

**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead - Regulatory**

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

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**DC20/076:                   Erection of storage facility and ancillary works at 2 Auld Street, Clydebank by The Storage Zone.**

**1.     REASON FOR REPORT**

- 1.1**    The application raises issues of local significance and is subject to objections. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

**2.     RECOMMENDATION**

- 2.1**    **Refuse** planning permission for the reasons set out in Section 9.

**3.     DEVELOPMENT DETAILS**

- 3.1**    The application site is a vacant plot of land on the south side of Auld Street, Clydebank. It extends to approximately 0.4 hectares in area and formerly operated as a waste transfer facility until this ceased operating around 20 years ago. The ground surface comprises of a mixture of tarmac and concrete hardstanding from its previous use with peripheral areas surfaced in gravel. Groups of mature and semi mature trees, shrub land and vegetation cover large parts of the site (including most notably along the site boundary on Auld Street) with the central area of the site also accommodating the remnants of the former waste transfer structures. Topographically, the ground surface slopes from the North towards the South; but for the most part the site is level. The site boundaries comprise post and wire fencing and there are two redundant accesses to the site on the North West and North East corner of the site respectively.
- 3.2**    The surrounding area is occupied by a variety of different land uses. To the East of the site is a series of relatively new build housing areas and this includes those properties, which make up Caledonia Street, Gladstone Street and Benbow Road respectively. The closest of these to the site is a residential flatted block, which sits immediately beyond the South East boundary of the application site. Some light industrial and commercial uses are located opposite the site, including a vacant warehouse building at the corner of Caledonia Street; a bus and minibus hire business; a painting and decorating business, the Beardmore Business Centre; and a vehicle workshop/garage at the corner of Beardmore Street. Immediately neighbouring the site to the North West is another residential flatted block, which also faces onto Beardmore Street. A dismantled railway line runs along the entire length of

the rear of the site, with the Golden Jubilee National Hospital complex and grounds immediately beyond it.

- 3.3** Planning permission is sought for the erection of a containerised self-storage facility on the site. This will comprise of 115 containers within a compound secured with a 2.4 metre high metal palisade fence around the perimeter of the site. Vehicular access would be taken from the existing North East opening on Auld Street. Each container is metal in construction and measure 2.4 metres in height, 2.4 metres in width and 6.0 metres in length with a footprint of approximately 14 sqm. The core function of the business is the provision of on-site storage, for business and commercial companies and independent firms. The applicant seeks to develop the whole site through a phased approach with it being delivered in two distinct phases; Phase 1 (eastern and southern portion of site) and Phase 2 (western and northern portion of the site). Phasing will include the installation of 46 and then 69 storage containers respectively, removal of existing structures within the site, installation of a retaining wall and vehicular ramp between phase 1 and 2, installation of eight 7-metre high lighting columns with associated CCTV equipment and a security hut. A total of 2 parking spaces (5 bays in phase 1 and reduced to 2 in second phase) are proposed to support the use.
- 3.4** In support of this application both a Planning Statement and a Preliminary Geo-Environmental Appraisal have been provided. No details have been provided to indicate timescales between the completion of the Phase 1 component of the proposals and the commencement and completion of the Phase 2 component in order to deliver the overall masterplan.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service have raised concerns regarding insufficient parking within the development and absence of details regarding staffing numbers, site management and accessibility and hours of operation associated with the use.
- 4.2** West Dunbartonshire Council Environmental Health Service have advised that a Noise Impact Assessment would be required due to concerns regarding potential noise and disturbance from the development and the impact upon residential amenity of the nearby residential properties.

#### **5. REPRESENTATIONS**

- 5.1** Three letters of representations have been received from local residents. These comprise of two letters of objection and one representation, which seeks clarification on matters related to the proposals. A summary of the points raised in the representations are as follows:

- Junction between Auld Street and Beardmore Street is unsafe at present and given it is a concealed entrance; this poses road safety issue for residential properties on Auld Street.
- Need for parking restrictions along the road and near to the junction of Auld Street and Beardmore Street.
- Volume of commercial traffic that currently use Auld Street and Caledonia Street would increase due to the proposed development.
- Lack of parking within the premises to support the use as proposed.
- Concerns regarding lack of detail regarding traffic control and the potential as a result for users of the development to park on private car parking associated with the neighbouring flats either side of the site.
- Concerns regarding noise associated with use particularly given the proximity of nearby flatted properties.
- Concerns regarding the significant noise generated from the shipping containers when in use.
- Concerns regarding the level of usage and lack of details regarding the hours of operation of the use.
- Lack of information on the management of the site raises concerns for the potential of the development to operate unrestricted and on a 24 hours a day.
- Lack of information regarding control of materials to be stored on site including hazardous materials.
- Concerns that the CCTV equipment may bring risk of invasion of privacy and overlook neighbouring properties.
- Impact of floodlighting in terms of glare and disturbance for neighbouring residential properties, particularly in the evening.
- Concern that a series of shipping containers instead of a purpose built unit or building would be harmful to the visual amenity of the area and bring down the appearance of the area which is predominantly residential in nature.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The site is allocated as a Housing Opportunity Site within the Adopted Plan and Policy H3 seeks to protect and safeguard allocated housing sites to ensure that they are reserved for residential development only. The development is contrary to this policy as it proposes an alternative land use on the site with insufficient justification to offset the allocation of the site for housing.
- 6.2** Policy LE3 is also relevant and this requires robust justification to be provided for proposals for industrial, business and warehousing developments, which are to be located on sites outwith those specifically zoned and designated for such uses. This justification must demonstrate that the proposed use could not be accommodated on other available industrial/business sites, that it will have significant overall economic benefits and that there will be no significant undesirable impacts on landscape and amenity or major infrastructure implications as a result of it. Irrespective of the fact that the site is allocated for

housing, insufficient justification has been provided to address any of the above criteria and the proposed development is therefore contrary to Policy LE3. This matter is considered in more detail in Section 7 below.

- 6.3** Policy GD1 seeks to ensure that all new development is of a high quality design and respects the character and amenity of the area and Policy H5 seeks to ensure that residential amenity is maintained and preserved. Policy E5 sets an expectation for development proposed on sites with existing trees to take account of these at the beginning of the design process and includes a requirement for a tree survey. The proposal by virtue of its design and appearance will have an adverse impact upon the amenity of the area and given it seeks to remove all trees within the site without any justification, it is contrary to these policies.

## **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 also an allocated housing site in LDP1. Policy BC2 safeguards allocated housing sites to ensure that these sites are reserved for residential use only. The proposed use conflicts with the site allocation including Policy BC2.
- 7.3** Policy GE1 is in place to safeguard sites designated for business, industrial and storage use, identifying these as the priority sites for developments such as the one proposed as part of this application. No justification has been provided to evidence that any of these designated sites within the Plan area have been considered in the first instance. Equally, no justification has been provided to evidence why these designated and safeguarded sites are unsuitable to accommodate the proposed storage use. The proposals are therefore contrary to the requirements of Policy GE1 and this is considered in more detail further in Section 7 of this report.
- 7.4** Policy DS1 seeks to ensure a high design quality in all development and Policy BC5 seeks to protect the residential amenity of the surrounding area. Policy GN5 covers similar matters as the tree policy within the Adopted Plan with this focused on ensuring the protection and enhancement of trees. Policy GN5 states that development that would result in the loss of trees or woodland of amenity or biodiversity value will not be permitted unless clear justification can be given and appropriate replanting can be agreed. The containers by their nature are not of a high design quality nor are they considered to be complimentary to the neighbouring residential properties and as such they are contrary to Policy DS1 and BC5. Given the proposals will also compromise all

of the trees within the site no justification to support this approach; the development is also contrary to Policy GN5.

#### 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. The Examination Report of Local Development Plan 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 and associated documents. 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** Similar to both the Adopted Plan and LDP1, the site is also an allocated housing site in this Plan. Policy H2 of LDP2 functions in the same as the applicable housing policies in the other Plans with this in place to safeguard and reserve allocated housing sites such as this for residential development only. The proposed use conflicts with the land use allocation of this site and is contrary to Policy H2 as a result.
- 7.7** Policy E1 is also similar to Policy GE1 of LDP1 with this policy directing proposals for business, industrial or storage and distribution sites to land designated specifically for such uses. The proposals seek to introduce a storage use on land which is not designated for such a use and it has not been evidenced that any consideration has been given to those sites specifically zoned for storage type of uses or developments. The proposals are therefore contrary to Policy GE1.
- 7.8** Policy E2 offers support for alternative uses of land, which have been previously used for business, industrial or commercial uses subject to them meeting a number of specific criteria. This includes a need to demonstrate that the use will not have an adverse impact on the operation of existing uses or the potential future business, industrial or employment use within the area. The policy also requires that proposals demonstrate that they will protect and enhance the attractiveness of the area and that they will bring tangible economic benefits as a result of their introduction. Insufficient justification has been provided to address any of the above and the development is contrary to Policy E2. This matter is considered in more detail in Section 7 below.
- 7.9** Similarly to Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that developments are of a high quality, adaptable and reflect a design led approach. Policies CP1 and CP2 both require developments to take account of on-site and off-site green infrastructure including trees. The development is not considered to be of a high quality and it does not seek to incorporate the on-site trees into the design approach. As such, it is contrary to Policy CP1 and CP2 of the LDP2.
- 7.10** Policy H4 focuses on the safeguarding of amenity and sets an expectation to protect, preserve and enhance the residential character and amenity of

existing residential areas at all times. As part of this, the policies specifies a presumption against the establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity. The design, appearance and nature of the development is not compatible to the area and it will have a detrimental impact upon existing residential areas and properties neighbouring the site. Therefore it is contrary to Policy H4.

- 7.11** Policy ENV8 seeks to ensure that developments do not have a significant impact on established residential areas and properties by way of air, light and noise pollution. Where required proposals that have the potential to impact in any of these areas will require to demonstrate that their impact is not significant and provide adequate mitigation where necessary. Whilst the development has the potential to impact in terms of both light and noise, it has not been supported by any formal assessments. Therefore, the proposals are also contrary to Policy ENV8, with this considered in more detail in Section 7 below.

#### Principle of Development

- 7.12** The site is allocated in all 3 plans as a housing opportunity site and the Council's safeguarding of this site for housing has been consistent for the last 10 years. The redevelopment of the site for residential purposes remains the Council's priority and this is evidenced in LDP2, which is the Council's most up to date policy position. In this Plan, the allocation is important as the site contributes towards the housing land requirements within the Clydebank area. There is a small shortfall overall in the affordable housing land targets from 2019-2030 and the loss of the site would exacerbate this and as a consequence would result in an under provision of affordable housing within Clydebank in the plan period. The supporting information provided for the proposed storage use is insufficient to justify a departure from the plan and offset from its allocation as a housing site and its requirement to contribute to the affordable housing land requirements. Equally it has not been sufficiently demonstrated that the site is incapable of being realistically developed for residential purposes in the future which is required by the relevant policies of the Adopted and Proposed Plans when considering alternative uses to the site allocation.
- 7.13** The justification outlined in the supporting information provided essentially seeks to make a case that the site is unsuitable for housing and that due to a mixture of factors including site constraints (such as contamination, ground levels and existing infrastructure), deficit funding restrictions and poor marketability, the site is unlikely to be developed for housing in the future. However, there is no survey work or evidence such as specific site reports of ground conditions to support these claims and no evidence has been presented to suggest the site is incapable of being developed for residential purposes. The local area, while containing a mix of uses, is now predominantly residential in character. This is certainly the case of Auld Street which includes the sites immediately neighbouring the application site to the South East and North West, both of which accommodate relatively new

flatted developments. Indeed, the proximity of the recently developed adjacent sites indicates that the area is popular and marketable for housing. On this basis, it is considered that the site can realistically be developed for residential development.

- 7.14** The applicant also makes the case that this is a longstanding redundant site and that the length of time it has lay vacant evidences that it is no longer viable for residential purposes. However, how long the site has taken or will take to be developed is not the sole consideration in terms of determining its viability to deliver housing. Indeed, this position is supported in the recent Examination Report for LDP2, in relation to housing land supply, where the Reporter outlines that the requirement for local development plans is to allocate sites that are effective or are expected to become effective in the plan period to meet the housing land requirement. As part of this the Reporter sets out that it is not therefore necessary for all the identified housing sites to be effective immediately, or to be programmed for completion in a defined period, in order for them to legitimately contribute towards meeting the housing land requirement. This is certainly the case for the recently developed neighbouring sites immediately to the north west and south east of the application site which were also allocated for residential land uses. Whilst these also lay vacant for some time, they have nevertheless been developed out for housing. Crucially, the site, irrespective of its duration of vacancy, is a designated housing site and is required to contribute towards the all tenure and affordable housing land requirement of LDP2.

#### Site Selection

- 7.15** The policies in the Adopted and Proposed Plans support economic development by directing and prioritising proposals for industrial, commercial and business uses to the sites safeguarded for such uses. Where alternative sites such as this, that are not allocated, robust justification is required. A key aspect of the criteria associated with Policy LE3 of the Adopted Plan states that support will only be given where the proposed development could not be accommodated on any other available industrial/business site.
- 7.16** It is considered that there are a number of designated industrial and business sites which are available which could realistically satisfy the applicant's requirements. The justification provided as part of this application is insufficient as it does not evidence that other viable sites (which are specifically designated for industrial, commercial and business use) within West Dunbartonshire have been firstly considered and thereafter been appropriately discounted for justified reasons in favour of the application site as chosen. There is no shortfall of allocated industrial or business land within West Dunbartonshire and no specific reference is made to any of these designated industrial or business sites, justifying why they are unsuitable to accommodate this use as proposed. As a result, the assertion made as part of the application that there are no other sites available within West Dunbartonshire aside from the application site without any sufficient justification to evidence this, is considered to be unsubstantiated.

- 7.17** Furthermore no case for a site-specific locational need or requirement has been made, demonstrating why the use and development as proposed requires to be located at this particular site. Given the absence of any such information including a sequential test, no case as required by the relevant industrial and business policies has been made to realistically consider the proposals for the alternative proposed use.

#### Economic and Social considerations

- 7.18** The justification that is provided in support of the proposed development cites perceived economic and social benefits of the use once operational. However, the references to these are vague and no indication has been provided of the potential job creation or the tangible economic benefits to the area that would result from the proposals. As part of this, no assessment has been provided demonstrating a market demand, for the provision of storage at this location and the economic and social benefits it could bring to the local area and economy as a result.
- 7.19** Notwithstanding the lack of supporting information in this regard, it is considered that any economic and social benefits of this type of self-storage development would likely be limited. More specifically, it is considered any economic benefits that could be realistically gained from these proposals are unlikely to be 'significant' and outweigh the primary material considerations including the allocation of the site for housing or that designated industrial and business sites within the West Dunbartonshire that are being overlooked in favour of this site without any justification to evidence otherwise.

#### Impact on Amenity

- 7.20** The visual impact of 115 storage containers positioned in continuous rows and surrounded by palisade security fencing adjacent to and 'sandwiched' in-between recently completed and landscaped housing developments would appear incongruous and have a detrimental impact to the residential context and amenity. As part of the development, all trees are to be felled and the ground is to be fully hard surfaced and no landscaping or tree planting is proposed that might mitigate the containers' appearance, enhance the site and complement the presence of the neighbouring housing developments.
- 7.21** All the trees that are to be felled are species that have matured over time given the lack of activity on the site and which now make a positive visual and environmental contribution to Auld Street. With no replacement planting proposed, the development will have a negative impact in terms of the visual amenity of the site and also from an environmental perspective is contrary to the applicable tree policies. Conversely, a residential development on this site could potentially seek to incorporate a degree of tree retention into the scheme and offer new forms of landscaping and greenery within the layout which would enhance the site and the visual amenity of the area.
- 7.22** Given the proximity of neighbouring residential properties to the application site, there are also concerns regarding the compatibility of the development



and its impact on residential amenity. These concerns are echoed by both the Council's Road Service and Environmental Health Section who have both advised that the application lacks fundamental supporting information in order to competently assess the proposals. Container storage by its nature can be impactful in terms of noise generation and in terms of bringing a level of intensification and additional activity to an area. No details relating to how this business will operate have been provided including its hours of operation, site management, accessibility arrangements and vehicular trip generation and traffic control measures. A Noise Impact and Lighting Impact Assessment are also absent from the application and these would be material to the assessment of the application when considering the impact of the development on neighbouring residential properties. This information has not been sought from the application as the principle of developing this site as a storage facility is unacceptable in the first instance.

## **8. CONCLUSION**

- 8.1** The proposed use is not an appropriate form of development at this location and it is contrary to both the Adopted and Proposed Local Plans with the site consistently allocated for housing. The site is safeguarded for residential purposes with a role to contribute to the housing land requirement for Clydebank. The evidence or justification is insufficient to allow for the alternative use to be considered as an acceptable departure from its site designation.
- 8.2** No site specific locational need for the development has been established and there is a lack of justification that the use could not be accommodated in other sites specifically designated for business, commercial and industrial uses. The economic, environmental and social benefits cited in support of the use have not been substantiated, however it is still considered that in any case these will be limited and will not be of a significance or extent as to offset from the allocation and role of the site for delivering housing.
- 8.3** The development by virtue of its design, appearance and layout will have an adverse impact upon the visual amenity of Auld Street and in particular the setting of the established residential flatted blocks that immediately neighbour the site to either side. The proposals also fail to provide appropriate information to address concerns regarding its impact upon the residential amenity of the neighbouring flatted properties by virtue of noise, light and traffic disturbance.

## **9. REASONS FOR REFUSAL**

- 1.** The application site is an allocated and safeguarded housing site and the redevelopment of this site for this alternative storage use would be prejudicial to the spatial strategy and undermine its ability to contribute towards the housing land requirements for West Dunbartonshire. The proposals are therefore contrary to Policy H3 of the Adopted Local Plan 2010; Policy BC2 of

Local Development Plan 1: Proposed Plan (LDP 1 2016); and Policy H2 of Local Development Plan 2: Proposed Plan (LDP2 2018).

2. The proposals fails to demonstrate and evidence any reasonable consideration and assessment of designated industrial, commercial and business sites available elsewhere within the West Dunbartonshire area in order to discount their suitability in favour of the application site as chosen. The proposals are contrary to Policy LE3 of the Adopted Local Plan (2010), Policies BC2, GE1 and GE2 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies E1 and E2 of Local Development Plan 2: Proposed Plan (LDP2 2018).
3. The proposed development fails to respect the character and amenity of the surrounding areas by reasons of its visual impact upon and visual relationship with neighbouring residential properties within the street scene, and its failure to consider and minimise the loss of trees. Accordingly, the proposal is contrary to Policies GD1 and E5 of the Adopted Local Plan (2010), Policies DS1 and GN5 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies CP1, CP2 and H4 of Local Development Plan 2: Proposed Plan (LDP2 2019).
4. The proposed location of the development immediately neighbours flatted properties on Auld Street. The proposed development has failed to submit appropriate information and assessments to demonstrate that the use once operational will not adversely impact the residential amenity of these neighbouring properties by virtue of noise, traffic and light disturbance. Due to the lack of supporting information in this regard, the proposal is contrary to Policy H5 of the Adopted Local Plan (2010), Policy BC4 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies H4 and ENV8 of Local Development Plan 2: Proposed Plan (LDP2 2019).

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**Date: 10<sup>th</sup> June 2020**

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**Appendix:** None

**Background Papers:**

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

**Wards affected:** Ward 6 (Clydebank waterfront)