of Intention

For the reasons given below I am minded to allow the appeal and grant planning permission in principle subject to the 39 conditions listed in Schedule 1 of the notice and following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, or some suitable alternative arrangement, securing a bond sufficient to cover the expected restoration and aftercare works for the quarry extension.

The appellant made a claim against the council for the award of its expenses in making this appeal. I will deal with that claim at the same time as determining the appeal

### Background

1. The planning application to which this appeal relates was made in 2002 and determined by the council in 2021. It will therefore be helpful to explain the context in which the appeal has been made.
2. Planning permission for Sheephill Quarry was first granted on appeal by the Secretary of State for Scotland in 1949. In the late 1960s Dunbartonshire County Council granted planning permission for a residential development at Milton Hill. These houses would be (and now are) close to the western edge of the consented extraction area. It appears that the quarry may not have been operational at that time and the County Council was perhaps not cognisant of the full terms of the permission for the quarry when it approved the housing development.
3. In 1997 West Dunbartonshire Council gave notice, under the statutory arrangements for the 'Review of Old Minerals Permissions' (ROMP), that the quarry was an active site

and an application must be made to provide for new planning conditions for the quarry. Around this time the close proximity between the houses at Milton Hill and the edge of the consented extraction area became apparent.

4. It seems that the quarry operator and council officers then discussed how to resolve the potential conflict between extraction at the quarry and housing in close proximity. It was proposed that the quarry operator would forego its rights to extract the westernmost part of the quarry (the part closest to the houses at Milton Hill – ‘the excambion area’) in return for a proposal to extend the quarry to the northwest – the extension area which is the subject of this appeal. Not working the excambion area would preserve a distance of about 150 metres between the quarry workings and the houses at Milton Hill. Therefore there were two concurrent planning applications – one for the ROMP (where council officials recommended a condition preventing extraction in the excambion area) and one for the proposed quarry extension.

5. Councillors had been minded, in 2005, to approve both applications subject to a planning agreement to ensure restoration of the land in the extension area following extraction. However it seems that the applicant could not obtain all the necessary consents for the agreement, so it could not be entered into. Both applications remained dormant until, in 2019, the land ownership issues seem to have been resolved.

6. Given the long hiatus between the council’s initial consideration of the applications and their resurrection in 2019, the council re-notified the neighbouring properties of the applications in 2020. A number of letters of representation were made in respect of the applications. Both applications then went back to the planning committee and then to a full meeting of the council in 2021. The council approved the updated ROMP conditions (one of which precludes extraction in the excambion area) but refused the application for extraction in the extension area. The current appeal is against that refusal.

7. An EIA Report (as we would now call it) was submitted with the 2003 application. This addressed the environmental effects of operating the quarry on the working assumption that the proposed extension area would be worked instead of the excambion area. Prior to the applications being determined in 2021 updated environmental information had been provided on ecological effects (2021) and effects from noise and vibration (2020).

8. The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 were replaced with new EIA regulations in 2017. However because of the date the original application was made the statutory position is that it is the 2011 Regulations, as they applied on the day before the 2017 Regulations came into force, which have force for this appeal. As an extension to a quarry, Schedule 2 of the 2011 Regulations identifies the appeal development as EIA development.

9. Following my initial review of the evidence before me and immediately after my accompanied site inspection, on 1 September 2021 I issued a request for further evidence on a number of matters. All of those who had made representations to the council in 2020 and who had, by 1 September 2021, made representations to DPEA following the appeal were included in that request.

10. As part of that exercise, I asked the appellant to clarify which environmental effects, if any, the EIA Report identifies as significant. I also asked the appellant to update the landscape and visual assessment in the EIA Report, including visualisations and other

supporting information in line with currently available technology and good practice. That additional information was subject to publication, consultation and neighbour notification in accordance with the requirements of the 2011 Regulations. Since updated assessments had recently been submitted on ecological effects and on effects from noise and vibration, I did not ask for further updates in relation to these matters.

11. I am required to examine the environmental information, reach a reasoned conclusion on the significant environmental effects of the proposed development and integrate that conclusion into my final decision. In that respect I have taken the following into account:

- the EIA report submitted to the council on 21 March 2003;
- the additional information submitted to the council in 2021 on ecological effects and in 2020 on effects from noise and vibration;
- consultation responses from internal and statutory consultees made to the council in 2019 and 2020;
- representations from members of the public made to the council in 2020 and to DPEA following the appeal;
- the response to my 1 September 2021 request for further evidence;
- responses to my subsequent request for further evidence in relation to noise effects; and
- the additional information on landscape and visual effects provided by the appellant at my request, and the subsequent comments on this information following its publication and notification to neighbours of the site.

## Reasoning

12. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises the Glasgow and Clyde Valley Strategic Development Plan and the West Dunbartonshire Local Plan 2010. I have not been directed to any provisions of the Strategic Development Plan as having a significant bearing on the appeal.

13. The council had, following its examination, proposed to adopt a replacement local development plan in 2016 but ultimately chose not to do so for reasons which are not relevant to this appeal. The council has a new 2020 proposed local development plan, modified after its examination. The council intends to adopt the 2020 plan but the Scottish Ministers have directed it not to do so until certain changes (again unconnected to the appeal proposal) are made to it.

14. In my view the modified 2020 plan, having been found to be suitable for adoption insofar as it relates to the appeal proposal, can be treated as an important material consideration and as representing the council's most recent policy position. Having never been adopted and now, in effect, replaced by the 2020 plan by having reached an equivalent stage, I see little justification for paying regard to the policies of the 2016 plan.

15. Sheephill Quarry lies to the east and northeast of the village of Milton. It is accessed from the Dunglass Roundabout on the A82 trunk road, which lies to the south. There is a large quarry void, but much of the area which would be extracted under the 1949 consent is yet to be worked. This includes most of Sheep Hill itself, which is to the southeast of the

current void. Auchentorlie Wood lies to the south of the quarry, between it and the A82. The excambion area covers the northwestern corner of Auchentorlie Wood, with the houses at Milton Hill lying immediately to the southwest and downhill of this area.

16. Greenland Farm (in the same ownership as the quarry) lies to the northeast of the quarry. To the northwest of the quarry void is the proposed extension area. The access track to Greenland Farm, a core path, runs along the northern part of the appeal site. The track continues westwards, downhill to join Milton Brae where the houses of most of the objectors to the appeal are located.

17. The excambion area is 2.33 hectares in size of which, says the appellant, an area of 1.76 hectares would be extracted if it were to be worked. The size of the extension area is 1.53 hectares with a proposed extraction area of 1.07 hectares. The appellant advises that, although less rock could be won from the extension than from the excambion, it would facilitate the removal of more rock from the main quarry area. Overall, if there was to be a 'swap' the net effect would be that an extra 0.93 million tonnes of rock could be extracted.

18. The council refused permission for the quarry extension, against the advice of its planning officials, because it was 'unacceptable because of the effect it would have on the amenity of the area and the residents of nearby property'. In responding to the appeal, the council identifies a number of policies (none of which feature in the reason for refusal) in the 2010 local plan (and in the 2016 and 2020 plans) which it says the development would not comply with. This is because of its landscape and visual effects (including on the setting of the Kilpatrick Hills), loss of high grassland, effects on residential amenity and disruption to core path users when the core path would need to be closed during blasting. The council also identifies amenity concerns should the ownership of Greenland Farm become divorced from that of the quarry.

19. The appellant argues that there would be no significant landscape, visual, environmental or amenity effects arising from the proposed quarry extension. The proposal fully complies with the development plan. Its swap with the excambion area would, although extraction there would be technically feasible, avoid the significant effects on amenity and natural heritage, and the landscape and visual effects, which would inevitably be caused by extraction there. Greenland Farm would remain in the same ownership.

20. To supporters of the appeal it offers the opportunity to exchange the prospect of extraction at the excambion area, which would bring noise, vibration, dust and other disruption much closer to their homes at Milton Hill, for extraction at the appeal site which is much further from any homes and so would have much lesser adverse effects. They also point to the adverse ecological effects if the part of Auchentorlie wood (part of a local nature conservation site) which lies in the excambion area were to be subject to extraction.

21. Objectors to the appeal do not consider that there need be any such swap, and doubt that the excambion area would ever be worked. There would be landscape and visual effects and a loss of residential and wider amenity from extraction in the extension area. The new woodland to the north of the extension area, planted since the applications were considered by the council in 2005, is not referred in the EIA Report, and the 2021 ecological update is said to be insufficient. The objectors also point to the effects on the core path and on the operation of neighbouring farmland during blasting. Bowling and Milton Community Council shares these concerns, stating also that reducing visitor numbers to the area would affect local businesses.

22. It seems to me that the first issue I must address is whether or not I should consider the proposed quarry extension on its own merits, or instead consider it as part of a package along with the accompanying benefits of avoiding certain adverse effects by not extracting in the excambion area. In my view it is the merits of the appeal proposal alone which I should place greatest weight on.

23. This is primarily because the ROMP consent already precludes extraction in the excambion area. So the current position is that extraction cannot take place there. Any decision I take on this appeal would not change that. An appeal has in fact now been made against the condition of the ROMP consent which precludes extraction in the excambion area. However I still understand the appellant's position to be that, if I allow the appeal, it would not pursue any proposal to extract in the excambion area. Regardless of my decision in this appeal, if the ROMP appeal is not withdrawn and requires to be determined it will be for the reporter appointed for that appeal to decide the case on its merits.

24. The appellant has said that it might seek compensation from the council because the ROMP conditions now limit the amount of material that could otherwise have been extracted under the terms of the 1949 consent. But I deem that to be a matter for the appellant and the council rather than a prospect (the outcome of which cannot be known) which has a bearing on the planning merits of the appeal proposal.

25. Therefore, having regard to the provisions of the development plan, the environmental information before me and the views expressed in the written evidence, the other main issues I address in this notice are:

- The need for the proposed development
- Landscape and visual effects
- Effects on residential amenity, including due to noise effects
- Effects on core path users
- Ecological effects

#### The need for the proposed development

26. Policy DC 8 – Minerals of the 2010 local plan presumes against mineral extraction within or adversely affecting areas which have been identified as important for nature conservation, landscape conservation or built heritage. Elsewhere, one of the criteria against which applications are to be assessed is a justification of the need for the extracted material within the regional market area.

27. I asked for further evidence on this matter, and take account of the responses received. I do not read the above policy as presuming against any mineral extraction in the green belt. If that had been the intention, I would expect that to have been stated in more certain terms. Green belts are, according to the local plan, to serve a number of purposes so I think it would be too narrow (and for the reader of the plan it would leave too much to interpretation) to consider them to be one such 'area' listed in the policy. In any event, I take account of the ecological, landscape and visual effects of the proposal. There are no important built heritage assets which would be significantly affected.

28. The Kilpatrick Hills are identified as a Regional Scenic Area in the local plan and therefore would in my view reasonably be considered to be an area identified for landscape conservation, applying the terms of DC 8. I return to landscape and visual effects below.

29. But for the meantime the second part of policy DC 8, including the need for the material to be extracted, is relevant. The appellant's position is that it is the proposed surrender of the excambion area which establishes the need for the extension area to replace it. In the context of the discussions the appellant has had with council officials that is an entirely reasonable position to adopt. Although I find above that, for the most part, I must consider the appeal proposal on its own merits, I do also keep in mind that that proposed swap was a driver for the making of the extension proposal in the first place.

30. However I do not have any detailed evidence before me from any party as to whether the landbank (as referred to by the appellant) of consented mineral reserves is deficient. Therefore, applying one of the criteria of DC 8 to the proposal before me, the evidence does not show whether or not there is a need for the appeal proposal 'within the regional market area'.

31. The appellant points to a previous appeal decision (PPA-160-2022) at the nearby Dumbuckhill Quarry. In that proposal the reporter appears to have accepted a continuing need for working the quarry without having detailed evidence as to need. However that proposal appears to have been, in effect, to work the quarry to a different profile than the previous consent. The reporter seems to have been addressing the question of whether it could be the case that there was no longer a need for the quarry at all. That is different from the circumstances of the appeal proposal, which is to extend a quarry.

32. Local plan policy GB 1 Green Belt presumes against development, with certain exceptions. One of these is where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site.

33. I agree with the appellant insofar as minerals can only be worked where they are found, so there is a specific locational requirement. I presume the reference in GB 1 to 'an alternative site' is intended to mean an alternative site outwith the green belt. I don't have information about what other such alternative sites might exist but, in any event, I don't think it would appropriate to apply this test to a proposal to extend what is a long established quarry which provides part of the reserve of construction aggregates for the wider area. However, again I find that there is no clear evidence as to whether or not there is a current need to work the reserves on the appeal site.

### Landscape and visual effects

34. Policy E 9 Landscape Character of the local plan says that development in the green belt must have particular regard to the landscape character and distinctiveness of West Dunbartonshire and adjoining areas. Proposals should positively contribute to conservation or regeneration of these landscapes. Proposals which are detrimental to the landscape character will not generally be supported unless they are supported by other local plan policies.

35. Policy GB 1 Green Belt says that development which has an adverse effect on the landscape character of the local area will not be permitted. Green belt policy aims to

protect the character, landscape setting and identity of the urban area, particularly where settlements are at risk of coalescence. Policy GD 1 Development Control requires development to respect the character of the area in which it is located.

36. As I explain above, I asked the appellant for updated visualisations and other material to describe and illustrate the expected landscape and visual effects of the proposed extension. The original EIA Report, and indeed the additional information, seek to assess such effects in combination with the corresponding reduction in overall effects from the quarry which would be the case if the excambion area is not extracted. Development of the quarry including extraction of the excambion area is described as the 'Permitted Development'. However, as I set out above there is no current consent to extract in the excambion area.

37. The 2011 Regulations require me to consider the effects of the appeal proposal alone and in combination with other development. The most relevant other development in this case is the extraction of the other parts of the quarry. Some objectors are critical of the quality of the updated landscape and visual assessment. I agree that the visualisations could perhaps have been rendered in finer detail. And the analysis does not seem to offer a view on the significance of the effects of the extension in combination with the development of the rest of the quarry as currently permitted. Despite this, I am satisfied that the updated assessment provides me with sufficient information to reach a view on the likely significant landscape and visual effects of the development.

38. In respect of landform I accept that the size of the extension area may be quite modest, but the effects of deep extraction and the formation of terraces would, at the level of the site itself, be dramatic. Considering the extension alone I agree with the updated assessment that the improved grassland landcover of the site is not particularly sensitive.

39. The updated assessment identifies the site as being within an area of rugged moorland landscape character. I have not been provided with a map showing the full extent of this area of rugged moorland. However the Kilpatrick Hills, which extend for several kilometres to the north and east, could reasonably be described as rugged moorland of similar character to the appeal site. The effects on landscape character of the quarry itself would be to change that from rugged moorland to a working (and then restored) hard rock quarry. However, that effect would be very localised. Albeit the quarry would be visible from elsewhere within the Kilpatrick Hills, given the extensive size of this area there would not be a significant effect on its landscape character or on the landscape setting of the hills. In this respect I see no significant conflict with policies E 9, GB 1 and GD 1 of the local plan.

40. Turning to visual effects, the updated assessment provides visualisations from eight representative viewpoints. Seven of these are in the area to the west and north of the quarry and at fairly close proximity to it.

41. Viewpoint 8, on the other hand, is on the southern side of the Clyde at Erskine Golf Club. Considering the visual effects of the extension alone, the distance from this location and the screening by Sheep Hill would render the effect insignificant. But the photomontage of the extension with the rest of the quarry extracted shows a much greater magnitude of cumulative effect, which would be significant. I would observe, however, that this view directly across the river from the quarry is likely to be have the greatest magnitude of combined effects from any location on the south side of the river. Similar views would be possible from Marr Hall Hotel and, if only glimpsed occasionally through woodland, from the

footpaths near this location. Views of the extension itself are likely to be more appreciable from further west along the southern shore of the Clyde, for example from the A8 at Langbank and on the stretch of the road east of junction 31. Again I think the cumulative effects would likely be significant from these locations.

42. It seems that from viewpoint 7, on the A82 at Milton, the extension development would not be visible. It would be visible from viewpoint 5, slightly to the north on Milton Brae. But the photomontage shows only minor re-profiling at the site in this view, which I accept would not be significant. Viewpoint 3 is further north again on Milton Brae. Although closer to the site the view of the development is still a partial one, and for only a short stretch of the road. I accept that it is below the level of a significant environmental effect.

43. I take a different view in respect of visibility from the core path. Travelling east from Milton Brae on the path, views of the extension development would become fuller and closer. Albeit the photograph from viewpoint 2 at Mattockhill is cluttered by trees in the foreground, my judgement from my site inspection is that, walking towards the extension development in such close proximity the visual effects would be significant, especially if machinery and activity in the quarry is visible in the view ahead.

44. I think there would also be significant effects for walkers heading west and then south on the path towards viewpoint 1. Clear views would seem likely to be available down towards the extension.

45. I also disagree with the updated assessment about the visual effects from Middleton. I think that the topographical change where the top of the ridge at the end of the extension would be lowered would be a significant visual effect. However I do note that this viewpoint is not a publicly accessible location. Even at Viewpoint 6 (Dunbowie) I would say the same effect would perhaps be significant, albeit this does not appear to be a well-visited or easily accessible location.

46. It can be seen that I find that, in term of the EIA Regulations, there would significant visual effects from the appeal proposal, including in combination with the effects of developing the remainder of the consented quarry. However the extent of visual effects from the extension alone would be experienced in a limited number of locations in close proximity to the site, as I find above. I do not find these effects to be so severe or widespread that they would fall foul of the requirements in policies E 9 and GB 1.

47. The site is not within the area identified as the Kilpatrick Hills in policy RSA 1 of the local plan. Therefore this policy does not directly apply in this case.

#### Effects on residential amenity

48. The potential effects on residential amenity from the appeal proposal are noise, vibration (from blasting) and dust. The closest receptors are the houses along Milton Brae.

49. Local plan policy DC 8 – Minerals requires that the impact of the proposal on the amenity of local properties be considered. As the supporting text to policy DC 8 points out, Planning Advice Note (PAN) 50 provides advice on controlling the environmental effects of surface mineral workings.

50. In respect of residential amenity, the council's response to the appeal says the following:

'If the proposed development is permitted, there will inevitably be significant noise from the operation of the extension to the quarry. That noise will be generated by the working of the quarry and by the vehicles used to transport the excavated material. The blasting will lead to ground borne vibration as well as airborne vibration. Dust generated at the extension area is likely to be blown and deposited at the nearby properties. There will be a significant increase in noise, vibration and dust for properties which are near the area of the extension.'

### Noise

51. Annex A of PAN 50 covers noise (excluding noise from blasting). It recommends a model for the prediction of the likely level of noise emissions from proposed minerals development and a method for setting noise limits for incorporation into planning conditions.

52. Annex A (whilst commenting that each case should be considered on its merits) says that the nominal daytime limit at noise sensitive properties should normally be 55 dB (decibels)  $L_{Aeq,1hr}$ .<sup>1</sup> The PAN goes on to state that a lower nominal daytime limit might be appropriate in quieter rural areas if a limit set at 55dB would exceed the existing background noise levels by more than 10dB. This lower level should not normally be below 45dB, since this may be difficult to achieve and such a limit should prove tolerable to most people in rural areas. The night-time nominal limit should be 42dB.

53. The appellant's updated noise assessment makes predictions of operational noise which are stated to be worst case because they assume plant working at the closest point and/or highest topographical level to receptors and assume ideal meteorological conditions for sound propagation. The background noise levels measured in the earlier 2003 noise assessment are used.

54. The council's proposed noise limits for the quarry extension are almost identical to those specified in the equivalent ROMP condition. The principal difference is that, at Middleton, the allowable limit when drilling the upper bench of the extension would be 48dB rather than the 45dB limit which would normally apply. The council also confirmed that these limits are intended to be applied using the  $L_{Aeq,1hr}$  noise index.

55. My procedure notice asked for further evidence on a number of matters in relation to noise effects. Like the Milton Brae residents I remain doubtful that I can place great reliance on the 2003 Mattockhill noise surveys as an indicator of current background noise levels at Middleton given the age and short duration of the survey and the distance between the two locations. However I accept the point made by the appellant that the measured noise levels are only marginally above (by 1dB) the level which would result in the lower 45dB noise limit identified in PAN 50 being applied. This lower limit is indeed used for

<sup>1</sup>  $L_{Aeq}$  is an A-Weighted noise index used to describe the equivalent continuous sound level - the sound level of a steady sound having the same energy as a fluctuating sound over a period of one hour. Normal hearing covers the frequency (pitch) range from about 20 Hz to 20,000 Hz but sensitivity is the greatest between about 500 Hz and 5,000 Hz. The A-Weighting is an electrical circuit built into noise meters to mimic this characteristic of human hearing. [Definition adapted from PAN 50 Annex A]

Middleton other than when drilling the upper bench of the extension, as noted above. The limit applied in the early morning and in the evening would be 42dB.

56. Noting the worst-case nature of the predictions, the short duration of drilling to the upper bench, the relatively low limit of 48dB in absolute terms and that the lowest PAN 50 derived limits would apply at all other times, I am satisfied that the overall level of noise effects experienced at Middleton would not be significantly adverse. The Milton Brae residents, in responding to my procedure notice, carefully applied the advice in the technical annex to PAN 1/2011 Planning and Noise. Whilst I accept this was a reasonable exercise to undertake, annex A of PAN 50 remains extant and is the most directly relevant source of Scottish Government advice relevant to the noise effects from mineral workings. Both the ROMP noise condition and the council's proposed noise condition for the appeal development are based on the advice in the PAN. I do not see a strong reason to depart from that advice, which would ensure a consistent approach to both sets of conditions.

57. I also asked about the likely noise effects at properties on Milton Brae closer to the extension area than Middleton. In responding, the appellant reproduced the results of background noise monitoring in this vicinity (undertaken for Dumbuckhill Quarry) which appear to show that there is a higher level of background noise further south along Milton Brae than at Middleton. The conclusion that noise from the quarry extension would, at these locations, be well below (even when drilling) the PAN 50 derived limits appears reasonable, and it has not been challenged by any other party.

58. At Greenland Farm, predicted noise levels from the proposed extension are below the background noise measurements used in the assessment, and also below the upper PAN 50 55dB limit which would apply. Noise levels from the extension would also be below background levels at the two other proxy receptors – 9 Milton Hill and Auchentorlie.

59. I do not find that the updated noise assessment is inconsistent with the advice in Annex A of PAN 50. Ultimately, subject to the proposed noise condition which sets noise limits which I find to be appropriate and with which the quarry operations must comply, council environmental health officers did not object to the proposal. The statement in the council's response to the appeal is a very generalised one which does not draw support from or refer to either the technical evidence on noise or the advice of its own officials. I take note of the evidence from the Milton Brae residents but I do not think that it identifies a likelihood of significant adverse noise effects. Overall, I find no conflict with policy DC 8.

### *Vibration*

60. The council proposes a number of conditions which would control blasting in the extension area, identical to those now imposed in the ROMP permission. Proposed condition 12 would require that ground vibration from blasting does not exceed a peak particle velocity of 6 mm/s in 95% of all blasts (with no individual blast to exceed 12 mm/s) as measured at any nearby vibration sensitive property. These limits are in accordance with the advice in the February 2000 Annex B of PAN 50. There would be no blasting outwith the hours of 10am to 4pm, nor on weekends or bank holidays.

61. Other than at Middleton Farm, predicted vibration levels from the extension would be below those predicted from working the other parts of the quarry. Albeit there are no predictions for the closer properties on Milton Brae, the predictions for Middleton (a mean of 2.1 mm/s) are much lower than that required by the condition. There is no technical

evidence before me which indicates that blasting from the extension area would cause vibration at problematic levels for any nearby properties. Therefore it does not appear likely that the vibration levels in the proposed condition would be breached. In the event that they were breached the condition would itself provide a means to address this. Therefore I do not find any conflict with the requirements of policy DC 8.

### *Dust*

62. PAN 50 does not provide any recommended limits for dust deposition as it does for levels of noise and vibration. There is no detailed evidence to the effect that dust from the proposed extension would cause a significant effect at any nearby properties, and no objection from the council's environmental health officials. Conditions 17 and 18 (identical to the equivalent conditions in the ROMP consent) would aim to ensure the extension area is operated so as to minimise the release of dust. Therefore I do not find any conflict with the requirements of policy DC 8.

### *Greenland Farm*

63. The council identifies a particular concern about amenity at Greenland Farm should its ownership become divorced from that of the quarry. The appellant says that would not happen whilst the quarry remains operational but I do not take that as a guarantee. I note that the applicant's recycling business already seems to make use of land at the farmhouse. Of more direct relevance, the existing quarry is already fairly close to the farmhouse. The proposed extension would not take extraction closer to the house than the existing quarry void, indeed extraction would proceed westwards, generally away from the house. Therefore I do not find there to be a strong basis for concerns about any significant effects on residential amenity at Greenland Farm.

### Effects on core path users

64. One of the criteria identified in Policy DC 8 Minerals of the 2010 local plan is impacts on 'sport and recreation interests', which could include impacts on path users.

65. The quarry extension at its northwestern edge would come close to the core path. However the extraction area would be set back so that for the most part there would be no direct conflict with path users. The exception to this would be when blasting was taking place, when the path would have to be closed before and during each blasting event.

66. The appellant advises that blasting at the quarry takes places about once a month, and that this involves closure of the path for about twenty to thirty minutes. It is stated that this would continue to be required even without the extension. The proposed conditions on blasting would avoid closure of the path in the evenings, weekends and public holidays when one might expect greatest use would be made of it.

67. I acknowledge that there might be increased levels of noise and dust for path users in the vicinity of the proposed extension, but this would only be for a fairly short stretch of path and I do not think this is likely to be a significant deterrent to users of the path. Annex A of PAN 50 advises (paragraph 42) that footpaths should not normally be regarded as noise-sensitive. I identify above the significant visual effects from stretches of the path but I do not think these would be so severe or extensive so as to create any significant conflict with policy DC 8.

### Ecological effects

68. Policy E 1 Biodiversity Duty in the local plan says that the council will further the conservation of biodiversity when exercising its planning functions. Reference is made to the biodiversity duty placed on the council by the Nature Conservation (Scotland) Act 2004. Policies GD 1 and DC 8 require effects on the natural environment to be taken into account.

69. Chapter 8 of the EIA Report covers ecology. The appellant's Phase 1 habitat survey identified the appeal site as semi-improved acid grassland and scattered bracken and being generally of low ecological value.

70. The appellant's ecological update, following a further site walkover in 2021, noted that the habitat type and management of the land had not changed since the original survey. No signs of badger were found (consistent with the findings of a previous badger survey in 2004). The only sensitivity noted in the update report is the need to take account of any effects on ground nesting birds, depending on when the site is first cleared. This could be controlled by a planning condition.

71. In responding to the appeal the council refers to a loss of 'high grassland'. Like the appellant, I am not familiar with this descriptor. I agree with the appellant that the semi-improved grassland and areas of scrubby bracken on the site are of no notable ecological value. Objectors are critical of the brevity of the ecological update. However I am satisfied, given the lack of change of the habitats on the site, that it is sufficient to enable me to determine the effects of the development. All told, the low ecological value of the site means that I am satisfied that the above policy requirements would be met. There would be no significant effects on biodiversity.

### Other matters

72. Objectors identify that agricultural operations in the farmland to the west of the extension would be affected by the proposed extension. However this farmland already lies close to the working quarry and I do not see a strong reason for believing that there would be significant conflict between such uses. The community council is concerned about loss of visitors to the area but I do not consider that extending the quarry, despite the effects I identify, would be likely to have a significant effect in this regard.

73. The appellant's appeal statement states that the western quarry faces are excessively high and that developing the extension area would be beneficial in ensuring safe and stable slopes. However I have not been provided with any detailed evidence which would allow me to take great account of any such benefits. It has not been put to me that the quarry would otherwise be unsafe, or that further working of the quarry would be the only means to address this issue.

74. Objectors note that there would be a financial benefit to the appellant in working the extension area instead of the excambion area, since overall more minerals could be extracted in the former situation rather than the latter. I find above that my primary concern must be with the effects of the appeal proposal on its own right. I do not consider that any financial benefit for the appellant is a material consideration counting against the proposal.

75. The EIA Report assesses other impacts relating to hydrology and hydrogeology, access and traffic, cultural heritage, climate and material assets. The council did not identify any such impacts in its reasons for refusal and, subject to the imposition of appropriate conditions, I am satisfied that no additional significant environmental effects would occur.

## Conclusions

### The development plan

76. Drawing on my findings above, in respect of the statutory development plan I find that there is a lack of detailed evidence as to the need for the extracted material within the regional market area. There is therefore some tension with policy DC 8 Minerals, albeit the need for the development is one of several considerations – the policy does not explicitly state that a need for the development must be demonstrated. For the same reason there is some tension with policy GB 1 Green Belt.

77. The only significant environmental effects which I identify (and in this respect I disagree with the EIA report and subsequent updated landscape and visual assessment) are the visual effects of the extension from some locations, including cumulative effects with the extraction of the remainder of the quarry. However I do not find that these give rise to significant conflict with the development plan.

78. In respect of the other main issues I identify, I conclude that there would be no other significant environmental effects and no conflict with the development plan. Overall, on balance I find the proposal to be in accordance with the development plan.

### Other material considerations

79. As I state at paragraph 15 above, I consider the proposed 2020 local development plan, as modified, to be an important material consideration in this case.

80. In respect of the need for the development, I note that policy MIN 1 Minerals and Aggregates Extraction in the 2020 plan does not require evidence that there is a need or market demand for a proposal to extract minerals. This provides some counterweight to the tension with the local plan policies which look for such evidence.

81. The policy provision in the 2020 plan have similar aims to the 2010 local plan in respect of the protection of residential amenity, nature conservation and path networks. In light of my findings above, I see no significant conflict with the 2020 plan in these respects.

82. The policies in the 2020 plan also seek very similar outcomes in respect of landscape character. However policy MIN1 is more explicit in identifying visual impacts as a consideration, saying that there should be 'no significant negative impact on landscape, including visual impact'.

83. I identify above certain visual effects which I deem, in terms of the EIA Regulations, to be significant environmental effects. However that is a different undertaking from the application of planning policy to a development proposal. The visual effects of the proposed extension alone are very localised, and such effects are to be expected from most mineral developments. The cumulative effects are greater in extent, but the extension

proposal makes only a modest contribution to these. Any tension with the requirements of policy MIN 1 are not sufficient to outweigh my finding that the proposal is in overall compliance with the statutory development plan.

84. I take note of all the representations made to the council and to DPEA, both in support of and in opposition to the development. In the former category, many of the representations point to the adverse effects of extraction in the excambion area. These effects are not ones which I can consider in any detail in this appeal, and they do not affect my conclusions on the effects of mineral extraction on the appeal site.

### Overall conclusion

85. Overall, I conclude, for the reasons set out above, that the proposed development accords with the relevant provisions of the development plan and that there are no material considerations which justify refusing to grant planning permission. I have considered all other matters raised, none of which lead me to alter my conclusions. I am satisfied that my reasoned conclusions on the significant environmental effects of the proposed development are up to date.

86. Accordingly, I will defer determination of this appeal for a period of up to twelve weeks to enable the relevant planning obligation (either an agreement with the planning authority or a unilateral obligation by the appellant under section 75 of the Town and Country Planning (Scotland) Act 1997 or some suitable alternative arrangement as may be agreed by the parties) to be completed and registered or recorded, as the case may be, securing a bond sufficient to cover the expected restoration and aftercare works for the quarry extension. The principal of such a bond had been agreed by between the appellant and council officials, and I agree that it is necessary to ensure that the quarry extension site is restored after it has been worked. If, by the end of the twelve week period, a copy of the relevant obligation with evidence of registration or recording has not been submitted to this office, I will consider whether planning permission should be refused or granted without a planning obligation.

87. The council provided a set of proposed conditions to be imposed should the appeal be allowed. These are very similar to the ROMP conditions for the main part of the quarry. For the most part I propose to impose those conditions, giving much the same reasons as the council gave for the ROMP conditions. I have amended proposed condition 5 to better match the equivalent ROMP condition. The council's proposed conditions 19 and 20 relate to the main quarry road and to wheel washing of vehicles leaving the quarry. Notwithstanding the council's view, I do not think they are necessary for the appeal development, and I would omit them. I am not aware of any statutory requirement that the proposed development need commence within two years, therefore I would omit the council's proposed first condition. If there is such a statutory requirement, this would endure regardless of the omission of the condition. I have amended Table A – Noise Criteria for condition 4 to clarify what noise index is to be used. I have made slight adjustments so that the numbering of equivalent conditions for the extension and the main quarry are aligned.

*David Liddell*

Reporter

## **Schedule 1: Proposed Conditions**

1. [Not used]

2. The development hereby approved shall endure until 21 February 2042 and at the end of the period of permission all quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.

Reason: In order that the timeframe of this permission aligns with that of the main quarry.

3. Subject to the details specified in subsections 3(a)-3(b) below, the normal daytime operating hours for the quarry shall be 0600 hours to 2200 hours daily and no operations other than emergency works, water pumping, servicing, maintenance and testing of plant shall take place outside these hours.

3(a) Outwith 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1400 hours on Saturday and Sundays, with the exception of haulage vehicles entering and leaving the site, all operations shall be undertaken below ground level within the quarry void.

3(b) Loading and despatch of aggregates for specific contracts may be undertaken outwith the specified hours where no less than 24 hours written notice (excluding weekend days and public holidays) has been given to the Planning Authority.

Reason: To retain control over future quarrying operations of the site, in the interests of the amenity of the area.

4. Noise attributable to the operators at Sheephill quarry shall not exceed the limits specified in Table A (Noise Criteria) attached to this permission at Greenland Farm, Auchentorlie House, No. 9 Milton Hill, and Middleton.

Reason: To minimise noise nuisance, in the interests of the amenity of the area.

5. Advance notification of a minimum of 48 hours for the relaxation of the noise limits identified in condition 4 above for soils and overburden operations to be undertaken shall be given to the Planning Authority.

Reason: To retain control over the future operations on site, in the interests of amenity of the area.

6. The applicant shall undertake a noise monitoring programme at the locations as described in condition 4 above and the frequency and times of such monitoring shall be agreed by the Planning Authority and the results shall be submitted in writing to the Planning Authority on a frequency to be agreed with the Authority. The noise monitoring shall be carried out in accordance with the methods specified in PAN50: Annex A - The Control of Noise at Surface Mineral Working and in so far as is reasonably practical, the operation shall ensure that the best practice methodologies set out in PAN50 are adopted.

Reason: To limit noise nuisance, in the interests of the amenity of the area

7. Blasting operations shall be carried out between 1000 and 1600 hours Monday to Friday, with no blasting permitted at weekends and on public holidays and the quarry

operator shall endeavour to ensure that, as far as is practicable, blasting shall be carried out between 1000 and 1300 hours.

Reason: To limit the impact of noise nuisance, in the interests of the amenity of the area.

8. Prior to the commencement of blasting operations details of the methods employed to minimise air overpressure from blasting operations shall be submitted to the Planning Authority for written approval. All blasting operations shall take place only in accordance with the scheme as approved or with such subsequent amendments as may receive the written approval of the Planning Authority.

Reason: In order to control noise nuisance, in the interests of the amenity of the area.

9. Notwithstanding the requirements of condition 7 and 8 above, if as a result of any emergency situation or need to ensure safe quarry practices, blasting is required to take place outside the specified hours, the times and reasons for such an event shall be notified in writing to the council's Environmental Health Service within two days of the occurrence.

Reason: In order to control noise nuisance, in the interests of the amenity of the area.

10. Within four weeks of the date of this approval, the operator shall submit a blast monitoring scheme that will record all blasts within the quarry area, with the monitoring points to be set at locations to be agreed by the Planning Authority.

Reason: In order to control noise nuisance, in the interest of the amenity of the area.

11. The operator shall monitor all blasts and records shall be maintained so that peak particle velocity can be identified and these records shall be made available for inspection by any authorised party during office hours at the quarry with copies being supplied to the Planning Authority on a three monthly basis. In the event that recorded values exceed the agreed level the operator shall notify the Planning Authority of the event within one working day and shall provide an assessment of its implication with respect to future blasting activity and the site's vibration limit.

Reason: In order to control noise nuisance, in the interest of the amenity of the area.

12. Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s in 95% of all blasts measured over any period of twelve months and no individual blast shall exceed a peak particle velocity of 12 mm/s as measured at any nearby vibration sensitive property. The measurement shall be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building; all to the satisfaction of the Planning Authority.

Reason: In order to control noise nuisance, in the interest of the amenity of the area.

13. Blasting shall be carried out using the best practicable means available to ensure that the resultant noise, vibration and air overpressure are minimised in accordance with current British Standards and Mineral Guidelines and the best practice methodologies as set out in PAN 50.

Reason: In order to control noise and vibration nuisance, in the interest of the amenity of the area.

14. For the duration of this permission and up to the completion of all aftercare works warning signs shall be erected and maintained by the operator next to all publicly accessible areas within or adjacent to the quarry. Details of the locations of these signs shall be submitted to and approved by the Planning Authority.

Reason: To allow safe access, in the interests of public safety.

15. Blasting shall only be carried out after suitable audible and visible warnings have been given and the method of such warnings shall be submitted to the Planning Authority. Thereafter the approved warnings shall be given in writing by the operator to the occupiers of all the properties around the site.

Reason: In the interests of public safety.

16. The operator shall ensure that the Council's Environmental Health Service be given a minimum of 48 hours email notification, excluding weekends and public holidays, before every blast at the quarry.

Reason: In order to provide adequate notice for Environmental Health Service to allow the monitoring of blasting operations.

17. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere and the dust mitigation measures listed in the Environmental Statement shall be implemented and in a method which ensures that the best practice methodologies as set out in PAN50 are adopted.

Reason: In order to minimise dust from the quarry operations, in the interests of the amenity of the area.

18. Visual assessments of dust emissions from all plant and operations shall be made at least once per day during operations and remedial actions taken as may be required. The operator shall maintain a diary of weather conditions, visual assessment of dust and any mitigation measures implemented on a daily basis. The diary shall also record any complaints relating to dust, any investigations undertaken in respect of complaints and any remedial actions undertaken as a result of the investigation. The diary shall be retained on-site and made available to the Planning Authority on request.

Reason: In order to minimise dust from the quarry operations, in the interests of the amenity of the area.

19. [Not used]

20. [Not used]

21. Within three months of the date of this consent an updated plan and programme of the anticipated phasing of the extension quarry operations shall be submitted and approved by the Planning Authority. Any changes to the approved phasing programme and plan shall be notified and approved by the Planning Authority.

Reason: To retain control over future quarrying and operations of the site, in the interests of the amenity of the area

22. The methods of working within the quarry shall be as described within the approved documents forming part of this consent and any changes to the operating procedures or methods shall be submitted to and approved in writing by the Planning Authority and shall be implemented as approved.

Reason: To retain control over future quarrying and operations of the site, in the interests of the amenity of the area.

23. The topsoil and subsoils to be removed shall be stored as described in the applicant's written submission and shall be retained on site for eventual reuse as part of the restoration works as described in condition 31.

Reason: To retain control over materials for the future restoration on site.

24. If it becomes necessary to relocate any of the existing or new soil storage mounds within the site then such soils cannot be relocated until the Planning Authority gives written approval of the new storage locations and methods of storage.

Reason: To retain control over materials for the future restoration on site.

25. If it becomes necessary to relocate the mineral stock piles from the location indicated in the applicant's submission, then such relocation cannot take place until the Planning Authority gives written approval of the new storage locations and methods of storage.

Reason: To retain control over the future operations on site, in the interests of amenity of the area.

26. Details of any boundary walls and fences to be erected for the full extent of the application site shall be submitted to and approved in writing by the Planning Authority and shall be implemented as approved.

Reason: To retain control over the future operations on site, in the interests of the amenity of the area.

27. No materials shall be imported to the site for the purposes of storage, crushing, screening, processing, manufacturing or onward transportation.

Reason: To retain control over the future operations on site, in the interests of amenity of the area.

28. Any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipes.

Reason: To prevent environmental pollution, in the interests of public safety.

29. All artificial lighting units installed at the quarry shall have a purpose and shall be so sited and directed as to minimise the potential for light pollution and glare outside the quarry boundary.

Reason: To prevent light pollution, in the interests of the amenity of the area

30. No later than six months after the permanent cessation of quarrying or the date set by condition 2 above, whichever is the sooner, all buildings, plant, machinery and areas of hardstanding including the internal access roads shall be removed and the ground reinstated in accordance with the conditions of this permission relating to restoration.

Reason: In order to retain effective control over quarry operations, in the interest of the amenity of the area.

31. Within six months of the date of this consent, a restoration masterplan for the whole of the quarry area and including details of the restoration or replanting of dilapidated features such as boundary hedges and drystone dykes, as well as details showing how recreational access and links to the local path network would be achieved, along with details of aftercare and afteruse, shall be submitted to and approved in writing by the Planning Authority. This shall include how the restoration of the extension area is integrated within the overall restoration proposals of the full quarry area.

Reason: To ensure the satisfactory restoration of the quarry site.

32. Not later than two years before the expiry of this permission or permanent cessation of quarrying, whichever is the sooner, a detailed final restoration scheme for the site including aftercare and maintenance shall be submitted for the written approval of the Planning Authority. The approved scheme shall be implemented before the expiry of this permission.

Reason: To ensure the satisfactory restoration of the quarry site.

33. The restoration scheme approved under the terms of condition 32 above shall include a bird hazard management plan to be approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the design, maintenance and management of any water bodies and wetlands to minimize birdstrike hazard.

Reason: To ensure restoration proposals do not cause operational issues for Glasgow Airport.

34. The restoration scheme approved under the terms of condition 32 above shall be implemented and the works completed within twelve months of the completion of all quarrying operations or the date stated in condition 2 above, whichever is the sooner.

Reason: To ensure the satisfactory restoration of the quarry site.

35. In the event that during the life of this permission mineral extraction ceases for a continuous period in excess of two years or the use is discontinued for a like period, then unless as may otherwise be agreed in writing by the Planning Authority, within six months of either event occurring, a revised final restoration scheme that modifies and updates that

approved by condition 32 above, shall be submitted for the written approval of the Planning Authority, including any modifications as may be required, detailing the steps to be taken to restore the site.

Reason: In order to retain effective control of the future restoration of the quarry site and to ensure an acceptable restoration scheme.

36. Within six months of being approved any revised restoration scheme that may have been required under the terms of condition 35 above shall be implemented and the works completed.

Reason: In order to retain effective control of the future restoration of the quarry site.

37. The approved aftercare scheme shall be implemented following cessation of mineral extraction and in accordance with the approved timetable as required by condition 35 above, unless as may otherwise be agreed in writing by the Planning Authority.

Reason: To ensure the satisfactory restoration of the quarry site.

38. Within twelve months from the date of this permission, and thereafter at twelve monthly intervals, the applicant shall submit a plan to a scale of not less than 1:2500 indicating the progress of quarrying operations. The plan will indicate the current position of the extraction areas, the extent of spoil disposal and any landscaping or restoration works that have been implemented.

Reason: In order to retain effective control of quarry operations in the site, in the interests of the amenity of the area.

39. Prior to any tree felling work taking place, all trees that require to be felled shall be inspected by an experienced bat surveyor to check for the presence or otherwise of bats. If bats are found then no tree felling work shall take place until the relevant licence is obtained.

Reason: In the interests of protecting wildlife species.

40. The applicant shall ensure that the footpath from Milton Brae via Greenland Farm to Loch Humphrey, where it passes close to the quarry, is kept open to the public (other than during any times of blasting in the quarry) or that an alternative appropriate footpath is provided.

Reason: In order to allow safe access, in the interests of public safety.

41. No development shall commence on the extension area, including any soil stripping, until an updated ecological survey has taken place. The ecological report shall be submitted to and approved by the Planning Authority. In the event of any protected species being identified no works shall be undertaken within the identified area until appropriate mitigation measures have been submitted to and approved by the Planning Authority and the approved mitigation measures implemented on site.

Reason: In order to protect wildlife in the interests of the amenity of the area.

42. 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 the written scheme of investigation which has been submitted for approval of 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 site is undertaken to the satisfaction of the Planning Authority in consultation with West of Scotland Archaeology Service.

Reason: In order to protect any archaeological heritage/ features within the site.

**Table A – Noise Criteria – Condition 4**

Receptor	Noise Criteria			
	Extension			
	Soils and overburden handling*	Routine operations Including drilling	Routine operations	Out of hours operations**
Milton Hill	70	55	55	42
Greenland	70	55	55	55
Middleton	70	48#	45	42
Auchentorlie	70	49	49	42

All figures are in decibels LAeq,1hr

\* For a period of up to eight weeks in any twelve month period. The temporary works shall not start until 0800 hours and not on Sundays or Bank Holidays.

# Only when drilling to upper bench, 45dB for all other benches.

\*\* Out of hours operations are those outwith 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1400 hours on Saturday, and include Bank Holidays.

**Schedule 2: Application drawings**

- Figure 1 - Site Location Plan, 20 March 2003
- Figure 2 - Existing Topography, 20 March 2003
- Figure 3 - Development Plan, 20 March 2003
- Figure 4 – X-Section, 20 March 2003
- Figure 5 - Excavation Boundary Following Excambion, 20 March 2003
- Figure RevRest0404 – Indicative Restoration Plan, 7 April 2004
- Figure SH04/04a – Excavation Boundary Following Excambion, 7 April 2004
- Figure SH04/04b - X-section B, 7 April 2004

