

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by Strategic Lead- Regulatory**

**Planning Committee: 10<sup>th</sup> June 2020**

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**DC19/260:                   Erection of 2 six storey flatted blocks, comprising a total of 48 units with associated road access, parking and infrastructure, open space and landscaping at land on Dumbarton Road, Old Kilpatrick by the LINK Group Ltd.**

#### **1.     REASON FOR REPORT**

- 1.1**   This application relates to a local development subject to a substantial number of objections 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 set out in Section 9 below.

#### **3.     DEVELOPMENT DETAILS**

- 3.1**   The site is located on the northern side of Dumbarton Road, Old Kilpatrick and extends to approximately 0.68 hectares and was historically part of the grounds of the former Dalnottar House. The site is bounded by established residential areas to the north, east and west and sits opposite to the Forth and Clyde Canal to the south. Until recently, the site previously had an industrial use with a warehouse and factory operated by Craft Steel Ltd. While the business has recently closed and is no longer in operation, the factory and warehouse buildings and hardstanding's remain in-situ.
- 3.2**   The site comprises a rectangular parcel of land that has been cut into the hillside, with a generally level internal base where the buildings and hardstanding's are located, and sits at a lower level than the surrounding residential areas. There is a significant level change from the bottom of the site to its northern boundary which has a steep incline and is densely wooded; to the east and west the ground also rises, though not as steeply, and is also covered in shrubs and woodland. The trees on the western edge of the site at the existing entrance gate are subject to a Tree Preservation Order. At present, the site is bounded by a 1m stone wall on

its southern boundary facing onto Dumbarton Road with a gated entrance situated on the western section of the wall.

- 3.3** Planning permission is sought for 48 affordable housing units for rent comprising of 3 and 4 bedroom flatted properties in the form of two 6 storey point blocks. Four ground floor units will be wheelchair accessible and lifts are proposed to be installed within each block. Each block features a butterfly roofline on the gable elevation with solar panels on the sections facing south. A central courtyard area of amenity open space would be located between the two blocks and a further smaller amenity area would be located to the rear of the site. The blocks would have full clay brickwork elevations with areas of metal cladding and Juliet balconies on the south, east and west elevations. Boundary treatments for the site include the retention of the stone wall on the southern boundary along Dumbarton Road and 1.8 metre high timber fence arrangement along the north, east and west boundaries.
- 3.4** A new opening from Dumbarton Road will be formed to the east of the site and the existing access/egress will be infilled using stone from the down takings required to form the new access. Fifty-six parking spaces would be predominantly located to the rear of the site, with some also along the eastern boundary, in rows with complimentary screen planting and landscaping.
- 3.5** Supporting technical information has been provided as part of the application and this includes a Design and Access Statement, a Tree Survey Report, a Ground Investigation Report, a Topographical Survey, Utilities Search and a Coal Report.

#### **4.0 CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have no objections subject to conditions regarding the provision of refuse servicing arrangements, disabled bays, cycle parking and arrangements for a future allocation of 4 additional parking spaces should they be required.
- 4.2** West Dunbartonshire Environmental Health Service have no objections subject to conditions regarding contaminated land and remediation, noise, dust, drainage and hours of operation.
- 4.3** Scottish Water, West of Scotland Archaeology Service have no objection to the proposed development.

## **5. REPRESENTATIONS**

**5.1** Seven representations from local residents have been received, comprising of six objections and one in support. A summary of the key points of objection are detailed below:

- Height of the development – at six storeys, the flatted blocks are too high for the location and are not in keeping with the other residential developments in area;
- Type of residence – there are already enough flats in the area and more are not required;
- Noise – noise generated during the construction of the development will impact on the wellbeing and amenity of nearby residents and noise once the development is occupied could lead to anti-social behaviour;
- Loss of daylight/sunlight – this will occur due to the height of the development and affect nearby properties;
- Loss of privacy – due to height of the development, this will result in the properties to the rear of the site being overlooked;
- Traffic – the development will lead to increased levels of traffic, congestion and pressure for parking on Dumbarton Road;
- Vibration – the piling of foundations during construction will adversely effect the stability of nearby residential properties;
- Dust and grit – the construction of the development will result in unacceptable levels of dust and grit being experienced by nearby residential properties;
- Contamination – the previous industrial use of the site will lead to problems of potential contamination;
- Japanese Knotweed – the development will result in the exacerbation of Japanese Knotweed at the north of the site;

Concerns were also raised with regards to loss of view and reduction in property values however these are not material planning considerations and will therefore not be discussed any further in this report. The above points of objection will be discussed in further detail in Section 7 below.

The representation in support of the application does not provide reasons for the support.

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

### West Dunbartonshire Adopted Local Plan 2010

**6.1** While the site has previously been used for business and industry, it does not have any specific land use designation and is identified as being within

a predominantly residential area. Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy RD1 sets out the principle that new residential developments located on brownfield sites are preferable to those on Greenfield sites. 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. Policy H4 sets out standards expected of residential development, requiring high quality design and in terms of form, layout and materials. Policy H5 seeks to safeguard the character and amenity of existing residential areas.

- 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. 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.
- 6.3** Policy T4 relates to the accessibility of new developments and requires sites to integrate with walking, cycling and public transport routes. Policy E4 and E5 relate to the protection of Tree Preservation Orders and that new development proposals are required to consider impacts on trees and incorporate suitable tree planting.
- 6.4** 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** Similar to the Adopted Plan, the site is identified as being within an existing residential area. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming. Policy BC4 supports the principle of residential development within existing residential locations, provided there is no adverse impact

on neighbouring amenity or character of an area. It is considered that there will be no adverse impacts on either of these.

- 7.3** The consideration of policies DS1, GN2, DS3, DS6 and GN5 with regards to new residential development, green network, transport, flooding, drainage 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 rather than a specific demographic.
- 7.4** 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

- 7.5** On 19<sup>th</sup> September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is the Council's most up to date policy position and it is a material consideration in the assessment of planning applications. The Examination Report of LDP 2 was received on 22<sup>nd</sup> April 2020 and will be presented to the August Planning Committee for consideration together with the modified Local Development Plan 2. The findings of the Examination Report have not materially changed the content and form of the LDP 2 policies and land allocations used in the assessment of this application.
- 7.6** The site is not identified for housing in the Proposed Plan however it is still identified as being within an existing residential neighbourhood as per the Adopted Plan and Proposed Plan 1. Policy H4 requires that the residential amenity of the area is maintained.
- 7.7** Similarly to Policy DS1 of Proposed Plan 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).
- 7.8** Policies GI2, ENV4, and ENV6 are similar to the green network, tree, and flooding policies of the Adopted and Proposed Plan 1 policies. Policy 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.

- 7.9** For applications referred to the Place and Design Panel, Policy CP4 is relevant requiring the outcomes to be taken into account and responded to by the applicant. Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation. 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

- 7.10** While the application site has been used for industrial and business purposes, it is not allocated for this use in the Adopted and Proposed Plans. Instead the site is identified as being within an existing and established residential area and therefore it does not require to be assessed against the industrial and business policies of these Plans. Now that the former industrial and business use is no longer in operation, the site is vacant and considered brownfield land. Its redevelopment for residential purposes would continue the pattern of residential development in the locality and be consistent with the applicable land use policies of the adopted and proposed plans which seek to prioritise the regeneration of vacant brownfield sites. The principle of the redevelopment of this site for housing is therefore acceptable.

#### Site Layout, Design and Appearance.

- 7.11** The proposed development would introduce a new, distinctive and strong frontage to this section of Dumbarton Road which is generally secluded given the predominance of woodland cover along the roadside. Established flatted properties already exist to the east of the site at Freeland's Crescent and Woodlands Court further west. The proposed development would therefore continue this pattern of residential development while enhancing and activating the overall streetscape along Dumbarton Road.
- 7.12** The layout of the site has been carefully considered taking its cues from the surrounding landscape, site topography and existing residential context. The two separate, six storey, flatted blocks are set back from Dumbarton Road which respects the existing street pattern in the immediate area. The blocks are located centrally within the level part of the site and are separated by 440 square metres of quality amenity open

space. Four new footpaths would ensure good connections with the site and Dumbarton Road: one along each edge of the central amenity space providing a link to the rear of the site and another smaller amenity space for residents and one each to the entrance door to each block. The layout provides a new vehicular entrance from Dumbarton Road on the east of the site which goes around the northern perimeter of the blocks leading to the onsite parking which is located to the rear of the site. The blocks have been orientated to take advantage of a range of views including the central amenity space as well as open views to the east and west along the Clyde. The site layout has embraced the principles of green infrastructure as advocated in policies CP2 and GI2 of Proposed Plan 2 as it integrates well with the surrounding dense woodland throughout the north, east and west of the site and proposes further landscaping to strengthen this integration such as further tree, shrub and wildflower planting. The form and layout of the development is considered to be acceptable.

- 7.13** The scale and massing of the two point blocks has been well considered in terms of height and building proportions and can be well accommodated within the site topography and surrounding context and is considered to be acceptable. Both blocks are of contemporary design and will create a presence and activate the street scene on Dumbarton Road. The surrounding rising topography and dense woodland backdrop will provide the development with a quality and natural setting. A simple and coherent palette of materials are proposed for the development consisting of contrasting light and dark clay bricks of neutral colour tones to break up the mass of each block, highlighting the vertical elements of the building along with the recessed frontages, while the use of metal cladding and Juliet balconies provides further visual variety and interest. A butterfly roof arrangement with a low pitch using a single ply roofing membrane provides visual interest and character to the roofscape as well as a discreet nod to the industrial history of the locality. The materials will complement each other and consist of quality roofing, rainwater goods, clay facing brick, metal cladding, slim profile aluminium windows and doors.

#### Residential Amenity

- 7.14** In terms of overlooking, overshadowing and privacy considerations to surrounding residential properties, the development is over 41m away from the closest five storey flatted properties to the east and between 43 and 59 metres from the two storey properties to the north and west of the site. These separation distances are considered to be acceptable. The ground level of the development also sits at a significantly lower level than

these surrounding residential properties and as a result the overall height of the proposed flats is approximately level with the roof lines of the surrounding properties. The dense woodland on the rising ground to the north, east and west of the site will also provide natural screening. Considering the separation distances, the topography of the site and surrounding area and the natural screening on the site, the proposed development will not impact adversely on neighbouring properties in terms of privacy or overlooking. The applicant has also provided a sun path analysis which shows that any overshadowing occurring as result of the development would be confined to the site itself and would have no impact on surrounding residential properties to the north, east or west. Taking these points into consideration, the proposed development would not result in any unacceptable impacts related to overlooking, loss of privacy or overshadowing and is therefore acceptable.

- 7.15** The layout, design and appearance of the development are all considered to be acceptable. 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.

#### Natural Heritage

- 7.16** The site is enclosed by dense shrub and woodland on its north, east and western boundaries and a small part of the site to the west encroaches on an area of land that is subject to a Tree Preservation Order (TPO). A tree survey was therefore carried out to determine the condition of the existing woodland and to ascertain if there would be any impact on the TPO as a result of the development. Due to the dense undergrowth and steep incline across parts of the site it was not possible to access all of the study area. A total of 8 trees were tagged on site individually while at least 200 further trees in groups were visually noted due to the restrictions described above. The survey advises that a total of 10 trees would require to be removed as a result of the proposed development. The trees identified for removal are a mix of predominantly Willow, along with Ash, Cypress and Birch. Five of these trees are small ornamental trees, four are of poor to fair quality and one has partially collapsed. None of the trees identified for removal affect the TPO. Considering the density and amount of existing trees on site (in excess of 200), the number for removal is relatively small and confined to the periphery of the base of the site where the previous buildings and hardstanding's are located and not the denser areas. The trees proposed for removal are of small scale and limited value and most importantly their removal would not result in an unacceptable impact on the remaining established woodland. The



applicant has proposed the planting of 22 replacement trees within the site as part of the landscape provision and this will be secured by planning condition. A woodland management plan has also been sought by condition to ensure the tidying up of the shrub and undergrowth, to ascertain any necessary minor intervention works to existing trees such as crown lifting, to secure treatment and management of Japanese knotweed and the long term management of the site.

### Open Space

- 7.17** The open space provision within the development is considered to be proportionate for this site. The main area of open space is positioned centrally between the two blocks and will provide a visual focal point and amenity area which is well integrated within the development and accessible to all residents. The space is well overlooked to ensure it can function as a safe and usable space. A smaller area of usable open space is located to the rear of the site which provides a further, quieter option for residents which is closer to the existing woodland which also has a high amenity and environmental value. In terms of the open space provision required by the 'Our Green Network Planning Guidance', the development has provided this and met the provisions of the Planning Guidance and applicable policies of LDP1 and LDP2.

### Landscaping and play provision

- 7.18** Given the extensive tree and shrub cover around the perimeter of the site, proposed landscaping is modest but encouraging and includes shrubs around the block perimeters, tree planting at key points across the site which will add to the amenity value and attractiveness of the space and the introduction of fingers of landscaping that subtly integrate the surrounding woodland with the car park to soften its appearance. Conditions have been imposed to ensure a scheme for the provision of natural play equipment to be incorporated within the development site. The play equipment combined with the surrounding woodland will provide children with opportunities for exercise and exploration together with biodiversity benefits.

### Roads, Parking and Access

- 7.19** The road layout reflects the aspirations for the Scottish Government's policy statement on 'Designing Streets' through a more pedestrian focused layout. The access arrangements for the site are considered to be acceptable and while the 56 parking spaces falls short of the required 60 spaces for this type of development, the Councils Roads service has accepted this subject to the applicant accommodating 4 additional parking spaces, should they become necessary in the future. Further details on

electric vehicle charging within the site and service arrangements for bin collection will also be secured by planning condition.

#### Technical Matters

- 7.20** The site is not at risk of flooding. In terms of drainage, site run off and surface water shall be treated and attenuated through permeable surfaces that will discharge into the existing drainage network in accordance with Sustainable Urban Drainage principles. Given the steep slope to the rear of the site a new cut off ditch is proposed to catch any run off from the slope and discharge it into the attenuation system. Subject to the implementation of these measures outlined above, the proposal would comply with policies F1, F2, DS6 and ENV6 of the Adopted and Proposed Plans.
- 7.21** Noting the site history which was until recently used for industrial and business purposes, the Council's Environmental Health Service have requested conditions regarding extensive site investigation reports including remediation and mitigation measures. These matters alongside others regarding noise, dust mitigation and construction activity including noise and vibration will also be addressed as planning conditions and will be designed to safeguard residential amenity in the surrounding area from adverse effects associated with construction activity. Measures will include the restriction of operation hours to limit construction noise and vibrations from piling, restriction of delivery hours and dust control.

#### Place and Design Panel

- 7.22** In January 2020, the proposed development was presented to the Place & Design Panel. The Panel felt that this was generally a positive development for the site and the area given its residential character and that it posed a good opportunity to improve integration of the site to the wider locality. The Panel raised a number of observations relating to permeability and movement, landscape design and architectural design. While the landscape design is still to be finalised and this will be achieved through planning conditions, the final design has clearly taken cognisance of the comments and recommendations made by the Panel and the application is considered to be compliant with Policy CP4 on this basis.

## **8. CONCLUSION**

- 8.1** The proposed redevelopment of this brownfield site for residential purposes is in compliance with the Adopted and Proposed Local Plans. The proposals have been subject to extensive discussions with officers and the design of the site has clearly evolved through and been informed by the feedback provided through this process. The development will provide high quality affordable housing and amenity space as well as a strong frontage to this part of Dumbarton Road while integrating the site with the surrounding residential neighbourhood. The scale and design of the development is acceptable without adversely impacting on visual or residential amenity.

## **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 flatted blocks within the development site shall be submitted to and approved in writing by the Planning Authority and shall include, roofing material, rainwater goods, clay facing brick, metal cladding and aluminium windows and doors. Thereafter, the development shall be completed in strict accordance with the approved material details and palette unless may otherwise be agree in writing by the Planning Authority.
2. Further to Condition 1 and prior to the approved brickwork associated with any of the flatted blocks being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, the development shall be completed in strict accordance with the approved brick details.
3. Notwithstanding the plans hereby approved including 'Proposed External Works (Drawing No. 2577-L(90)010 Rev B)' and prior to the commencement of development on site, full details of all hard and soft boundary treatments for across the site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the approved boundary treatments arrangements shall be installed prior to the occupation of the first unit unless otherwise agreed in writing by the Planning Authority and maintained as such thereafter for the lifetime of the development.
4. Notwithstanding the plans hereby approved including 'Proposed External Works (Drawing No. 2577-L(90)010 Rev B)' and prior to the commencement of development on site, full details of all hard and soft landscaping across the site in the from of a 'Landscape Management Plan' shall be submitted to and approved in writing by the Planning

Authority. The soft landscape arrangements shall be implemented no later than the next appropriate planting season or after occupation of the 30<sup>th</sup> property. 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 management plan as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

5. Prior to the commencement of development on site, a Woodland Management Plan shall be submitted for the approval in writing of the Planning Authority and shall include:
  - a. a comprehensive survey of all trees within the site including recommendations and a timetable for any intervention works
  - b. A method statement and phasing plan for the control and eradication of Japanese Knotweed including post treatment monitoring of the site to ensure a continuous 12 month period of where no Japanese Knotweed is identified as growing on the site. In the event that any Japanese Knotweed is identified as growing during the 12 month monitoring period then treatment shall resume and continue until a 12 month period of no growth of Japanese Knotweed occurs.
  - c. A scheme for the management and on-going maintenance of the woodland and landscaped areas of the site
  - d. Details of how the trees and their roots on site will be protected during the construction phase of the development

Thereafter, all works and maintenance arrangements on site shall be carried out and implemented in full accordance with the approved Woodland Management Plan.

6. Unless as may otherwise be agreed in writing by the Planning Authority by virtue of the the woodland mangment plan in condition 5, no trees other than those detailed in the approved Tree Survey Report (dated April 2020) shall be removed either within or adjacent to the site without the prior written approval of the Planning Authority.
7. Notwithstanding the plans hereby approved including 'Proposed External Works (Drawing No. 2577-L(90)010 Rev B)' and prior to the commencement of development on site, full details of all hard surfaces shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of the first unit.

8. Prior to the commencement of development on site, details of the design and location of bin storage, cycle storage provision, street furniture and external lighting, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of the first unit and thereafter maintained, unless otherwise agreed in writing with Planning Authority.
9. Prior to the commencement of development on site, details of a 'Play Equipment Strategy' for the site shall be submitted to and approved in writing by the Planning Authority. This shall include (but not be limited to) the following:
  - details and specifications of natural play equipment and structures.
  - full details regarding the maintenance arrangements for all play equipment and associated features within the site.

Thereafter, the approved play equipment strategy and all associated features and specifications shall be installed prior to the completion of the development unless otherwise in agreed in writing by the Planning Authority and maintained in accordance with the approved details for the lifetime of the development.

10. Prior to the commencement of development, an updated site layout plan shall be submitted for the written approval of the Planning Authority which provides details of an additional four car parking spaces within the site. Twelve months after completion of the development, a parking review shall be undertaken within the development to ascertain levels of car ownership and whether there are any parking related problems within the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority. Thereafter the four additional parking spaces which can be accommodated on site shall be formed, if required, in accordance with the agreed recommendations and the approved details.
11. Prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) 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.

12. Unless otherwise agreed in writing, no development shall commence on site until a Travel Plan which includes details promoting sustainable travel to and from the site and appropriate measures and actions to reduce car dependence for the development is submitted for the written approval of the Planning Authority. The Travel Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. The approved Travel Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the first unit and maintained as such unless otherwise agreed in writing by the Planning Authority

13. Notwithstanding the 'Ground Investigation Report' (Dated April 2020) submitted, no development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:

- a) A detailed site investigation identifying the extent, scale and nature of the contamination on the site (irrespective of whether this contamination originates on the site).
- b) An assessment of the potential risks (where applicable) to:
  - Human health, Property, Groundwater and surface waters, Ecological systems
- c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.

14. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

15. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of remediation works and prior to the first unit being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
16. If required, 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. 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. Prior to placement of any of the material, 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. No development shall take place on site until such time as a Noise Impact Assessment has been submitted to and approved in writing by the Planning Authority. This Noise Impact Assessment (alongside any recommendations in respect of attenuation measures) shall be prepared by a suitably qualified person and shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby industrial / commercial units and from the impact of road traffic noise. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the occupation of the first unit within the site and shall thereafter be retained in accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority.
21. Further to Condition 20 above, within 4 weeks of the completion of the development on site, a 'Verification Report' demonstrating compliance and validation of the maximum noise projections and effectiveness of the noise attenuation measures detailed within the approved 'Noise Impact Assessment' Report shall be submitted to and approved in writing by the Planning Authority. This 'Verification Report' shall be prepared and undertaken by an independent consultant and the measurements shall be carried out in accordance with BS4142:2014 - "Methods of rating and assessing industrial and commercial sound" (with respect to current best practice). These levels and measures as agreed and validated within the approved verification report shall be maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Planning Authority.
22. 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.
23. During the period of construction, all external works including piling and ancillary operations and deliveries 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.
24. 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.
25. No development shall commence on site until details for the storage and the collection of waste arising from the development 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 unit within the site and thereafter maintained for the lifetime of the development.
26. Prior to the occupation of the first unit 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.
27. No unit shall be occupied within the site until the vehicle parking spaces have been provided within the site in accordance with approved plan 'Proposed Site Layout (Drawing No. 001 Rev B)'. Further to the approved plans, each vehicular parking space shall be constructed to include a marking which clearly identifies it to the house number it is to be attributed within the site or alternatively be marked to identify it as a visitor parking space where relevant. 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.

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 10<sup>th</sup> June 2020**

**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:** Ward 6 – Clydebank Waterfront