

WEST DUNBARTONSHIRE COUNCIL

**Report by the Director of Housing, Regeneration and
Environmental Services**

Planning Committee: 4 October 2006

PLANNING APPLICATION REPORT

APPLICATION NUMBER: DC06-178

PROPOSAL: Erection of Residential Development with Associated Open Space, Landscaping and Infrastructure (Outline).

SITE: Part of former Strathleven Bonded Warehouses
Gooseholm Road
Dumbarton

APPLICANT: Walker Group (Scotland) Ltd

AGENT: G. D. Lodge Architects
Empire House
131 West Nile Street
Glasgow
G1 2RX

WARD: 13

DATE REGISTERED: 21/06/06

PUBLICITY:

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Neighbour Notification	28/06/2006	12/07/2006	Reporter
Development Contrary to the Development Plan	28/06/2006	19/07/2006	Reporter

REPORT:

A. SITE DESCRIPTION

The application site is part of the Strathleven Bonded Warehouses adjacent to the BBC Production Facility and extends to approximately 2 hectares. The remainder of the former bottling plant and warehouse site is to the north of this

site and the land to the south is residential. Access to this part of the former bonded warehouses is taken from the main entrance off Townend Road via Gooseholm Road.

B. DEVELOPMENT DETAILS

Permission is sought for a residential development in outline. Outline planning permission was approved in December 2005 for residential development (DC04-192) at the adjacent former bottling plant and bonded warehouses.

Access to the application site would be taken through the residential site approved under DC04-192 via a new roundabout to be formed on the A82 Trunk Road. The applicant has also indicated that a 10 metre wide buffer strip would be formed along the boundary of the site adjacent to the BBC facility.

C. DEVELOPMENT PLAN POLICIES

The Metropolitan Development Strategy of the Glasgow and the Clyde Valley Structure Plan aims to strengthen existing communities and safeguard the green belt by focusing new development at appropriate locations, with an emphasis on the reuse of urban brownfield land.

The site is identified in the Dumbarton District, District Wide Local Plan as existing industry/business use land as that was the use when the plan was prepared. Policy EMP2 seeks to protect existing industrial and business class areas from other inappropriate forms of development.

Policy H4 is also relevant as it deals with housing development standards and sets out the criteria against which residential development proposals will be assessed. More general criteria for all development proposals are set out in Policy DC1.

The West Dunbartonshire Local Plan (Consultative Draft) identifies the site as being safeguarded for business development. Proposals for the redevelopment of the site will be assessed against specific criteria to ensure that there will be no adverse affect on the quantity, availability and distribution of business/industrial land.

Scottish Executive planning policy guidelines in SPP2 Economic Development, SPP3 Planning for Housing, SPP7 Planning and Flooding and Planning advice in PAN56 (Planning and Noise) are also relevant.

D. CONSULTATIONS

Scottish Water:	No objections subject to conditions. Consent will be granted for the connection to Scottish Water network if agreement can be reached on a suitable mitigation scheme. A sustainable urban drainage system
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should be utilised in the surface water drainage design.

West of Scotland
Archaeology Service:

No substantive archaeological issues raised.

Scottish Natural Heritage:

Bats could potentially occupy the empty warehouse buildings at the end of autumn 2006. If development has not begun by the end of November 2006 a targeted re-survey for bats should be carried out and any mitigation measures proposed.

Transport Scotland Trunk
Roads Network Management:

Recommends that the same conditions applied to planning consent DC04-192 be attached to this site.

Scottish Environment Protection
Agency:

SEPA previously commented on the application at the adjacent site. Careful consideration is required in respect of proposed site levels to protect the site from any potential flooding risk from the River Leven. All foul drainage should be connected to the public sewer and details of the surface water strategy are required.

E. REPRESENTATIONS

None

F. ASSESSMENT

Land Use Policy

The application is required to be assessed against the Development Plan and other material considerations. The use of the site for residential purposes is not compatible with the policies in the adopted local plan because the site is safeguarded under Policy EMP2 for employment use, not residential development.

However, the original intention of Policy EMP2 was to protect the site's use as bonded warehouses and reflected the use of the site at the time of the local plan preparation. Generally however, the intention of Policy EMP2 is to ensure that existing employment areas that contribute to the local economy are protected. Since the local plan was adopted in 1999 local circumstances have

changed and the adjacent former bottling plant/bonded warehouses has outline planning permission for residential development.

Scottish Planning Policy 2 on Economic Development provides government guidance on the provision of industrial land. It requires that marketable land for economic development should be provided in sufficient quantity and quality to meet the diverse range of industrial, business and commercial requirements. Planning Authorities are expected to ensure that industrial land allocations provide a range and choice of competitive locations to meet the anticipated requirements of occupiers and are consistent with other policies. Where businesses such as manufacturing fall out of use and are in locations considered to be no longer appropriate or marketable for the original purposes the sites are expected to be reallocated and redeveloped for other uses.

The Glasgow and the Clyde Valley Joint Structure Plan requires a minimum 10 year potential bank of marketable land for business and industry, including a 5 year supply of readily available marketable sites. Local industry and business development needs should be met in the local plan. Within the Dumbarton area between 5 to 10 hectares of industrial and business development opportunities are required to be identified in the local plan. There is sufficient marketable industrial and business land supply within the Dumbarton Area. The area to the north of the A82 has been approved in outline for business development and this contributes to this marketable supply. The application site is not as marketable as other locations and the marketable industrial and business land will be safeguarded in the emerging local plan (West Dunbartonshire Local Plan Consultative Draft). Any potential uses on the application site could be restricted by the adjacent residential development and the BBC Studio. It is therefore considered that the release of the application site for residential use would be acceptable and appropriate at this location.

Scottish Planning Policy 3 on Housing promotes the reuse of previously developed land in preference to Greenfield land provided a satisfactory environment can be created. The reallocation of this site for residential development is therefore compliant with the aims and objectives of the local plan and those of Scottish Policy Guidelines on Employment and on Housing.

Built Form of Proposed Development

Policy H4 sets out standards to which new housing development should conform. These include provision for open space, good design, integration with existing landscape features, roads and parking standards, and density of development. As this is an outline application the details of the layout, number and types of properties and roads layout have not been submitted. These matters will be assessed in any subsequent application for approval of reserved matters.

Visual Impact

The removal of the warehouses would be a significant change in the appearance of the site. The proposed replacement buildings would be of a domestic scale with private gardens and a variety of planting and landscaping and would therefore be much less conspicuous than the existing buildings.

Other Material Considerations – Natural Heritage

Scottish Natural Heritage considers the buildings could be used by bats, which are a European Protected Species, as a nesting and/or breeding site over the winter period. If the warehouses are not demolished by the end of November 2006 the site would have to be re-surveyed for bats and mitigation measures proposed. Should bats be found, appropriate licensing arrangements will be required for their removal and this is a matter for Scottish Natural Heritage.

Other Material Considerations – Drainage and Flood Risk, Noise Contamination, Traffic.

These matters were considered in detail in the earlier planning application at the adjacent site and were covered by the appropriate conditions attached on the outline planning consent DC04-192. The consultees have been re-consulted and have not raised any concerns on these matters and the conditions attached to DC04-192 should be reiterated on this application.

G. CONCLUSION AND RECOMMENDATION

The redevelopment of the application site for housing, together with the remainder of the former bottling plant and bonded warehouses, would be a sustainable re-use of this brownfield site. The overall site has been unused for some six years and the application represents an opportunity to secure its redevelopment. Although not specifically allocated in the Development Plan for residential development, it is considered that housing would be the most appropriate re-use at this location because it would integrate well into neighbouring housing areas and would have good links to the local area and town centre. The proposal would be supported by national planning policy and complies with the general thrust of the Development Plan Policies.

If outline permission is granted, the application is required to be referred to the Scottish Ministers as a departure from the Development Plan because the Council has an interest in the land through its interest in the Strathleven Regeneration Company.

It is therefore recommended that members indicate that they are minded to grant outline planning permission subject to the following conditions.

H. CONDITIONS

- 1. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto including any emergency access, and the landscaping of the site (hereinafter called the reserved matters) shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services within three years of the date of this permission and the development must be commenced within five years of the date of this permission or within two years from the date of final approval of all the foregoing reserved matters.**
- 2. At the same time as the submission of the reserved matters, a Design Statement in accordance with the advice issued in Planning Advice Note No.62 shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.**
- 3. Within six months of the date of this permission, a masterplan for the development of the site and its integration with the adjacent site approved under DC04-192 shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.**
- 4. At the same time as the submission of the reserved matters, details of the phasing of the development and roads infrastructure, shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services and thereafter implemented in accordance with such approved details and thereafter retained for the life of the development.**
- 5. At the same time as the submission of the reserved matters, details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Director of Housing, Regeneration and Environmental Services. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.**
- 6. At the same time as the submission of the reserved matters, detailed plans shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services that clearly illustrate in contour and cross-section form the existing and proposed ground levels throughout the site, the finished floor levels of the proposed development and the extent of any land raising or under building involved. The levels shall clearly relate to a fixed datum point on the site, which shall be clearly identified on the submitted plans.**

- 7. At the same time as the submission of the reserved matters, a noise assessment shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services. The assessment shall be prepared in accordance with PAN56 and shall include protection and mitigation measures in respect of noise from A82 trunk road.**
- 8. At the same time as the submission of the reserved matters, a comprehensive contaminated land investigation shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services. The investigation shall be completed in accordance with a recognised code of practice and shall include a site-specific risk assessment of all relevant pollution linkages.**
- 9. Where the risk assessment referred to in condition 8 above identifies any unacceptable risk as defined under Part II A of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services and no works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy.**
- 10. Remediation of the site shall be carried out in accordance with the approved remediation plan referred to in condition 9 above. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Director of Housing, Regeneration and Environmental Services.**
- 11. On completion of the remediation works referred to in condition 10 above, and prior to the site being occupied, the developer shall submit a report to the Director of Housing, Regeneration and Environmental Services to confirm that the works have been carried out in accordance with the approved remediation plan.**
- 12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Director of Housing, Regeneration and Environmental Services within one week. At this stage, if requested by the Director of Housing, Regeneration and Environmental Services, a comprehensive contaminated land investigation shall be carried out.**

- 13. The permitted maximum noise level emanating from construction or demolition sites shall be relative to the pre-contract ambient noise level for that area. The contractor shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential properties, schools, offices or libraries to exceed the levels agreed in writing with the Director of Housing, Regeneration and Environmental Services. The applicant is required to contact the Public Health and Pollution Section of Protective Services not less than 14 days prior to works commencing on the site.**
- 14. During the period of construction, all works and ancillary operations that are audible at the site boundary, or at such other places as may be agreed with the Council, shall be carried out only between the hours of 08.00 and 18.00 Monday to Saturday and not at all on Sundays or Public Holidays.**
- 15. To minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works the plant and machinery used should be in accordance with the relevant Codes of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) (Scotland) Order 2002.**
- 16. Where piling works are proposed account must be taken of the guidance in BS 6472: 1984 Evaluation of human response to vibration in buildings. A competent person must carry out an assessment. The findings of the assessment require to be submitted to, and approved in writing by the Director of Housing, Regeneration and Environmental Services.**
- 17. At the same time as the submission of the reserved matters, details shall be submitted of all trees and hedging on the site. This survey shall be displayed on a site layout plan and include an identification of the existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter that overhang the site shall also be included). Those trees which it is intended to fell or remove shall be separately identified.**
- 18. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services prior to any work commencing on the site.**
- 19. Prior to commencement of works, full details of the design and location of all fences and walls to be erected on the site shall be submitted for the consideration and written approval of the Director of Housing, Regeneration and Environmental Services.**

- 20. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Housing, Regeneration and Environmental Services.**
- 21. At the same time as the submission of the reserved matters, a flood risk assessment shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.**
- 22. Only solid, inert, non-toxic, non-ferrous, non-putrescable and non-degradable materials shall be used as material for land raising operations to the exclusion of all liquids, sludge, oil, domestic refuse or plasterboard, to the satisfaction of the Director of Housing, Regeneration and Environmental Services.**
- 23. Prior to the occupation of any house in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splay and all turning heads to the satisfaction of the Director of Housing, Regeneration and Environmental Services.**
- 24. Prior to occupation of the last dwellinghouse in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard of the Roads Authority.**
- 25. No dwellinghouse shall be occupied until the vehicle parking spaces and turning areas have been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.**
- 26. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.**
- 27. At the same time as the submission of the reserved matters, details of bus halts and lay-bys shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services and thereafter implemented in accordance with such approved details and thereafter retained for the life of the development.**

28. Should the demolition of the warehouses not commence by the end of November 2006 the demolition works should not begin unless a targeted re-survey for the presence of bats is undertaken. This should be carried out by a suitably experienced surveyor. The results of the survey shall be submitted for the written approval of Director of Housing, Regeneration and Environmental Services in conjunction with Scottish Natural Heritage. The survey shall include details of mitigation measures and details of the method of translocation of this protected species.
29. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEETLLD – TRNMD, construction of the new roundabout on the A82 trunk road, providing access to both the north and south portions of the site, and generally as set out in WSP drawing 0374/SK/001D, shall not be commenced until such time as the following works have been completed to the satisfaction of the Planning Authority, in consultation with SEETLLD – TRNMD.
- a. Formation of access road from A82/A813 link road to adoptable standard.
 - b. Formation of Business Park gateway entrance feature.
 - c. Formation of structural landscaping as defined in Strathleven Regeneration Company – Schedule of Works dated 5 December 2005.
 - d. Public Utility provision as defined in Strathleven Regeneration Company – Schedule of Works dated 5 December 2005.
 - e. The adoption of a masterplan for the business park setting out the process and the timetable for delivery.
30. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEETLLD – TRNMD, no development shall be commenced until modifications to the A82 Barloan Toll Roundabout have been completed to the satisfaction of the Planning Authority, in consultation with SEETLLD – TRNMD. These modifications shall be:
- As generally set out in WSP Drawing No. 0374/SK/002C RevB.**
31. In the event the new A82 roundabout as indicated in Condition 29 is not completed, no development shall commence until alternative modifications to Barloan Toll Roundabout are agreed in writing with the Planning Authority, in consultation with SEETLLD – TRNMD.
32. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEETLLD – TRNMD, no development shall be commenced until modifications to the A82 signal controlled Junction with Garshake Road, generally as set out in WSP drawing 0374_SK_103A and including the reinstatement of the eastbound bus layby on the east side of the junction, have been completed to the satisfaction of the Planning Authority, in consultation with SEETLLD – TRNMD.

33. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEETLLD – TRNMD, no development shall be commenced until details of the alterations to the traffic signal timings at the A82 Dumbuck Junction have been approved by the Planning Authority, in consultation with SEETLLD – TRNMD.
34. Access to all parts of the development shall be provided from both the new roundabout on the A82 and from the western end of Gooseholm Road.
35. No part of the development shall commence until details of pedestrian and cycle connections between the north and south parts of the development across the A82 trunk road and from the site to the surrounding network have been submitted to and approved by the Planning Authority, in consultation with SEETLLD – TRMND.
36. No part of the development shall be occupied until the approved pedestrian and cycle connections indicated in Condition 35 have been implemented to the satisfaction of the Planning Authority in consultation with SEETLLD – TRNMD.
37. No part of the development shall be occupied until improvements to the existing pedestrian underpass beneath the A82 on the west side of Barloan Toll Roundabout have been completed to the satisfaction of the Planning Authority, in consultation with SEETLLD – TRNMD.
38. The combined number of residential units at this site together with the adjacent site approved under DC04-192 shall not exceed 338 dwellings.
39. No part of the development shall commence until fencing has been erected in a manner and position to be agreed with the Planning Authority, in consultation with SEETLLD – TRNMD, between the site and the A82 trunk road.
40. No part of the development shall be occupied until public transport services, in the form of diversion of existing bus services into the site or provision of a dedicated new bus service to connect the site to Dumbarton town centre and Dumbarton Central rail station, have been provided to the satisfaction of the Planning Authority, in consultation with SEETLLD – TRNMD.

David McMillan
Director of Housing, Regeneration and
Environmental Services

Wards affected: 13

Appendix: none

Background Papers:

1. Copy of application received 09/06/06
2. Copy of planning consent DC04-192
3. Copy of consultation response from Scottish Water received 26/06/06
4. Copy of consultation response from West of Scotland Archaeology Service received 26/06/06
5. Copies of consultation response from SNH received 06/07/06 and 23/08/06
6. Copy of consultation response from Transport Scotland received 19/07/06
7. Copy of consultation response from SEPA received 25/07/06

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