

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 27 April 2016 at 10.00 a.m.

**Present:** Councillors Denis Agnew, Jonathan McColl, John Mooney\*, Lawrence O'Neill and Hazel Sorrell.

\*Arrived later in the meeting.

**Attending:** Peter Hessett, Strategic Lead – Regulatory; Pamela Clifford, Planning and Building Standards Manager; Alan Williamson, Team Leader – Forward Planning; Raymond Walsh, Network Services Co-ordinator; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors Jim Finn, Patrick McGlinchey and Tommy Rainey.

**Councillor Lawrence O'Neill in the Chair**

### **DECLARATIONS OF INTEREST**

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

\*Note:- Councillor Mooney arrived at this point in the meeting.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 23 March 2016 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of a Visitation carried out on 16 March 2016, a copy of which forms Appendix 1 hereto, was submitted and noted.

## PLANNING APPLICATIONS

Reports were submitted by the Strategic Lead - Regulatory in respect of the following planning applications.

### **New Applications:-**

**(a) DC16/030 - Change of use from vacant office unit to hot food takeaway at 9 Second Avenue, Clydebank by Mohammed Ashad**

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

The Planning & Building Standards Manager and the Network Services Co-ordinator were heard in further explanation of the report and in answer to Members' questions.

The Chair invited Mr Jonathan Cheung, local resident and representing his parents who run a neighbouring takeaway shop, to address the Committee. Mr Cheung made his parents views on the application known and was heard in answer to Members' questions.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report and in answer to Members' questions and the Legal Officer in clarification of a Members' question, the Committee agreed to refuse planning permission on the grounds that The proposed use would have a detrimental impact on the amenity of adjacent residential properties and would therefore be contrary to policies H5 and GD1 of the adopted West Dunbartonshire Local Plan 2010 and policies BC4 , GE1 and SC3 of the West Dunbartonshire Local Development Plan (Proposed Plan).

**(b) DC16/007 - Change of use to dance studio at Unit 14, The Griffon Centre, Levenside Road, Vale of Leven Industrial Estate, Dumbarton by Miss Lindsey Donald**

The Planning & Building Standards Manager was heard in further explanation of the report and in answer to Members' questions.

The Chair invited Mr Alec Donald, representing the applicant, to address the Committee. Mr Donald was heard in support of the application and in answer to Members' questions.

After discussion and having heard the Planning and Building Standards Manager in answer to further Members' questions, the Committee agreed to grant planning permission subject to conditions.

## **ADJOURNMENT**

The Chair, Councillor O'Neill adjourned the meeting at 11.02 a.m. for a short period of time.

The meeting reconvened at 11.07 a.m. with all those Members shown on the sederunt in attendance.

## **WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN**

A report was submitted by the Strategic Lead - Regulatory providing details of external legal advice received on the matter of adopting the proposed West Dunbartonshire Local Development Plan and advising of the options available in light of this advice.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report and officers in answer to Members' questions, the Committee agreed:-

- (1) that the proposed Local Development Plan would not be adopted and it would be left as a proposed plan; and
- (2) that officers begin preparation of a new Local Development Plan.

## **PLANNING GUIDANCE ON PAY DAY LENDING AND BETTING SHOPS**

A report was submitted by the Strategic Lead – Regulatory seeking approval of the draft Planning Guidance on Pay Day Lending and Betting Shops and recommending that it be published for consultation.

After discussion the Committee agreed:-

- (1) to approve the draft Planning Guidance on Pay Day Lending and Betting Shops as detailed within Appendix 1 to the report; and
- (2) that the draft Planning Guidance on Pay Day Lending and Betting Shops be published for consultation.

## **RECEIPT OF APPEAL AGAINST ENFORCEMENT NOTICE AT FISHERWOOD HOUSE, LOMOND ROAD, BALLOCH (EP14/047 & EP15/057)**

A report was submitted by the Strategic Lead – Regulatory informing of the receipt of an enforcement appeal for Fisherwood House, Lomond Road, Balloch.

The Committee agreed to note the receipt of the appeal.

## **CHAIR'S REMARKS**

The Chair, Councillor O'Neill advised Members that a drop in session was being held at 12 noon in the Council Chamber, Clydebank Town Hall, following conclusion of this meeting, with representatives from Renfrewshire Council providing information on the City Deal proposals for creating a bridge over the Clyde.

The Chair also advised that he had recently been appointed as the Vice Convenor for the Clydeplan Joint Committee.

The meeting closed at 11.35 a.m.

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**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 16 MARCH 2016**

**Present:** Councillor Patrick McGlinchey

**Attending:** Karen McChesney, Lead Planner

**Apologies:** Councillors Jim Finn and John Mooney

**SITE VISIT**

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

(a) Queens Quay, Cart Street, Clydebank

DC15/234 - Mixed use development including residential, retail, financial/service, restaurant, public house, office, hotel, care home, health centre, assembly and leisure uses with associated car parking, access road, quay wall improvements and landscaping (Planning Permission in Principle) at Queens Quay, Cart Street by Clydeside Regeneration Limited.

DRAFT

## **PLANNING COMMITTEE**

### **NOTE OF VISITATION – 25 APRIL 2016**

**Present:** Councillors Denis Agnew and John Mooney

**Attending:** Pamela Clifford, Planning and Building Standards Manager

**Apologies:** Councillors Gail Casey and Jim Finn

### **SITE VISIT**

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

a) 9 Second Avenue, Clydebank

DC16/030 - Change of use from vacant office unit to hot food takeaway at 9 Second Avenue, Clydebank by Mohammed Ashad.





**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Strategic Lead - Regulatory**

**Planning Committee: 22 June 2016**

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**DC16/022: Residential development with associated access, open space and landscaping etc. on land opposite Strathleven Park Estate, Stirling Road, Bonhill, Alexandria by BDW Trading Ltd.**

**1. REASON FOR REPORT**

- 1.1** The application is for a major development which would be a significant departure from the adopted development plan. Under the approved scheme of delegation and the national regulations relating to the handling of planning applications, it requires to be determined by the full Council. The Council's procedure requires that a pre-determination hearing take place at the Planning Committee, before the full Council considers and determines the application.

**2. RECOMMENDATION**

- 2.1** That the Planning Committee considers the details of the development and refers the application to full Council for determination, with a recommendation that it be approved subject to the conditions in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a financial contribution to Loch Lomond Rugby Club.

**3. DEVELOPMENT DETAILS**

- 3.1** The application relates to agricultural land located on the east side of Stirling Road to the south of Bonhill, opposite the Strathleven Park residential estate. The site is roughly rectangular in shape and extends to approximately 5 hectares. There is a significant gradient running across the site, with the land rising to the east from Stirling Road. The site is bounded by Stirling Road to the west, woodland to the north, Loch Lomond Rugby Club to the east and agricultural land to the south. The land was last used as agricultural grazing land but is currently unused, and comprises mainly of a grass field with a pair of mature trees close to the centre of the site.
- 3.2** Full planning permission is sought for the erection of 85 houses comprising a mixture of 3 and 4 bedroom detached and semi-detached properties. The majority of the properties would consist of private housing for sale, although 8 of the semi-detached houses in the south eastern corner of the site would be for affordable housing for rent. Each property would have a private garden

area and dedicated parking, and the finishing materials would primarily consist of rendered walls and grey concrete roof tiles. All vehicular access to the site would be by way of a new roundabout on Stirling Road, at the site of the existing 'T' junction for the Strathleven Park estate. Within the site, the housing would be arranged around two cul-de-sacs, and would be set back from Stirling Road at a higher level. Due to level changes and ground conditions across the site some parts are not suitable for development and as a result, there would be significant areas of open space and landscaping. Surface drainage would be by way of SUDS, and a drainage pond would be formed within one of the landscaped areas adjacent to the site entrance.

- 3.3** A Ground Investigation Report, Supporting Planning Statement, Pre-Application Consultation Report, Drainage Strategy, Design and Access Statement, Archaeological Desk-Based Assessment, Tree Report and an Extended Phase 1 Habitat Survey have all been submitted as part of the application, in order to address the various technical issues. In accordance with best practice which is being promoted by the Scottish Government, the Roads Construction Consent for this site has been submitted for consideration at the same time as the planning application.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to various conditions, including requirements to provide a pedestrian crossing and footpath and to relocate a bus stop on Stirling Road.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions relating to contaminated land, noise, permitted hours of work on site and dust control measures.
- 4.3** West Dunbartonshire Council Access Officer has no objection subject to conditions relating to the woodland path and associated works.
- 4.4** West of Scotland Archaeological Service has no objection to the proposed development.

#### **5. REPRESENTATIONS**

- 5.1** Three representations have been received from local residents, of whom one objects to the proposal and two raise comments or concerns about specific aspects of the development. The reasons for the objection can be summarised as follows:
- the site is green belt and its development would be contrary to the local plan;
  - proposals to allocate this site for housing have been rejected by Scottish Government Reporters in the past;

- additional traffic on Stirling Road will be a hazard to road safety, especially at farm access roads;
- addition of yet another roundabout on Stirling Road will increase the risk of accidents;
- local schools may not have spaces for more children; and
- the site is a habitat for ground nesting birds and deer.

**5.2** The other two representations do not object to the development of the site for housing but raise the following issues:

- the proposed roundabout onto Stirling Road will cause congestion, especially due to its proximity to an existing roundabout and bus stops;
- access should be by way of Nobleston rather than direct from Stirling Road;
- there appears to be no provision for a pedestrian crossing over Stirling Road; and
- development of this site would be a good opportunity to make adjacent woodland in the developer's ownership into a community woodland

These issues are addressed in section 7 of the report.

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

### Glasgow and the Clyde Valley Strategic Development Plan

**6.1** The proposed development site is within the green belt, where housing development is not a form of development in line with the Strategic Development Strategy. Diagram 4 (Sustainable Location Assessment) sets out criteria to assess whether the development will contribute positively to the Spatial Development Strategy. On balance, it is concluded that the development does not meet these criteria, but that there is a known demand/need for the development established by the Development Plan, so the proposal should be subject to Local Development Plan assessment. Strategy Support Measure 8 requires a green belt to be designated and for its inner and outer boundaries to be reviewed – this has been undertaken as part of the Local Development Plan process, and the development site identified as a release from the green belt. Strategy Support Measure 10 requires local authorities to maintain a five year effective land supply, and augment supply where/when necessary, with priority given to bringing forward delivery of sites already identified, and then additional sites guided by assessment against Diagram 4 and deliverability factors. The proposed development site will ensure the delivery of housing for the area.

### West Dunbartonshire Local Plan 2010

**6.2** The site is identified as green belt and Policy GB1 seeks to preserve the landscape character of the area, and specifies a general presumption against development other than that falling into certain specified categories. The proposed residential development does not fit into any of these categories and the proposal is therefore contrary to Policy GB1. Policy RD1 states that preference will be given to residential development on brownfield sites within

the urban area rather than on greenfield land. The proposal is contrary to this policy.

- 6.3** Policy H4 sets out general standards expected of new residential development, requiring high quality in terms of shape, form, layout and materials. Policy GD1 sets out development control criteria for the assessment of all new development. Policy E9 requires that development within the green belt will have particular regard to the landscape character and distinctiveness of the area and its surroundings, with measures being proposed to minimise adverse impacts on the landscape character of the green belt. The proposal is considered to be in compliance with these policies as discussed in section 7 below.
- 6.4** Policy R2 specifies the open space provision required for all new development. However, assessment of open space requirement has been undertaken against the more up to date Our Green Network Guidance below.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Proposed Strategic Development Plan

- 7.1** The proposed Strategic Development Plan (to replace the current Plan) was published in January 2016 and was submitted to the Scottish Ministers for Examination in May 2016. Policy 1 of the Plan requires new development to contribute to the creation of high quality places and Table 1 sets out a Placemaking Principle based on the six principles of creating successful places. Policy 12 requires development proposals to integrate the Green Network and prioritise green infrastructure.
- 7.2** The proposed development is not considered to be of a strategic scale by the proposed Strategic Development Plan because, whilst it is for 10 or more units on a greenfield site, it is on a site identified by the Local Development Plan. Therefore, assessment against Diagram 11 is not required.

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

- 7.3** 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.4** The proposed development site is identified under Policy BC2 as a new housing allocation to supplement the existing land supply and ensure a

generous supply of land for housing. It has an indicative capacity of 113 units and the requirements for developing on this site are as follows:

- provision of 10 houses for rent by Council/RSL
- structural planting to provide a strong green belt boundary but which avoids acting as a barrier to access and views
- development to front onto the A813, if possible
- footpath provision along length of site on A813
- new/improved facilities for Loch Lomond Rugby Club
- assessment of potential recreational access opportunities through the woodland with implementation if feasible.

**7.5** Policy DS1 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). All residential developments of more than 3 units are also expected to comply with the Residential Development: Principles of Good Design Supplementary Guidance. As discussed below, it is considered that the proposal would comply with these requirements.

**7.6** Policy DS3 requires that significant travel generating uses are located within 400 metres of the public transport network. Policy DS6 states development will not be supported where it would have a significant probability of being affected by flooding or increasing the risk of flooding elsewhere, and requires SUDS to be included, where appropriate in developments, Policy DS7 requires that development on sites that are potentially contaminated are remediated to ensure the site is made suitable for its future use. The proposal is considered to comply with these policies.

**7.7** Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design from the outset by incorporating SuDS, open space, paths and habitat enhancement at a level proportionate to the scale of development and in accordance with Supplementary Guidance. Policy GN5 supports the enhancement and management of woodland, and protects trees of amenity and biodiversity value. However, it does allow the removal of trees where clear justification is provided and appropriate replanting can be agreed. Although two mature trees are to be removed, their removal is necessary in order to allow a suitable vehicular access to the site and the ground levels on site to be altered. There will also be appropriate landscaping and tree planting undertaken as part of the development. The proposal is considered to comply with these policies.

#### Principle of development

**7.8** The site is identified as part of the green belt within the adopted West Dunbartonshire Local Plan 2010, and therefore the proposal to develop part of the site for housing would be a significant departure from adopted local plan policy. However, within the Local Development Plan the site is specifically identified as a housing opportunity site. Though not adopted, the West Dunbartonshire Local Development Plan has been through examination, and

all modifications have been accepted with the exception of those in respect of the unrelated Duntiglennan Fields site. The Local Development Plan is therefore a significant material consideration when assessing planning applications, and its policies and land use designations are more up-to-date than those of the adopted local plan. It is therefore considered that more weight should be attached to the Local Development Plan in respect of the principle of development on this site.

- 7.9** The site is identified with an indicative capacity of 113 units in the Local Development Plan and a provision that 10 of these houses should be available for rent from the Council or another registered social landlord. However, due to the gradients and rocky ground some parts of the site cannot be economically developed, and therefore 85 houses are being proposed. Since the total number of houses on site has been reduced, the number of affordable rent houses has also been reduced proportionately to eight. The proposed social housing provision is therefore considered to be appropriate. The eight properties would all be three bedroom semi-detached houses. The applicant is working with Cube Housing Association who will be the registered social landlord for the site.

#### Layout, Design and Appearance

- 7.10** The proposed development would be sited at a prominent location at the entrance to Bonhill and has been designed to incorporate the principles of the Scottish Government's 'Designing Streets' document and the Council's Residential Design Guidance through the use of shared surfaces, a more pedestrian focussed layout and the prominence of open space/landscaping throughout the site. The shared-surface road and pedestrian links would ensure that the development is convenient for pedestrians and vehicles to move around, whilst footpath links at the eastern and western edges of the development would provide permeability with the site's surroundings. The proposed mix of housing would provide a variety of house types of varying sizes and design and contrasts with the existing housing on the opposite side of Stirling Road. The houses will all be two storeys and consist of a mixture of detached and semi-detached properties. Externally, the properties will have a traditional appearance and predominantly be finished in off white render and grey concrete roof tiles. The development would be set back from Stirling Road and be sited above street level, ensuring that whilst it would address the road, it would sit within the hillside.
- 7.11** A design and access statement has been submitted in support of the application which demonstrates how the layout addresses the surrounding area and the requirements contained in the Local Development Plan. The development aims to create a high quality and welcoming residential development, creating a sense of place which integrates with the surrounding area. The chosen design has been influenced by Government policy including Designing Streets guidance and the Council's Residential Design Guide. The density, layout, materials and general appearance of the development are all considered to be acceptable.

#### Landscaping and open space

- 7.12** The proposal would exceed the standards for open space provision contained in the Council's 'Our Green Network' guidance, and open space and landscaping would form a significant part of this development. There would be a central landscaped area (including a play area) which exceeds 2700m<sup>2</sup>, a SUDS area in excess of 3000m<sup>2</sup> and a further soft landscaped area of 900m<sup>2</sup>. In addition to these more formal areas, the housing would be separated from Stirling Road by a landscaped strip and a strong southern boundary will also be formed. In total there will be open space/landscaping within the development site in excess of 20,000m<sup>2</sup> and links to adjoining areas of woodland and countryside. As the quantity of open space and landscaping on this site exceeds the Council's standard there is no requirement for a financial contribution to be made for any off site works. Conditions can be attached to ensure that the planting and play areas are provided at an appropriate time.
- 7.13** In addition to the open space/landscaping provision on site, it has been agreed with the applicant that a further condition can be attached to ensure that the feasibility of the provision of woodland path links are investigated and if appropriate, provided. This requirement was added by the reporter when the LDP was being examined and it is considered that the path links would improve the amenity of the new development and surrounding area whilst also providing important pedestrian linkages to established housing areas within Bonhill.
- 7.14** The site has significant level changes as the ground rises to the east and there are two mature trees which occupy a prominent central position within the site. Both of these trees are to be removed and this is necessary in order to allow the formation of the new access road and to allow the necessary changes to be made to the ground levels. Due to the ground levels, the density of the development has been reduced and the result is that there will be significant areas of open space and landscaping, ensuring that appropriate replacement tree planting can be undertaken.

#### Road and Traffic Issues

- 7.15** The road layout within the site is largely dictated by the site levels, but within this constraint it has been designed to incorporate the principles of the Scottish Government's Designing Streets document through the use of shared surfaces and a more pedestrian focussed layout. This means that the roads are slightly narrowed in places, with a winding layout designed to naturally slow the movement of vehicles. Most houses would have either an integral or detached garage as well as a driveway capable of accommodating 2 cars, although some semi-detached properties would use shared parking areas. Visitor parking would also be dispersed throughout the development. Since adequate parking would be provided on site, it is not necessary to remove permitted development rights in relation to the conversion of domestic garages.
- 7.16** It is proposed that all access be by way of a new roundabout on Stirling Road. Other options were considered prior to submission of the application, including the use of a signalised junction or the creation of a link through the woodland

to Napierston, but the roundabout was the preferred option in terms of traffic and environmental impacts. The Roads Service considers that Stirling Road has sufficient capacity to cope with the additional traffic from the development, and that the introduction of a roundabout will not give rise to adverse road safety or traffic impacts. The provision of a roundabout should also improve access from Strathleven Drive relative to the existing un-signalised junction. The proposal includes provision of a footpath along the east side of Stirling Road to connect the site to the existing footpath network. There are currently two bus-stop laybys on Stirling Road, one on either side of the Strathleven Drive junction. In order to provide safe and convenient access to bus stops it is proposed to relocate the southbound bus stop to the north of the new roundabout (so that the two stops are opposite each other) and to provide a new pedestrian crossing at this location.

- 7.17** Within the site, the road to the upper part of the site would follow a relatively circuitous route due to the site gradient, and in order to provide a more direct pedestrian route between the new housing and Stirling Road some sections of footpath incorporating steps would be provided. The use of steps is not ideal because these are not fully accessible and they would not be adopted by the Council, however due to the difference in site levels, any ramps would take up a very large amount of space and would be so long that they offered little advantage over using the street. It is therefore considered that steps are an appropriate way of increasing pedestrian connectivity through the site and would be a safer and more convenient option than allowing informal desire lines to be formed across the landscaping areas. A condition will be attached to ensure that the steps are located in an appropriate location and their final position agreed.

#### Drainage

- 7.18** The site is not at risk of flooding, but due to its sloping nature there has been a history of surface water run-off onto Stirling Road at this location. In order to address this historic problem and provide appropriate surface drainage for the new housing and roads, the proposal would incorporate SuDS measures including use of permeable paving throughout the site and the creation of a large attenuation pond adjacent to Stirling Road. This will allow water to drain away more slowly, helping to alleviate pressure on the drainage network and reducing the risk of any localised off-site flooding.

#### Technical Issues

- 7.19** In order to ensure that the development is completed satisfactorily, conditions will be attached to ensure that any contamination is addressed adequately on site and that the housing is not affected unacceptably by noise from traffic on Stirling Road or when Loch Lomond Rugby Club hold functions at their clubhouse. The Council's Environmental Health Section is content that these conditions will allow any contaminated land or noise issues to be addressed. The site is a greenfield site and it is unlikely that there will be any significant contamination discovered. However, to ensure that appropriate measures are taken if required, conditions will be attached which seek to ensure suitable remediation is undertaken if required. Similarly, the use of noise conditions will ensure that measures are taken to address any issues that are identified.



#### Natural and Built Heritage

- 7.20** An ecology assessment of the site found no evidence of European protected species on the site, and whilst it is possible the site is used by deer and birds it is agricultural grazing land of limited habitat value. The proposed landscaping and open space areas together with the adjacent woodland surrounding the proposed housing would provide a variety of habitats for different plant and animal species. Therefore there would be no adverse impact upon natural heritage. In accordance with the recommendations contained in the habitat survey, a condition will be attached to ensure that further surveys are undertaken prior to any work commencing on site.
- 7.21** West of Scotland Archaeology Service had advised that the development falls within an area of archaeological potential and therefore recommended the implementation of a programme of archaeological works. An archaeological evaluation of the site was undertaken, which revealed no surviving archaeology, and therefore no further works are required in this respect.

#### Community Benefit

- 7.22** In accordance with the requirements contained in the Local Development Plan, the applicant proposes to make a financial contribution of £25,000 which will be for Loch Lomond Rugby Club. The purpose of this money is to help towards providing new and/or improved facilities for Loch Lomond Rugby Club. It is understood that this contribution may also allow Loch Lomond Rugby Club to seek additional funding from other sources.

#### Pre-application consultation

- 7.23** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to submission of the application. One public consultation event was held at the adjacent Loch Lomond Rugby Club House in May 2015. Neighbouring households adjacent to the site were notified of the event, as well as ward Councillors, the Planning Committee and Bonhill and Dalmonach Community Council. A statutory notice was published in the local press advertising the public event and the submission of the proposal of application notice. The applicant has submitted a pre-application consultation statement which indicates that whilst attendance at the event was relatively low, feedback was generally supportive of the development, with specific queries made relating to access/infrastructure and drainage.

#### Pre determination Hearing

- 7.24** Under the terms of Section 38A of the Town and Country Planning (Scotland) Act 1997 (as amended) applications for major development which would be significantly contrary to the development plan require a pre-determination hearing, whereby applicants and any persons who have made representations are given the opportunity to appear before and be heard by a committee. The Planning Committee has previously agreed that this takes place at the Planning Committee. As the application requires to be referred to, and determined by the full Council, elected members who are not part of the Planning Committee have been invited to the Planning Committee in order to observe the pre-determination hearing.

#### Other issues raised by objectors

- 7.25** Although the development will involve the construction of 85 family homes, there is sufficient capacity in existing schools to meet any future demand for school places.
- 7.26** It has been suggested that existing woodland around the site could be used to create community woodland. Whilst this proposal is to be welcomed, it requires the involvement of more interested parties than just the landowner. Previously, an attempt to create community woodland in the vicinity has failed. However, a condition will be attached to ensure that a feasibility study is undertaken concerning the creation of woodland paths and where possible, any recommendations concerning the creation and/or maintenance of woodland paths will be implemented.

### **8. CONCLUSION**

- 8.1** The proposed development will provide high quality housing for the local area. Although the majority will be housing for sale, as a requirement of the local development plan allocation 8 houses will be transferred to a local social registered landlord for rent. The proposed residential development is contrary to the adopted local plan, but it is in general compliance with the policies of the Proposed Local Development Plan, which is a significant material consideration and which reflects the Council's most up-to-date policy position in relation to the site. It is therefore considered that its general compliance with the Local Development Plan is sufficient to justify a departure from the adopted local plan.
- 8.2** The layout and design of the development has taken into account the topography of the site and embraces the Designing Streets principles. All technical issues have been addressed through the application process and through conditions. The landscaping and open space proposed will contribute to the overall green network and improve the quality of the natural environment and encourage connectivity within the site. Overall, it is considered that the proposal will have a positive impact on the area through the provision of high quality houses within an attractive setting.

### **9. CONDITIONS**

- 1. Prior to the commencement of development on site, a phasing plan of how the development will be implemented shall be submitted for the written approval of the Planning Authority. Thereafter the development shall be completed in accordance with the approved phasing plan.**
- 2. No house shall be occupied on site until a scheme for the provision of affordable housing for rent has been submitted for the written approval of the Planning Authority. This scheme shall:**

- a) Provide that 8 of the approved dwellings are affordable houses available for rent;
- b) Provide details of the timing of their provision relative to the phasing of the development.

Thereafter, the development shall be completed in accordance with the approved scheme and the approved phasing plan.

- 3. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
- 4. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
- 5. Prior to the commencement of development on site , full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
- 6. Prior to the commencement of development on site details of the design and location of the bin stores, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and thereafter implemented in accordance with the approved phasing plan.
- 7. No houses shall be occupied until the vehicle parking spaces associated with that house have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
- 8. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented in accordance with the approved details and the approved phasing plan.
- 9. A landscaping and open space scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented as per the agreed phasing plan. The landscaping scheme shall include suitable replacement trees for the mature trees that are to be removed. The landscaping shall thereafter be completed in accordance with the approved phasing plan and maintained in accordance with these details.

- 10. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**
- a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
  - b) an assessment of the potential risks (where applicable) to:**
    - human health;**
    - property (existing and proposed), including buildings, pets, service lines and pipes;**
    - ground waters and surface waters.**
  - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.**
- 11. 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.**
- 12. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.**
- 13. A monitoring and maintenance scheme to include the long term effectiveness of the proposed remediation over a period of years**

determined by the scheme shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with 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 by the Planning Authority.

14. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
15. 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 the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
16. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
17. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority, shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
18. 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 shall be 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.

- 19. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.**
- 20. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved in writing by the Planning Authority to determine the noise impact and where potential noise disturbance is identified and it shall include a scheme for protecting the proposed houses from road traffic noise. The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the first house and thereafter it shall be retained and maintained in accordance with the approved details.**
- 21. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved by the Planning Authority to determine the impact of Loch Lomond Rugby Club on the proposed development. The assessment shall identify**
  - The maximum rating levels: and**
  - The minimum background noise level to which any part of the development will be exposed.**

**The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the first house and thereafter it shall be retained and maintained in accordance with the approved details.**

- 22. Prior to the commencement of development on site, detailed plans showing the re-location of the bus lay-by on the east side of Stirling Road shall be submitted to and approved by the Planning Authority. The bus lay-by shall thereafter be relocated in accordance with the approved details and the approved phasing plan.**
- 23. Prior to the commencement of development on site, detailed plans showing the location of a pedestrian crossing on Stirling Road shall be submitted to and approved by for the Planning Authority. The pedestrian crossing shall be constructed in accordance with the approved details and the approved phasing plan.**
- 24. Prior to the commencement of development on site, detailed plans showing a cycle/footpath on the east side of Stirling Road shall be submitted to and approved by the Planning Authority. The cycle/footpath shall be constructed in accordance with the approved details and the approved phasing plan.**

25. Prior to the commencement of development on site, a report addressing the provision of recreational access into the adjacent woodland shall be submitted for the written approval of the Planning Authority. The agreed recommendations contained within the report shall thereafter be implemented in accordance with the approved phasing plan.
26. Prior to the commencement of development on site, a nesting bird survey, bat survey, badger survey and otter survey shall be submitted for the written approval of the Planning Authority. The recommendations contained within the reports shall thereafter be implemented approved within a timescale to be agreed with the Planning Authority.
27. Prior to the commencement of development on site, details of the final location, design and maintenance arrangements for the proposed steps that are to be installed on site shall be submitted for the written approval of the Planning Authority and thereafter shall be constructed in accordance with the approved details and the approved phasing plan.
28. Prior to the commencement of development on site, details of and material which requires to be imported onto the site shall be submitted for the written approval of the Planning Authority and thereafter the development shall be completed in accordance with the ground levels shown on Drawing No(s). 121 Rev. D, 124 & 101 Rev. H.
29. Prior to the commencement of development, details of the design and location of the play areas and play equipment shall be submitted for the further written approval of the Planning Authority and thereafter implemented in accordance with the approved details and the approved phasing plan.

**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 06 June 2016**

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendix:** None

**Background Papers:**

1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire Local Development Plan - Proposed Plan
4. Consultation responses
5. Letters of representation

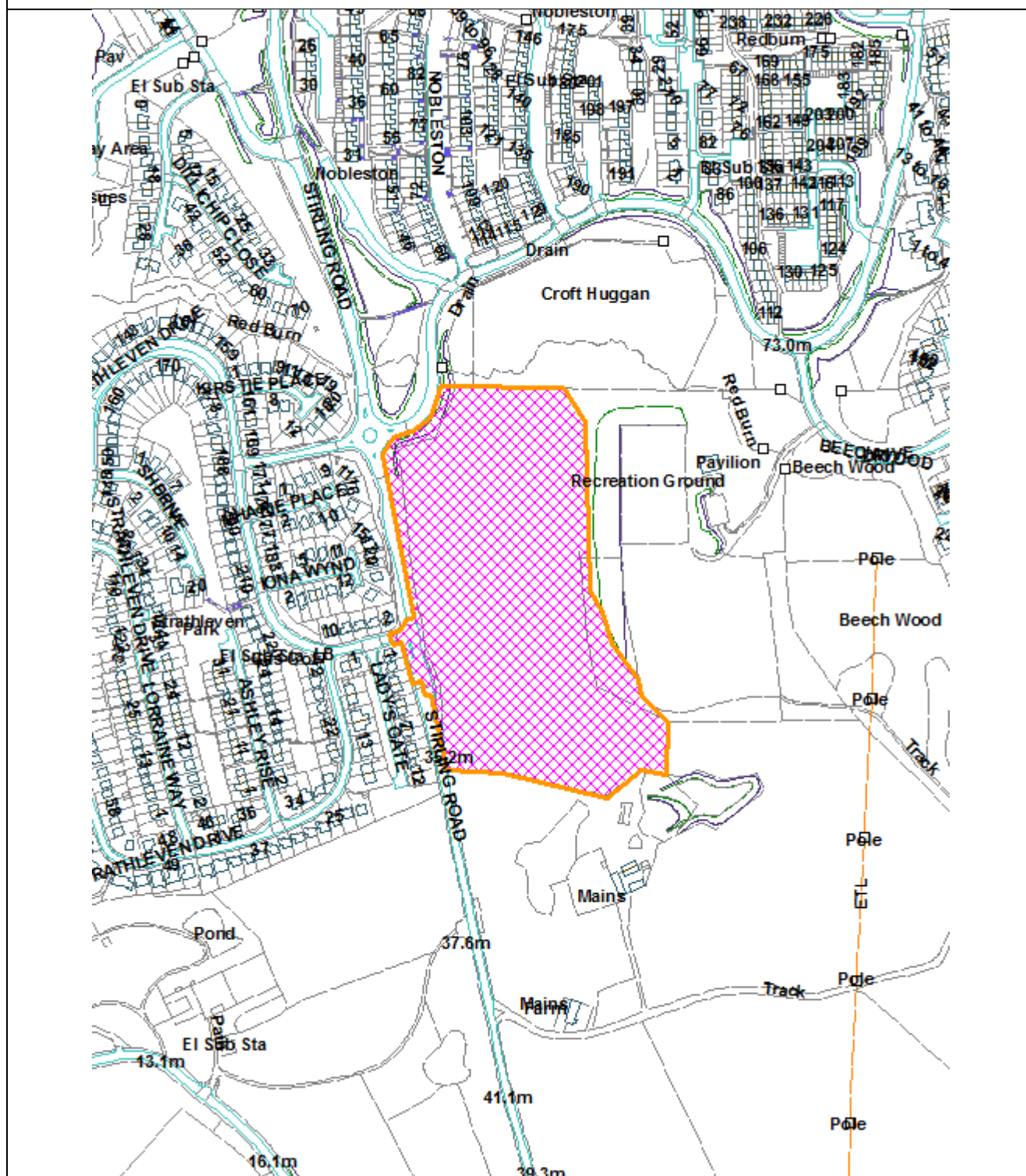
**Wards affected:** Ward 2 (Leven)



DC16/022

Residential development  
with associated access,  
open space and  
landscaping etc

Land Opposite Strathleven Park Estate  
Stirling Road  
Bonhill  
Alexandria





## WEST DUNBARTONSHIRE COUNCIL

### Report by the Strategic Lead - Regulatory

Planning Committee: 22 June 2016

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**DC15/043                      Erection of residential development and associated roads and landscaping at Lomondgate Area 5, Land to south of A82 and north of Dumbarton golf course, Dumbarton by Taylor Wimpey West Scotland & Walker Group**

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

- 1.1** The application is for a major development which would be a significant departure from the adopted development plan. Under the approved scheme of delegation and the national regulations relating to the handling of planning applications, it requires to be determined by the full Council. The Council's procedure requires that a pre-determination hearing take place at the Planning Committee, before the full Council considers and determines the application.

#### **2. RECOMMENDATION**

- 2.1** That the Planning Committee considers the details of the development and refers the application to full Council for determination, with a recommendation that it be approved subject to the conditions in Section 9 below and to the conclusion of statutory notification of the Scottish Ministers.

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

- 3.1** This application relates to a proposed final phase of the large residential development that has been built over the last few years at Lomondgate, Dumbarton. The site, known as Area 5, is located to the west of the previous phases of the residential development, which are now almost complete. The application site measures a total of 7.4 hectares, although it is intended that the housing would occupy only 2.1 hectares of this, with the rest of the site being retained as informal landscaping. The site is bounded by the A82 to the north, by the River Leven to the west, by Dumbarton golf course to the south and by new housing recently constructed by Taylor Wimpey to the east. The three adjacent housing sites (Areas 2, 3 and 4) were originally granted outline planning permission in 2005 as part of a wider consent covering the whole of the Lomondgate residential and commercial areas. However, the current application site did not form part of that outline consent or its subsequent renewals. It is a greenfield site containing a mix of scrub woodland and open grassland, including some marshy ground near the river. An existing SUDS

pond in the south-west corner of the site provides drainage for the wider residential area, and would also be utilised by the current proposal.

- 3.2** The application has been submitted jointly by Taylor Wimpey West Scotland and Walker Group and is comprised of 2 elements: the housing development (to be built by Taylor Wimpey), and the landscaping (to be implemented by Walker Group). Within the housing area it is proposed to build a total of 58 houses of 3 and 4 bedroom accommodation. There would be a variety of house types, but the majority would be detached units, with the balance being semi-detached. Most houses would feature integral garages. An area of amenity space would be provided within the centre of the housing site along with some smaller formal landscaped areas towards the southern edge of the site. Vehicular access into the site would be through the recently completed Taylor Wimpey residential development to the east. The main road running through that development would continue into the new site and would then form a shared-surface loop around the centre of the site, with other short shared-surface cul-de-sacs leading off.
- 3.3** The proposed landscaped area surrounds the north, west and southern boundaries of the residential site. The land is already green space, and it is proposed to carry out works to the area to improve its environmental quality and to provide an attractive setting for the housing. Additional trees would be planted along the northern boundary of the site adjacent to the A82, to provide a buffer between the new houses and the road. New shrubs and trees would be planted within the open dry grassland area. Soil containing wild flower seeds and rhizomes would be taken from the development site and deposited on the existing sloping ground between the housing and the SUDS pond, and additional birch and willow trees would also be planted in this area. The existing wet grassland area would be retained as a natural habitat to encourage biodiversity. Existing scrubby woodland and grassland along the southern boundary of the site would also be retained and improved. An existing grasscrete service access track which leads from the south-eastern corner of the site along to the SUDS pond would be partly realigned to accommodate the new residential development. The existing pedestrian/cycle paths around the SUDS pond, along the edge of the river and to the existing A82 pedestrian underpass would all be retained.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to conditions relating to the completion of roads and parking, and to a condition removing permitted development rights for garage conversions in order to ensure that each property retains an appropriate number of parking spaces.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection to the proposed development and have indicated on the basis of the information submitted the proposed gas protection measures are sufficient for the site conditions encountered. Environmental Health have recommended conditions relating to: the implementation of noise mitigation measures, hours of work during construction period, submission of a piling method statement, a

scheme for the control of dust, submission and implementation of a remediation strategy and SUDS.

- 4.3** Transport Scotland has no objection provided that there is no direct access to the trunk road for pedestrians or vehicles, and to conditions being attached relating to the provision of a boundary fence and screening along the edge of the trunk road and the submission of lighting details.
- 4.4** Scottish Environmental Protection Agency (SEPA), Scottish Natural Heritage (SNH) and West of Scotland Archaeology Service all have no objection to the proposal.

## **5. REPRESENTATIONS**

- 5.1** None.

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

### **6.1** Glasgow and the Clyde Valley Strategic Development Plan

The proposed development site is within the green belt, wherein housing development is not identified as an indicative form of development in line with the Strategic Development Strategy of the Strategic development Plan. Diagram 4 sets out a Sustainable Location Assessment and sets out criteria to assess whether the development will contribute positively to the Spatial Development Strategy. On balance, it is concluded that the development does not meet these criteria, but that there is a known demand/need for the development established by the Development Plan, so the proposal should be subject to Local Development Plan assessment. Strategy Support Measure 8 requires a green belt to be designated and for its inner and outer boundaries to be reviewed – this has been undertaken as part of the Local Development Plan process, and the development site identified as a release from the green belt. Strategy Support Measure 10 requires local authorities to maintain a five year effective land supply, and augment supply where/when necessary, with priority given to bringing forward delivery of sites already identified, and then additional sites guided by assessment against Diagram 4 and deliverability factors. The proposed development site will enable the continuation of the successful delivery of the Lomondgate residential development.

### West Dunbartonshire Local Plan 2010

- 6.2** The site is identified as green belt and Policy GB1 seeks to preserve the landscape character of the area, and specifies a general presumption against development other than that falling into certain specified categories. The proposed residential development does not fit into any of these categories and the proposal is therefore contrary to Policy GB1. Policy RD1 states that preference will be given to residential development on brownfield sites within the urban area rather than on greenfield land. The proposal is contrary to this policy.

- 6.3** Policy H4 sets out general standards expected of new residential development, requiring high quality in terms of shape, form, layout and materials. Policy GD1 sets out development control criteria for the assessment of all new development. The proposal is considered to be in compliance with these policies.
- 6.4** Policy R2 specifies the open space provision required for all new development. However, assessment of open space requirement has been undertaken against the more up to date Our Green Network Guidance.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Proposed Strategic Development Plan

- 7.1** The proposed Strategic Development Plan (to replace the current Plan) was published in January 2016 and was submitted to the Scottish Ministers for Examination in May 2016. Policy 1 of the Plan requires new development to contribute to the creation of high quality places and Table 1 sets out a Placemaking Principle based on the six principles of creating successful places. Policy 12 requires development proposals to integrate the Green Network and prioritise green infrastructure.
- 7.2** The proposed development is not considered to be of a strategic scale by the proposed SDP because, whilst it is for 10 or more units on a greenfield site, it is on a site identified by the Local Development Plan. Therefore, assessment against Diagram 11 is not required.

### West Dunbartonshire Local Development Plan (LDP), Proposed Plan

- 7.3** 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.4** The Local Development Plan identifies the proposed development site as part of the Lomondgate and Vale of Leven Industrial Estate 'Changing Place'. Lomondgate is identified in the Plan as a major residential and business development site. The Plan's strategy for the area includes support for residential development over an extended area south of the A82. This refers to the development site. Policy BC2 identifies the sites in Schedules 2-4 of the Plan for housing development and states that development will be supported subject to compliance with the principles for good design of residential development, to be set out in Supplementary Guidance. Schedule 4 includes the Lomondgate Area 5 development site with an indicative

capacity of 55 units. The principle of residential development on this site is therefore supported by the Local Development Plan.

- 7.5** Table 4 of the Local Development Plan indicates the specific requirements associated with the 'Lomondgate Area 5' land release, which are as follows:
- Structural planting to ensure screening from A82 and provide a strong green belt boundary;
  - Habitat improvement and management on land to the north, west and south of the site as identified for open space and green network enhancements;
  - Requirement to engage with local bus operators and make all reasonable efforts to ensure bus services for Lomondgate development; and
  - Walking/cycling routes to maximise connectivity
- The requirements are discussed below.
- 7.6** The remainder of the application site is designated as an open space and green network enhancement site, where policy GN1 applies. Policy GN1 resists the loss of existing open space which is or has the potential to be of quality and value unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity. None of this open space area will be lost through this development. Policy GN2 states that the whole development will be required to follow the Integrating Green Infrastructure approach to design by incorporating SUDS, open space, paths and habitat enhancements at a level proportionate to the scale of development and in accordance with supplementary guidance. The proposal would result in an enhanced and well integrated open space area, and therefore complies with these policies.
- 7.7** Policy DS1 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). All residential developments of more than 3 units are also expected to comply with the Residential Development: Principles of Good Design Supplementary Guidance. As discussed below, it is considered that the proposal would comply with these requirements.
- 7.8** Policy DS3 requires that significant travel generating uses are located within 400 metres of the public transport network. Policy DS6 states development will not be supported where it would have a significant probability of being affected by flooding or increasing the risk of flooding elsewhere, and requires SUDS to be included, where appropriate in developments, Policy DS7 requires that development on sites that are potentially contaminated are remediated to ensure the site is made suitable for its future use. The proposal is considered to be complying with these policies.

#### Principle of development

- 7.9** The site is currently identified as part of the green belt within the adopted West Dunbartonshire Local Plan 2010, and therefore the proposal to develop part of the site for housing would be a significant departure from adopted local plan policy. However, within the Local Development Plan the site is

specifically identified as a housing opportunity site as part of the strategically important Lomondgate development. Though not adopted, the West Dunbartonshire Local Development Plan has been through examination, and all modifications have been accepted with the exception of those in respect of the unrelated Duntiglen Fields site. The Local Development Plan is therefore a significant material consideration when assessing planning applications, and its policies and land use designations are more up-to-date than those of the adopted local plan. It is therefore considered that more weight should be attached to the Local Development Plan in respect of the principle of development on this site.

#### Layout, design and appearance

- 7.10** The proposed development would form the last phase of the wider residential development at Lomondgate and will appear as a continuation of the existing development on the adjoining site. It has been designed to incorporate the principles of the Scottish Government's 'Designing Streets' document through the use of shared surfaces and a more pedestrian focussed layout. The central shared-surface loop would ensure that the development is convenient for pedestrians and vehicles to move around, whilst footpath links at the southern and western edges of the development would ensure permeability to the site's surroundings. The proposed mix of seven different house types would provide a reasonable visual variety within the site and would provide visual continuity with the similar house types which have been built in the applicant's adjoining development. The layout has been designed so that most of the houses along the western and southern boundaries of the site would face outwards towards the informal landscaped areas to take advantage of the views and also to provide overlooking of the pedestrian footpaths. The proposal would be in compliance with the Council's residential development guidance, and that overall the layout and character of the proposed housing would be appropriate.

#### Landscaping and Open Space

- 7.11** The proposal would exceed the quantity standards for open space provision set out in the Council's 'Our Green Network' supplementary guidance. An area of amenity space measuring over 280 square metres would be created at the centre of the development, providing both an attractive central feature and an area for informal play. It is not intended that this area would be equipped with children's play equipment as there is an existing equipped play area within the adjoining residential development, a short distance away. In addition, as part of the application and as required by the Local Development Plan, there are to be improvements and links made to 50,000 square metres of semi-natural land surrounding the site (detailed in paragraph 7.12 below). Over 50,000 square metres of improved open space/green network will be provided, which is greater than the 2,500 square metres required by the supplementary guidance, and no financial contribution to off-site provision is required as requirements are met within the application site.
- 7.12** The Local Development Plan sets out specific requirements in terms of Area 5 relating to the surrounding land, which is designated for open space and green network enhancement. These requirements comprise structural



planting to ensure screening from the A82 and to provide a strong greenbelt boundary, habitat improvements and management, and walking/cycling routes to maximise connectivity. An existing natural buffer of trees and shrubs already exists between the housing site and the trunk road, and additional trees have more recently been planted along the edge of the road. The current proposal will strengthen the tree cover in this area by planting blocks of additional trees, including evergreen species for year round cover. On the remainder of the scrub and dry grasslands areas and the area surrounding the SUDS pond, additional trees and shrubs would be planted and soil would be transplanted to encourage the spread of wild flowers from other parts of the site, and the quality of existing woodland would be improved by removing deadwood and windblown trees. Some localised tree thinning would also take place to open up views south towards the golf course. The existing wetland area would be retained as a natural habitat to encourage biodiversity. It is intended that this area will be managed by a woodland and landscape management company.

#### Roads and parking

- 7.13** All vehicular access would be by way of the existing housing site, which is itself accessed from the Lomondgate Roundabout on the A82. The matters raised by Transport Scotland relating to the relationship of the housing to the trunk road or causing any distraction to motorists can be addressed by conditions. Given the relatively small size of the development, Transport Scotland considers that it would not have a material impact on the trunk road.
- 7.14** The development has been designed to incorporate the principles of the Scottish Government's Designing Streets through the use of shared surfaces and a more pedestrian focussed layout. This means that the roads are slightly narrowed in places, with a winding layout designed to slow the movement of vehicles. Each house type would have either an integral or detached garage as well as a driveway capable of accommodating 2 cars, and some visitor parking spaces would also be dispersed throughout the development. While the proposed parking provision would accord with the Council's parking standard, the layout and width of the road does mean that there would be limited opportunity for on-street parking, meaning that any loss of the proposed parking spaces could create difficulties for residents within the development. Therefore, whilst the Roads Service has no objections to the layout or parking provision it is recommended that permitted development rights for garage conversions be removed, in order to ensure that a sufficiency of parking spaces is maintained. This can be achieved by a condition.
- 7.15** The application site is more than 400m away from any current bus stop, which exceeds the distance recommended by Policy DS3. One of the requirements associated with the release of the site for housing was that the provision of a bus service for the wider Lomondgate development be encouraged. A turning circle and bus lay-by were previously formed at the entrance to the BBC facility as part of an earlier phase of the Lomondgate development, but no bus services currently use it. With the assistance of SPT the Walker Group (as lead developer for Lomondgate) has made contact with various bus operators to investigate the possibility of providing a bus service into Lomondgate.

Unfortunately, none of the bus companies approached have expressed interest in providing a service, with one of the reasons given being that the layout of the existing residential areas makes it impossible to operate a bus service through the site, with the turning circle only being beneficial to a terminating service. It is considered that the developer has made all reasonable efforts to encourage a bus operator into the site, which unfortunately have not had a positive result. It is hoped that as the wider Lomondgate site (including the business park and roadside services) develops it may become more attractive to bus operators.

#### Drainage

- 7.16** Surface water from the site would drain into the existing SUDS pond which has sufficient capacity for the additional development proposed, and the intended use of permeable materials within the boundaries of plots would also help water to drain away more slowly, helping to alleviate pressure on the drainage network and reducing the risk of localised flooding. The use of permeable materials for driveways can be controlled by condition. SEPA has no objections to the Flood Risk Assessment provided that finished floor levels are a minimum of 5.4 metres AOD. The applicant has submitted details of levels, which would comply with this requirement.

#### Environmental Issues

- 7.17** A noise impact assessment has been submitted and recommends that a 2.2 metre high acoustic fence should be erected along the rear/side boundaries of the plots that back or side on to the A82 trunk road, and also that uprated acoustic glazing be used for some of the windows facing towards the trunk road. The Councils Environmental Health section is content that these measures will address any potential noise issues.
- 7.18** A ground investigation report assessing the site conditions has been submitted and due to the site conditions further ground gas reports have been submitted which characterise more fully the gas on the site. Environmental Health is satisfied that the mitigation measures proposed are sufficient to deal with the site conditions. These measures are largely within the built structure of the houses with special foundations proposed and additional venting measures. A number of conditions are recommended to ensure that the mitigation measures are implemented to the satisfaction of Environmental Health.

#### Natural and Built Heritage

- 7.19** An ecology assessment of the site found no evidence of European protected species. The retention and improvements to the land surrounding the proposed housing would provide a variety of habitats for different plant and animal species, and there would be no adverse impact upon natural heritage. Scottish Natural Heritage has no objections to the application.
- 7.20** West of Scotland Archaeology Service had advised that the development falls within an area of archaeological potential and therefore recommended the implementation of a programme of archaeological works. An archaeological

evaluation of the site was undertaken, which revealed no surviving archaeology, and therefore no further works are required in this respect.

#### Pre-application consultation

- 7.21** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to submission of the application. One public consultation event was held at the adjacent Dumbarton golf club in December 2014. Neighbouring households adjacent to the site were notified of the event, and although the area is not presently covered by a community council the nearby Silverton and Overtoun Community Council were notified. A statutory notice was published in the local press advertising the public event and the submission of the proposal of application notice. The applicant has submitted a pre-application consultation statement which indicates that whilst attendance at the event was relatively low, feedback was generally supportive of the development. No representations have been received in relation to the planning application.

#### Pre determination Hearing

- 7.22** Under the terms of Section 38A of the Town and Country Planning (Scotland) Act 1997 (as amended) applications for major development which would be significantly contrary to the development plan require a pre-determination hearing, whereby applicants and any persons who have made representations are given the opportunity to appear before and be heard by a Committee and this takes place at the Planning Committee. As the application requires be referred to and determined by the full Council, elected members who are not part of the Planning Committee have been invited to the Planning Committee to observe the pre-determination hearing.
- 7.23** In addition to being a significant departure from the adopted development plan, the Council has an interest in the development as it is a member of the Strathleven Regeneration Community Interest Company. Under such circumstances the Town and Country Planning (Notifications of Applications) (Scotland) Direction 2009 requires that the Scottish Ministers be notified of the application prior to any planning permission being granted.

## **8. CONCLUSION**

- 8.1** Although the proposed development of the site for residential purposes is contrary to the adopted local plan, it is in compliance with the policies of the proposed local development plan, which is a significant material consideration and which reflects the Council's most up-to-date policy position in relation to the site. It is therefore considered that its compliance with the Local Development Plan is sufficient to justify a departure from the adopted local plan. The proposal would complete the residential development at Lomondgate, which is a strategically important mixed-use area. The layout and design of the development are considered to be acceptable and all technical issues have been addressed through the application process and conditions. The proposed works to the land surrounding the houses will contribute to the overall green network and improve the quality of the natural

environment. Overall, it is considered that the proposal will have a positive impact on the area through the provision of high quality houses within an attractive setting.

## **9. CONDITIONS**

- 1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**
- 2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved. With regard to driveways and private parking spaces, these shall be surfaced using permeable materials.**
- 3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site, including a 2.2 metre high acoustic fence to be erected along the rear boundaries of plot numbers 113 to 130 and the north-facing side boundary of plot number 110, shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the houses to which they relate.**
- 4. Prior to the commencement of works details of the design and location of all street furniture including lighting shall be submitted for the further written approval of the Planning Authority, in consultation with Transport Scotland, and thereafter implemented prior to the occupation of any houses.**
- 5. Prior to the commencement of works, a phasing plan of the development shall be submitted for the further written approval of the Planning Authority. The plan shall include details of the phasing of the houses, the roads infrastructure, amenity open space and landscaping area and shall be implemented as approved.**
- 6. Prior to the commencement of works, a landscaping scheme for the entire development, including the formal landscaping to be provided within and around the edges of the residential part of the site, as well as the enhancements to be made on the non-developable part of the site shall be submitted for the further written approval of the Planning Authority and implemented in accordance with the phasing plan. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.**

- 7. Drainage of the site shall be in accordance with drawing number E002. All surface water shall drain into the existing SUDS pond to the west of the site.**
- 8. The development shall be constructed in accordance with the ground levels shown on drawing number E003 Rev D and the minimum finished floor level of all buildings shall be 5.4m AOD. Any alterations to these levels shall be agreed in writing with the Planning Authority.**
- 9. No development (other than investigative works) shall commence on site until further details relating to changes in site levels (from existing to final) shall be submitted to and approved by the Planning Authority. The submitted details shall include an assessment which will demonstrate how any risk from existing site conditions to future site users is mitigated. The approved details and measures shall be implemented prior to the occupation of any house and maintained thereafter**
- 10. 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 summarise all the measures previously agreed 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 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.**
- 11. Prior to the importation of any material onto the site, details of the source of the material and associated test results to demonstrate its suitability for use shall be submitted to and approved by the Planning Authority. In addition to this and in accordance with BS3882:2015, the material shall be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils.**
- 12. Prior to installation of any of the proposed gas measures, details (including qualifications) of both the installer and verifier shall be submitted to and approved in writing by the Planning Authority. Any changes in the approved installer and verifier shall be notified immediately to the Planning Authority for their approval.**
- 13. Notwithstanding the submitted details a validation report on the installed ground gas protection measures for each individual plot shall be submitted to and approved by the Planning Authority**

**within 5 working days following verification of the gas protection measures and prior to any further construction works being undertaken on the respective plots.**

- 14. Remediation of the site shall be carried out in accordance with the approved remediation scheme. Any amendments to the approved remediation scheme shall be immediately submitted to and approved in writing by the Planning Authority and implemented as approved.**
- 15. On completion of the remediation works a completion report shall be submitted to and approved by the Planning Authority. This report shall demonstrate that the works have been carried out in accordance with the approved remediation plan.**
- 16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any order replacing or re-enacting it, no development under Classes 1A to 1C or 3A to 3D shall take place within the curtilage of all plots without an express grant of planning permission. Any future owner of these plots shall be made aware of the terms of this condition and it shall be contained within the title deeds of the retrospective plots.**
- 17. 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 the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.**
- 18. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.**
- 19. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority, and any piling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.**

- 20. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.**
- 21. 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 shall be 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.**
- 22. Prior to the commencement of works, details of the design and siting of a fence to be erected between the site boundary and the A82 shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of any houses. No direct access, either pedestrian or vehicular shall be formed from the site to the A82 trunk road at any time without application for planning permission.**
- 23. Notwithstanding the submitted details, and prior to the commencement of development on site, any windows within the north facing facades of plots 110 to 120 and the north-west facing facades of plots 121 to 130 shall be fitted with uprated acoustic glazing prior to their occupation of these retrospective houses. Details of the glazing type shall be submitted for the further written approval of the Planning Authority.**
- 24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any order replacing or re-enacting it, integral and detached garages granted under this consent shall not be converted into habitable rooms without an express grant of planning permission and any future owner of these plots shall be made aware of the terms of this condition and it shall be contained within the title deeds of the retrospective plots**

**Peter Hessett**  
**Strategic Lead-Regulatory**

**Date: 3<sup>rd</sup> June 2016**

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**Person to Contact:** Pamela Clifford, Planning and Building Standards  
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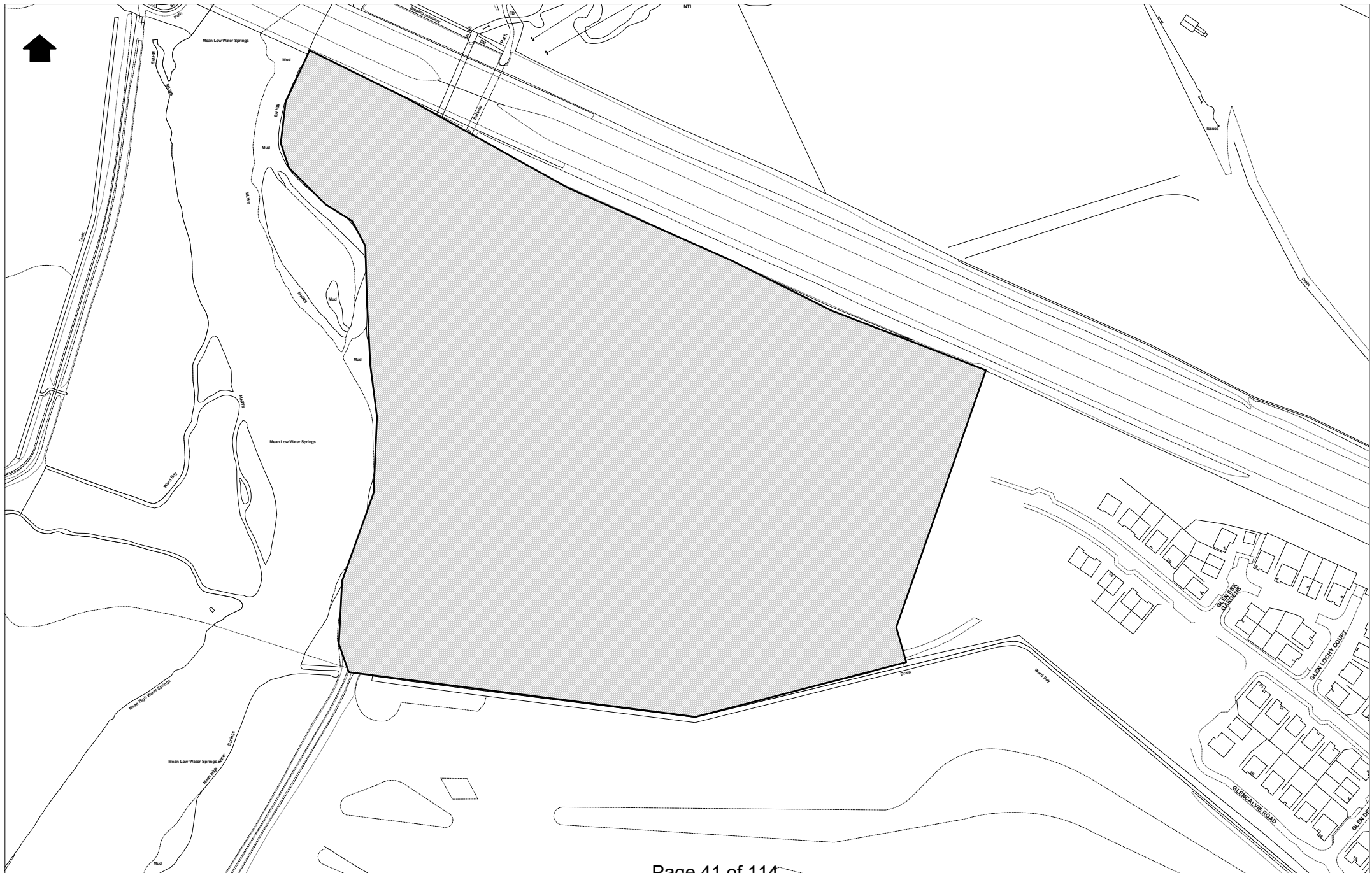
**Appendix:** None

**Background Papers:**

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

**Wards affected:** Ward 2 (Leven)







## WEST DUNBARTONSHIRE COUNCIL

### Report by the Strategic Lead - Regulatory

Planning Committee: 22 June 2016

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**DC16/039                      Redevelopment of existing sports building and pitches including community gardens, allotments and extended parking provision at Dean Street, Clydebank by Clydebank Community Sports Hub**

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

- 1.1** This application relates to a proposal which is classified as Major Development. 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.

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

- 3.1** The application relates to the existing Clydebank Rugby Club sports facilities in Whitecrook. The site comprises almost 4.2ha of land on the north side of Dean Street and contains a single storey clubhouse and car park adjacent to the street, and a number of grass pitches and a large blaes running track. On the opposite side of Dean Street are two storey terraced houses and four-in-a-block flats, whilst the other sides of the site are bound bounded by Whitecrook/Cunard Primary Schools to the west, industrial premises to the north, and by a nursery and the rear gardens of four-in-a-block flats on Braes Avenue to the east.
- 3.2** The application seeks an upgrade to the clubhouse and pitches as part of a plan to create a 'community sports hub' on the site. Community sports hubs are a model promoted by sportscotland to encourage more people to get involved in sport. They are usually a shared sports facility in which several different sporting groups are based, and these groups collectively work together to promote and encourage sports participation among local residents. In this case, the proposed Clydebank Community Sports Hub (CCSH) would involve a partnership between Clydebank Rugby Club, Clydebank GTF Tae Kwon Do, Glasgow Gaels Gaelic Football Club and Kilpatrick Thistle Football Club. In addition to the use by the sports clubs, the hall would continue to be available for hire by other community groups and individuals. A Design and Access Statement has been submitted which sets out the design process and principles for the sports hub.

- 3.3** The existing clubhouse comprises a high-ceilinged main sports/events hall surrounded by lower accommodation containing the changing rooms, toilets, social and storage spaces. It is proposed to significantly and reconfigures the clubhouse, retaining the existing main hall structure but demolishing all of the surrounding parts of the building and replacing these with a significant new extension wrapping around the north of the hall and extending in a linear form to its west. The extended building would be around double the size of the existing clubhouse and would incorporate the hall, a divisible annex to the hall, a gym/weights room, six separate team changing / locker / shower rooms, an accessible changing room, two referees' rooms, toilets, two small meeting rooms, a kitchen and bar/social area, a reception and various storage/service spaces. The reconfigured building would still be single storey and flat roofed, with the main hall being higher than the other accommodation. It would be set back from Dean Street by 6 metres which is further back than the present building, and would have a significantly longer frontage facing the road (75m compared to 28.5m at present). It would be finished in facing brick with a glazed entrance and plaza on the south elevation facing Dean Street, and a canopy-covered entrance on the north elevation facing the pitches. There would be high level windows on the hall and the changing areas, with more extensive glazing around the entrances on both main elevations. A mixture of hard and soft landscaping is proposed in the area between the building and Dean Street.
- 3.4** A large all-weather synthetic rugby/football pitch is proposed in the eastern half of the site replacing the current blaes running track. The pitch would be floodlit with eight 15m columns positioned. At either end of the pitch 11m high ballstop fencing would be provided behind the goal areas, whilst the remaining perimeter would have 1.1m high spectator railings. Two smaller grass pitches would be provided in the western half of the site through the upgrading and reconfiguration of the present grass pitches in this area. Additionally, around 1600m<sup>2</sup> of land behind the new building would be set aside as 10 allotments for the local community, including a large allotment for the local primary school which borders this part of the site and would have a new direct path link to the allotment.
- 3.5** The existing 26-space car park would be extended to provide a total of 99 spaces. This would comprise 44 spaces on an enlarged hardstanding centred on the present car park area, and an overspill parking area to its north constructed of grasscrete to accommodate a further 55 cars and 2 minibuses. The car park would continue to be accessed off Dean Street using the existing junction. There is also an informal arrangement to use the grounds of the adjacent schools as an overspill during any large-scale events which could provide an additional 33 spaces if required. No parking provision would be made for coaches within the site, but the applicant has indicated that coaches will only visit the site infrequently, and the existing arrangements for coach traffic would continue. This involves drop-off and pick-up on Cochno Street adjacent to the primary school, with coaches parking elsewhere until required. The council depot located nearby at Stanford Street/Richmond Street has parking suitable for larger vehicles and there is an agreement in principle that

this could be used in the evenings and at weekends for coach parking. There are no proposals to make any changes to the existing on-street parking arrangement which is used by for residents of Dean Street.

- 3.6** The applicant has indicated that the community hub project will provide significant investment in the Whitecrook area. The total project funding is almost £3.1million of which grant funding has been confirmed from a number of external sources including: the Scottish Government through the Regional Capital Grants Fund (£1million), sportscotland (£500k), the Gaelic Athletic Association (£300k), The Robertson Trust (£100k), Scottish Rugby Union (£40k), the Irish Government (£40k) and West Dunbartonshire Council (£850k).

#### **4. CONSULTATIONS**

- 4.1** SportScotland considers that the proposal complies with the provisions of Scottish Planning Policy in relation to development affecting sports grounds, and has no objection.
- 4.2** West Dunbartonshire Leisure Trust has indicated that they have responsibility to develop community sports hubs in West Dunbartonshire with funding support provided by sportscotland. The Clydebank Community Sports Hub (CCSH) project is the first of this type of project and was initiated in 2012. They have indicated that their role has been to support the development of the CCSH as an organisation. This has led to the proposal and the role has evolved to not only support CCSH as an organisation (funding, challenge, steer) but also to support their business plan and facility operating models to ensure the new facility will be effectively and efficiently managed.
- 4.3** West Dunbartonshire Council Environmental Health, Estates and Roads Services all have no objections to the proposed use.

#### **5. REPRESENTATIONS**

- 5.1** Two hundred and thirty-nine representations have been received, comprising:
- 22 representations objecting to the application from individuals and households, mostly in the vicinity of the site;
  - 216 representations supporting the application, from 215 individuals and households plus Whitecrook/Cunard Primary Schools; and
  - one representation from Clydebank Housing Association, who have no objection to the proposal but request that the Community Sports Hub work closely with the Centre81 community facility to ensure they complement one another.
- 5.2** Objectors to the proposal raise the following concerns:
- existing problems of late night noise and disturbance to local residents (mainly arising from use of the building for functions) would be

exacerbated by the enlargement/improvement and more intensive use of the facility;

- existing problems of high traffic volumes and resultant vibration and road safety concerns would be exacerbated;
- existing parking problems in the area would be exacerbated;
- residents opposite the proposed extension would lose their existing open outlook and would instead face a plain brick wall;
- the nearby Centre81 community facility offers adequate community facilities for the area, and development of the proposed Community Sports Hub may put Centre81 risk;
- greater benefit to the community and better value for money would be achieved by developing new sports facilities on regeneration sites;
- criticism of extent to which local residents views have been taken into account in this proposal; and
- proposal is contrary to West Dunbartonshire Local Plan Policies GD1, UR1, RP1, R4C and LE7.

**5.3** Representations in support of the application raise the following points:

- significant benefits to the sports clubs involved and to adults and children in the wider community;
- it would provide opportunities to build on and enhance participation in sport by primary and secondary school pupils through the Active Schools programme;
- it would bring investment and regeneration to Whitecrook;
- a multi-functional sports use of the site and the creation of attractive public spaces will contribute to placemaking;
- proposal will promote health and well-being via sport participation which will increase life chances, life expectancy and reduce social deprivation;
- community opportunities – the proposal will create a community garden and provide additional allotments;
- youth diversionary activities – the proposal will increase availability of sporting pursuits for young people as an alternative to aimless or anti-social activities;
- the proposal will create employment opportunities;
- benefits for Whitecrook and Cunard Primary Schools, which already make use of the current facilities for sports days and outdoor learning opportunities, and would thus benefit if the facilities are improved.

The issues raised in representations are discussed in Section 7 below.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The site is identified in the adopted local plan as an Existing Area of Open Space where Policy R1 seeks to protect such sites from development which could adversely affect the use, character or amenity of areas of these functional and valued open spaces. Existing sports pitches should not be redeveloped except under certain circumstances which include where the

development involves an upgrading of an existing playing field to provide a better quality facility, either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area. Policy R3 seeks to identify opportunities to improve or extend the sports, recreation and open space provision within the urban area and supports the improvement and extension of open space and sports facilities, including the development of commercial sports facilities. The proposal would comply with Policies R1 and R3.

- 6.2** Policy GD1 requires all development to be of a high quality of design and to respect the character and amenity of the area in which it is located. The proposal would comply with this policy as discussed in section 7 below.
- 6.3** The site is adjacent to an Existing Residential Area where Policy H5 seeks to protect the character and amenity of such areas. Non-residential uses should be considered ancillary or complementary to the residential area, and should not result in a significant loss of amenity to the surrounding properties. This issue is assessed in Section 7 where it is concluded that the proposal would not conflict with policy H5.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (LDP) 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. Therefore, as a result of Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.2** The site is within an existing neighbourhood where under Policy BC4 development that would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted. Under Policy BC5 there is support for proposals for community facilities in appropriate locations with regard to the existing residential amenity, character and appearance.
- 7.3** Policy GN1 protects all playing fields and open spaces of value to the green network and supports new or upgraded playing fields which are of comparable or greater benefit for sport in a location convenient for users and which maintains or improves the overall playing field capacity.
- 7.4** Policy DS1 has regard to all development and expects development 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. The terms of the above policies are discussed below, and it is considered that the proposal complies with the above policies.

#### Scottish Planning Policy (SPP) 2014

- 7.5** This states that outdoor sports facilities should be safeguarded from development except in certain circumstances including where the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area. Policies R1 and R3 of the adopted local plan, and Policy GN1 of the Local Development Plan provide the local plan policy context of these safeguards.

- 7.6** As part of the proposals, a new 3G pitch is proposed which will provide adequate compensation for the loss of the grass rugby pitch. It is slightly larger and will provide greater capacity for Gaelic football, rugby and football than the existing grass pitch. The new pitch would lead to the loss of the blaes running track, however, SportsScotland have confirmed that blaes is no longer a recognised sports surface and it is understood there is no use of this facility presently. In addition, the construction of the 6-lane synthetic athletics tracks at St Peter the Apostle High School in 2009 provides facilities for running clubs in the local area, including the Clydesdale Harriers. It is considered that the requirements of SPP and the local plan policies R1, R3 and GN1 have been met.

#### Principle of Development

- 7.7** The site is currently used as a sports facility by the Clydebank Rugby Club and Clydebank GTF Tae Kwon Do with sub-lets during the week to a dance club and dog training club. The existing pitches, clubhouse, changing facilities, hall and social function room are all currently in use with the clubhouse being used for events and functions for sporting events or by the local community. Therefore there is a history of sporting and leisure uses on the site, albeit the proposals will result in sporting and community facilities on a larger scale and additional sports. Therefore the proposed uses are acceptable in principle.

#### Design of Building and Sport Facilities

- 7.8** The site has significant potential as a local community facility and it is important that the facilities are of a high standard of design and materials in compliance with Policies GD1 and DS1. The existing clubhouse is a flat-roofed structure with limited fenestration which is of little visual interest and is in need of external renovation, the proposed extension and reconfiguration of the building provides an opportunity to improve its appearance.
- 7.9** The Design and Access Statement submitted as a part of the application indicates that a number of options were considered for the siting and footprint of the building, before deciding to locate the new building parallel to Dean



Street with a linear footprint. This decision was driven by a number of reasons: the need to re-use the existing main hall structure and maximising the amount of land useable for the sports pitches together with a desire to allow the new building to interact directly with Dean Street. The main design principles were to ensure a fit-for-purpose and accessible building, of a design which was refined but also simple and using durable, low maintenance materials. Whilst the proposed sports hub building would retain the flat roof and high level windows, they would be constructed in a high quality facing brick, and the design provides for greater visual interest than the present structure. The existing clubhouse has its main door on the side facing the car park whilst the new building would include a new pedestrian entrance with full height glazing which is accessed from Dean Street via a public “plaza” and to create an attractive frontage. There would also be a second glazed entrance feature on the north side of the building which would provide access from the pitches as well as from the car park. The building would be set back slightly further from the street behind a 6 metre landscaped buffer which would also be an improvement over the existing narrower grass strip. Although the proposed building has a much longer frontage onto Dean Street than the present building, the design would have a better relationship with the street and with the houses opposite. The appearance of the building would be substantially improved and it would be compliance with policy DS1.

- 7.10** The design and materials of playing surfaces are governed by standards set out by sportscotland. The main visual difference would be the replacement of the blaes running track with a new all-weather pitch with associated floodlighting and ball-catch fencing, but these would be well set back from the street and would not significantly change the appearance of the site. The expansion of the parking area would extend the car park into the corner of the site whilst retaining some of the trees to provide an attractive landscape buffer along the street. In addition, grasscrete is proposed for the overspill area, whilst creating a durable surface, will also ensure that car park hardstanding does not dominate the southern part of the site. It is considered that the changes to the pitches and car parking would have minimal impact upon the overall appearance of the site and would comply with policy GN1.

#### Residential Amenity

- 7.11** At present the pitches and clubhouse are used by the rugby club, whilst the hall facilities are also used by the taekwondo club, a dance club and dog training club. At the weekend the clubhouse is available for hire for social functions. The proposal would provide enlarged and improved facilities, which is likely to intensify the use of the site by sports clubs, both in terms of the number of clubs using the site and the numbers of people attending. Increased use of the building by sports clubs may reduce its availability for other functions, but the upgrading of the facilities would also serve to make the building more attractive as a venue for community and social events.
- 7.12** Concerns have been expressed from local residents that the intensification of use of the site could exacerbate existing issues of noise, disturbance and traffic/parking pressures affecting houses bordering the site. It is understood that complaints have been received by Environmental Health in the past

relating to the use of the building for entertainment functions and noise from patrons. Social functions such as parties can give rise to noise and the coming and going of vehicles late into the evening, and the applicant acknowledges that disturbance and anti-social behaviour has occurred in the past. However, the applicant has indicated that they are aware of the neighbours' concerns and they will focus on the management of the facilities. A condition is proposed requiring a management plan to be prepared and submitted for further approval regarding how functions and events within the building are to be managed.

#### Noise and Disturbance

- 7.13** A noise impact assessment has been submitted, which identifies potential noise impacts and recommends various mitigation measures, which have been incorporated into the design. At present the entrance is on the side of the building facing the car park, so people coming and going or standing outside the building smoking can cause noise for residents, but the new layout instead has two entrances facing onto both Dean Street (front) and the pitches (rear). During the evening the front entrance would be closed so that all persons entering and leaving the building will do so at the rear where there is less potential to create disturbance to residents. The inclusion of a drop-off/pick zone within the car park would also help to minimise disturbance at these times. The linear footprint of the building will act as a noise buffer between the pitches and Dean Street, and in order to minimise noise escape from the building, the changing rooms would have fixed windows, and ventilation systems would include acoustic attenuation. The building would be open until 10pm during the week and to midnight at weekends if functions are being held. Overall, it is acknowledged that any facility which undertakes evening functions has potential to give rise to noise and disturbance, and that the upgrading of this facility may result in increased use of the building. However, this would be offset by improvements to the layout, operation and soundproofing of the building and it is considered that the risk of noise and disturbance from the building and from people coming and going would be reduced.

- 7.14** In respect of construction noise, it is intended that the site be upgraded in a single phase with the current users relocating to other facilities either within or just outwith West Dunbartonshire until completion of all the works. It is accepted that there will be some construction noise, but this would be temporary in nature and can be controlled by conditions to minimise the impact on residents. The Environmental Health Service has no objection to the proposal subject to the implementation of the various noise mitigation measures recommended in the Noise Impact Assessment.

#### Floodlighting

- 7.15** The grass pitch in the western half of the site is currently floodlit. These lights would be removed and instead the new synthetic pitch on the eastern half would be floodlit using eight new lighting columns positioned on the long sides of the pitch. The floodlighting would therefore be closer to the houses on Braes Avenue than it presently is however only two of the eight floodlight columns would be adjacent to the houses and these would be at least 45

metres from any house and angled away from them. A floodlighting plan has been provided showing the anticipated light spill calculations and the Environmental Health Service consider that the proposed positioning is acceptable subject to a condition requiring that the detailed design of the lamp type and luminaire are agreed prior to installation. It is proposed that the pitches would be open until 9pm every night and a condition is proposed to ensure that lighting is not used beyond this time without further agreement. It is considered that there will be no adverse impact on the houses as a result of the floodlights.

#### Community Safety

- 7.16** The site has previously been subject to some problems of vandalism and other anti-social behaviour, and the proposals shall discourage this through good design, security measures and natural surveillance. The applicant in designing the development consulted the Police Architectural Liaison Officer who has indicated that there are no concerns with the proposals and they should improve community safety. When occupied, the reconfigured building would benefit from natural surveillance through the glass entrance areas to the south and north elevations. There would be no externally mounted rainwater pipes, which would make it difficult for persons to climb onto the roof. All windows, doors and rooflights would be Secure by Design accredited and metal structures will slide into place to protect the large glazed entrance areas. CCTV cameras are also proposed to increase the 24-hour security presence around the site.

#### Traffic and Parking Issues

- 7.17** An increase in the numbers of people using the site will lead to an increase in cars accessing the site via Dean Street and Dunmore Street. This is likely to be greatest in the evenings and at weekends. It is acknowledged that the site sits within a residential area where there are narrow streets and high levels of on-street parking by local residents due to the lack of opportunities for off-street parking within curtilages. The proposal seeks to reduce the impact of the increased usage by substantially increasing the number of parking spaces available. This increase is not only to accommodate the increasing numbers of users but also to address the current parking problems that exist and will ensure that on-street parking spaces are kept for residents only. The Road Services have indicated that, whilst 69 spaces would normally be required for this type of development, they are satisfied that the overprovision of 30 spaces within the site is justified to prevent on-street parking when there are spectator events at the site. The Design and Access Statement states that coaches will not enter the site but have a drop-off point at Cochno Street. The drop-off point would be within short walking distance of the new pedestrian entrance (200m) and coaches would then use the Council Clydebank Depot as a parking point for coaches which have capacity during evenings and weekends when the depot is quieter. The parking strategy within and outwith the site is therefore an acceptable means of minimising traffic disruption to residents and achieving betterment on the site.

### Impact on Centre 81

- 7.18** A number of representations have expressed concerns that the community services being proposed for the sports hub would be in direct competition with Centre81 and put it at risk. Centre81 is a community facility which delivers employability services, skills development, training, further education, community capacity building and health improvement (through fitness classes, gym provision, community garden, healthy eating programmes and a community café). Some initial concerns were expressed by Clydebank Housing Association about a potential overlap of non-sporting community facilities but discussions have now taken place between them and the Community Sports Hub and it is agreed that there is a need to work closely with each other at Board level to ensure that both facilities complement each other in terms of the community and regeneration works they carry out. The sports hub has a focus on sports activities outreach and although Centre 81 does offer fitness classes and a gym it does not offer the types of large-scale facilities to deliver the sporting activities proposed for the sports hub e.g. rugby, football, Gaelic football. There is agreement from both groups that a partnership is needed to maximise the regeneration potential for the local community.

### Other Issues

- 7.19** One of the objections suggests that the proposal is contrary to various policies in the adopted plan, including UR1 (Urban Renewal), RP1 (Regeneration Priorities), R4C (Forth and Clyde Canal) and LE7 (Business Development in Mixed Use or Residential Areas). None of these policies are relevant to the present application.

### Community Consultation

- 7.20** A Proposal of Application Notice (PAN) has been submitted to the Council in September 2015 and in accordance with the regulations for pre-application consultation, a public event was held at the rugby club building in October 2015 with invitations sent to local residents, community councils, elected members for the ward and Police Scotland. A total of 33 persons attended including 11 residents and 10 community councillors. Feedback sheets were made available and 15 of these were returned, all of which indicated broad support for the “improvement and redevelopment plans” although additional comments were made including concerns about the length of the building, the impact on other regeneration projects in the area and the need for such a facility in the area. In addition a pre-application consultation event was held at the Council offices in February, 2016 giving Members an opportunity to hear a presentation from Community Sports Hub and ask questions/raise issues.

## **8. CONCLUSION**

- 8.1** This development would provide a high quality sports facility and a hub for a variety of sports for the West Dunbartonshire area and will encourage sporting teams to visit the local area. The promotion of community sports hubs are encouraged by the Scottish Government as a way of encouraging people to engage in sport and to promote a healthier lifestyle. This is the first

community sports hub for the West Dunbartonshire area and involves significant investment for the Whitecrook area and the wider area. Both the adopted local plan and the West Dunbartonshire Proposed Plan supports such improvement and extension of open spaces and sports facilities and the provision of community facilities within existing neighbourhoods.

- 8.2** The proposal will also provide enhanced community facilities with the provision of allotments and a new community building. The layout and design of the overall development are considered to be acceptable and all technical issues have been addressed through the application process and conditions. Overall, it is considered that the proposal will have a positive impact on the area. The proposal will improve existing sports and community facilities for the benefit of the local and wider area.

## **9. CONDITIONS**

- 01. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**
- 02. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.**
- 03. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.**
- 04. The noise attenuation scheme detailed in the Noise Impact Assessment (RMP, Feb 2016) shall be implemented prior to any use commencing on the site and thereafter the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The applicant shall demonstrate, on occupation of the building, that all noise mitigation measures described in the above report have been implemented, and that the premises can be operated without causing noise nuisance to the nearest noise sensitive receptors.**
- 05. No works shall take place on the building hereby approved until such time as details of noise attenuation/soundproofing works for the proposed ventilation system have been submitted to and approved in writing by the Planning Authority. These works shall be designed so as to minimise noise nuisance affecting nearby properties. The approved noise attenuation/soundproofing measures shall be implemented prior to the building being brought into use and shall thereafter be retained in accordance with the approved scheme.**

06. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- |                              |            |
|------------------------------|------------|
| Monday to Fridays:           | 0800-1800  |
| Saturdays:                   | 0800-1300  |
| Sundays and public holidays: | No working |
07. The area set aside for allotment use shall only be formed using raised beds and imported clean topsoil unless a site investigation report is submitted which demonstrates the area is suitable for this end use. The site investigation should be prepared by a suitably qualified person which considers the nature of the soil on the allotment site and shall include:
- a) a detailed site investigation identifying the extent, scale and nature of contamination on the site;
  - b) an assessment of the potential risks (where applicable) to human health; and
  - c) an appraisal of remedial options.
08. No development shall take place on site until such times as details (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvres; cowling; lux contours/distribution diagrams and columns types/colours) of the floodlights have been submitted to and approved in writing by the Planning Authority. The floodlights shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.
09. The floodlights shall not be in operation after 9pm (Sunday to Saturday) without the prior written approval of the Planning Authority.
10. No works shall take place on the building hereby approved until details of the flue system/extraction system are submitted to and approved by the Planning Authority. The submitted details shall include the noise output and filter system. The approved flue/extraction system shall be implemented prior to the use commencing on site and shall be maintained thereafter.
11. The new 3G pitch shall be surfaced with a synthetic surface that will be designed and constructed by a recognised specialist pitch contractor(s) (e.g. The Sports and Play Construction Association registered). Details of the contractor(s) and pitch specification shall be submitted for the written approval of the Planning Authority prior to the commencement of development on the approved pitches.

12. Prior to the occupation of the building hereby approved the car parking spaces shown on the approved drawings D(--) 011 Rev D shall be constructed, surfaced and delineated on the site.
13. Prior to the occupation of the building hereby approved a Management Plan detailing the management of the facilities within and outwith the building to reduce disturbance and anti-social behaviour shall be submitted for the further approval of the Planning Authority and implemented as approved.

**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 1 June 2016**

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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. Consultation responses
5. Representations

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

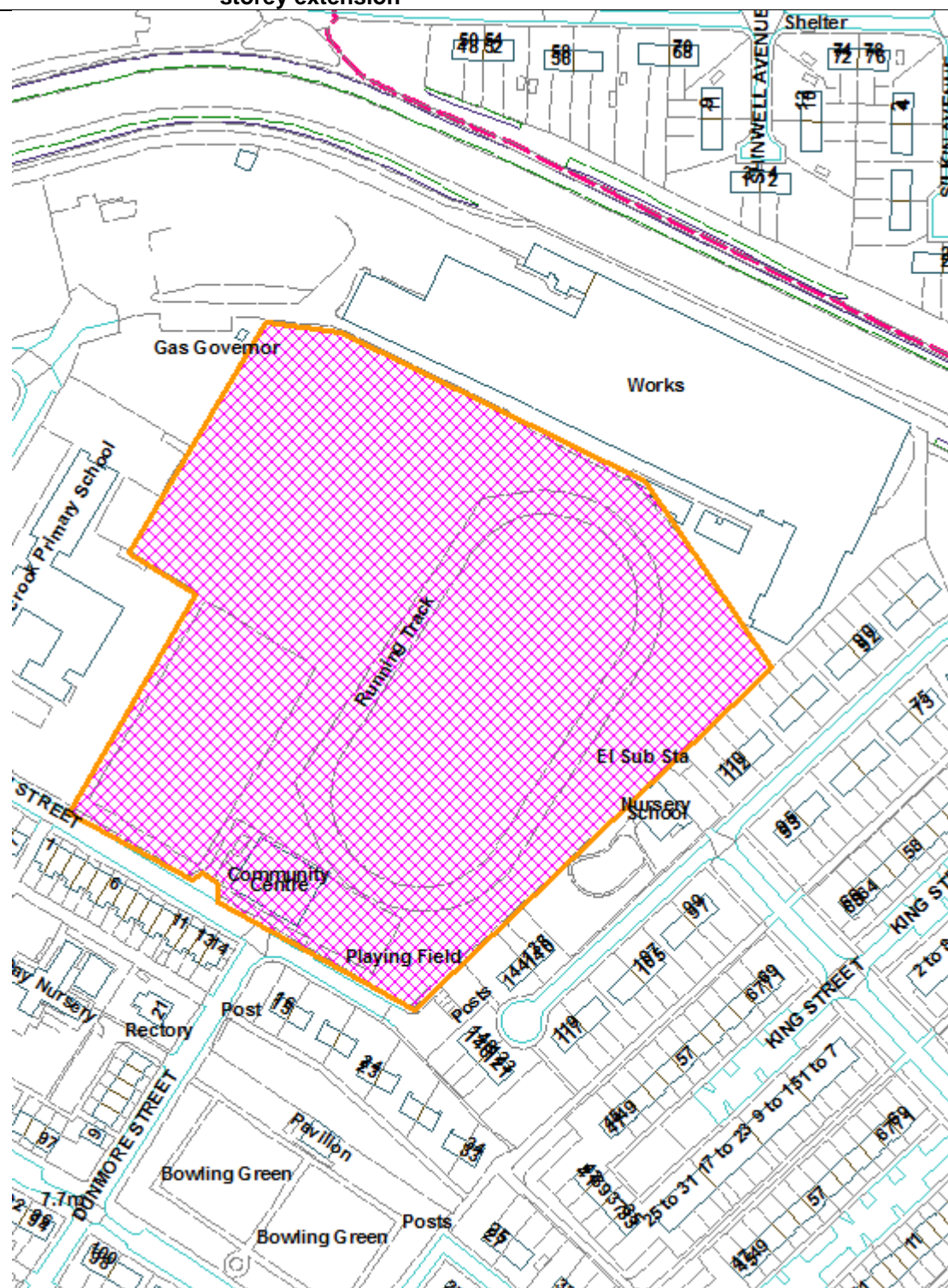




**DC16/039**

Redevelopment of existing  
sports building and pitches  
including: partial  
demolition of existing  
building and a new single  
storey extension

Clydebank Community Sports Hub  
Dean Street  
Clydebank  
G81 1RL





## WEST DUNBARTONSHIRE COUNCIL

### Report by the Strategic Lead - Regulatory

Planning Committee: 22 June 2016

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**DC15/258:**            **Part change of use of farmland/buildings to storage of caravans/leisure vehicles, vehicle repair and steel fabrication (retrospective) at Overton Farm, Overton Road, Alexandria by Muirheads Dairy.**

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

- 1.1** The proposal is a departure from development plan policy and is recommended for approval. 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.

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

- 3.1** The application relates to two areas of ground at Overton Farm, which is located to the west of Alexandria. The farm is separated from Alexandria by the A82, with access being via Overton Road and a bridge under the A82. The group of farm buildings is largely surrounded by farmland, although there is a Scottish Water facility and reservoir to the north, and three houses and a cemetery a short distance to the south.
- 3.2** The farm is primarily a dairy farm and has land extending to 240 acres, however the farm buildings are extensive and some parts of the site have diversified into non-agricultural use. Retrospective planning permission is sought for three uses consisting of:
- Approximately 1,600m<sup>2</sup> of agricultural land wrapping around the south-west corner of the farm complex has been surfaced in gravel and is used for the storage of caravans and leisure vehicles. The vehicles are stored all year round and there is potential for approximately 50 vehicles to be stored on site at any one time;
  - A fencing and steel fabrication business occupies one bay of an agricultural shed and a small yard area at the south-east corner of the site, largely surrounded by the caravan storage area;
  - A vehicle repair business is operating from a detached farm building and its forecourt at the north end of the complex, close to the water works. It is understood that this business evolved from the farm's own fleet

maintenance operation, but that for the last 8 years it has operated as a separate business employing two people. The main focus is the repair and maintenance of farm machinery and agricultural, off-road and light commercial vehicles. The principal customer continues to be Muirhead's Dairy (the operator of Overton Farm).

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection to the proposal subject to the provision of adequate parking on site in relation to the vehicle storage area and vehicle repair workshop.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection to the proposal.

#### **5. REPRESENTATIONS**

- 5.1** Six representations have been received, of which 4 support the proposal and 2 object to it. The reasons for objection are summarised as follows:
- The diversification at Overton Farm is inappropriate and has a detrimental impact on Overton Road;
  - The additional businesses at Overton Farm have resulted in a dramatic increase in traffic using Overton Road and this includes vans, lorries and caravans;
  - There has been a loss of privacy due to HGV drivers being able to see into gardens;
  - HGVs struggle to access Overton Farm and have had to reverse down Overton Road;
  - The businesses are of a significant scale, with cars going to the farm for MoTs and the fencing contractor undertaking major work for railway fencing, etc.;
  - The additional vehicles on Overton Road travel at excessive speeds and are damaging the road;
  - There is no fire hydrant on site should there be a fire; and
  - The increased traffic has raised noise and pollution levels on Overton Road with vehicles accessing the site at all times.

The reasons given in support of the application are summarised as follows:

- Farm diversification is to be encouraged, and helps to safeguard the viability of the farm business;
- The businesses provide local employment and services to the local area;
- The uses are appropriate for this rural/agricultural location;
- The uses have not resulted in any disturbance to neighbours during the night;
- The additional businesses at Overton Farm and increased people in the area have improved safety and security for local residents;

- Although lorries use Overton Road, the businesses have not led to a noticeable increase in traffic relative to that generated by the farm, cemetery, houses and water works;
- Such additional traffic as there is tends to travel at low speeds (e.g. caravans) and is spread throughout the day;
- The street continues to be lightly trafficked and a safe environment for pedestrians and horses.
- Traffic levels on Overton Farm could potentially increase/vary without relating to the farm as it serves the cemetery and water treatment works.
- Any vehicle noise and pollution is insignificant relative to that generated by the adjacent A82.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The site is located within the green belt, where policy GB1 seeks to preserve the landscape character of the area, and specifies a general presumption against development unless certain criteria apply, such as:
- agricultural or forestry development;
  - the appropriate re-use of buildings which it is desirable to retain;
  - outdoor/leisure or tourist proposals;
  - where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site; or
  - where there is a necessity for additional land for development purposes.
- 6.2** Policy LE3 applies to business developments on sites other than those identified in the local plan and sets out criteria against which proposals are required to be considered. These criteria include circumstances where the development cannot be accommodated on any other available industrial/business site in the Plan area; where there would be significant overall economic benefit to the Plan area; where there will be no significant undesirable landscape and amenity impacts; where there would be no major infrastructure implications; the site is accessible to public transport, walking and cycling routes; and the proposed development conforms with other Local Plan policies.
- 6.3** Overton Farm is a working dairy farm and policy LE9 supports agricultural diversification providing that proposals are ancillary to the rural character of the area, enhance the viability of the agricultural unit and do not have a detrimental impact on the amenity or appearance of the surrounding area. The businesses are relatively small scale and whilst there are alternative sites which would be capable of accommodating them, they are ancillary to the farm and contribute to the viability of the agricultural unit.
- 6.4** In this case the various businesses are all of a nature which could be accommodated in industrial/business sites within the built-up area. Therefore, the proposal is not compliant with policies GB1 or LE3, although it is not

considered to be a significant departure. The proposals do not raise any significant landscape or amenity issues. The proposal consists of agricultural diversification and is in compliance with policy LE9, which is considered to be the most relevant policy relating to this application.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### West Dunbartonshire Local Development Plan (LDP) 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 will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.

**7.2** The site is located within the Greenbelt where Policy DS2 restricts development out with the urban area to uses associated with agriculture, horticulture and forestry; leisure and tourism uses appropriate for a rural setting; appropriately designed extensions and outbuildings within the curtilage of existing buildings; the appropriate re-use of existing buildings; and, infrastructure with a specific locational need. Whilst the proposed uses are of a nature which could be accommodated on an industrial/business site within the built-up area, they support farm diversification and enhance the viability of Overton Farm. The vehicle repair business primarily repairs vehicles associated with Overton Farm and makes use of an existing building on site. Similarly, the fencing and steel fabricator is operating from an existing farm building and has undertaken fence repairs on site in addition to other agricultural related work that they undertake. Although the storage of caravans and leisure vehicles is being undertaken on agricultural land, it only occurs on land which is not deemed to be suitable for grazing. The three uses are considered to contribute to farm diversification at this location and are therefore appropriate for the green belt since in this instance they are associated with agriculture. The proposals are therefore considered to comply with Policy DS2.

### Principle of Greenbelt Development

**7.3** The purpose of the Greenbelt is to help direct development towards the urban area whilst protecting the landscape setting of towns. In general, commercial or industrial uses are discouraged within the Greenbelt unless these are of a countryside nature (e.g. agriculture) or there is a specific locational need. The three uses in this case (caravan storage, fencing contractor and vehicle repairs business) are all of a nature which could be accommodated within yards or industrial buildings within the urban area. However, they are also uses which contribute towards farm diversification. In this instance, it is

considered that the uses are suitable for a rural location since they are related to agriculture.

- 7.4** Planning policies recognise the benefits of allowing agricultural diversification, especially where these are related to a countryside activity and make use of land or buildings which are no longer required for agricultural purposes. In this case the relatively small-scale farm/commercial vehicle repairs and fencing businesses are types of activity which can reasonably be carried out as part of the operations of a working farm, albeit that in this case they have intensified to undertake work for other customers. Both of these uses utilise relatively small parts of the complex of farm buildings and have minimal impact upon the character of the farm. The caravan storage operation has no direct connection to the farm business, however the use of farm ground for secure caravan storage is a relatively common form of farm diversification, and it is understood that the land concerned was unsuitable for grazing. The proposed uses contribute towards farm diversification and comply with policy LE9 contained in the local plan and policy DS2 of the proposed local development plan.

#### Visual Impact

- 7.5** The vehicle repair and steel fabricating businesses are operating from existing buildings and their relatively small forecourts. Whilst they may store materials and/or vehicles in front of the buildings, they do not significantly alter the appearance of the farm or surrounding area and therefore have no detrimental visual impact on the landscape.
- 7.6** The storage of caravans and leisure vehicles on site is the most noticeable of the uses since they are kept in the open on the southern edge of the farm steading where they are visible from Overton Road and the A82, although buildings partially obscure some of the vehicles. In the overall context of the agricultural unit, the vehicles are stored on a relatively small area and are not considered to dominate the landscape or the setting of the farm. The addition of hedge planting around the caravan storage area would act as a screen as well as blend the caravans into its rural area, and this can be dealt with by a condition which requires appropriate screen planting to be undertaken.

#### Road and Traffic Issues

- 7.7** Access to the site is via a public road, leading from Alexandria town centre which is approximately 700m away. Although Overton Road also provides access to the nearby Alexandria Cemetery and Scottish Water facility, it predominantly serves a residential area. Representations from local residents include differing views about the quantity and impact of traffic generated by the uses, and whilst it is clear that these uses will give rise to some additional traffic, it is not considered that the volume of traffic generated is unacceptable. There are various developments on Overton Road which give rise to HGV traffic already, notably the farm business itself, and the number of deliveries to the fencing business is not excessive. Other traffic is understood to be mainly vans / 4x4s and vehicles towing caravans, but the volume of such traffic is within the capacity of Overton Road. The Roads Service has indicated that it has no objection to the proposal.

### Residential Amenity

- 7.8** It is not considered that any of the uses are likely to give rise to any significant impact upon residential amenity. There are only three houses within 200m of Overton Farm and it is separated from residential properties within Alexandria by the A82. Two of the representations in support of the proposal are from occupants of these properties, whilst the objections are from households further down Overton Road and are primarily related to the impact of additional traffic. However, as discussed in Section 7.7 above it is considered that the level and nature of traffic associated with the businesses are acceptable, and it is not considered that its impact upon residential amenity is significant.

## **8. CONCLUSION**

- 8.1** When appropriate, agricultural diversification should be supported. Although these proposals do not comply with the green belt policy contained in the adopted plan, they comply with the greenbelt policy contained in the proposed plan since the uses contribute towards farm diversification and are therefore associated with agriculture. The proposals contribute to the ongoing viability of Overton Farm, a working farm. It is considered that the proposed uses do not have a detrimental visual impact or detract from the amenity of the surrounding area.

## **9. CONDITIONS**

- 01. The storage of caravans/leisure vehicles, vehicle repairs and steel fabrication operations shall only be undertaken within the areas shown on Drawing No. AL(0)01.**
- 02. Within the next planting season a hedge shall be planted around the edge of the caravan storage area. Unless otherwise approved by the Planning Authority, such hedge shall be a hawthorn hedge and shall be planted along those boundaries marked in blue on the approved Drawing No. AL(0)01. Such hedge shall thereafter be retained unless otherwise approved by the planning authority.**
- 03. The primary purpose of the vehicle repair business shall be to service and repair vehicles operated by Overton Farm and other agricultural related vehicles only.**
- 04. Within one month of the date of this permission, a parking plan for the site shall be submitted for the written approval of the Planning Authority and shall thereafter be implemented as approved within three months of the date of this permission.**
- 05. The caravans and leisure vehicles stored on site shall not be used to provide overnight accommodation at any time.**



**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 6 June 2016**

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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. Consultation responses
5. Letters of representation

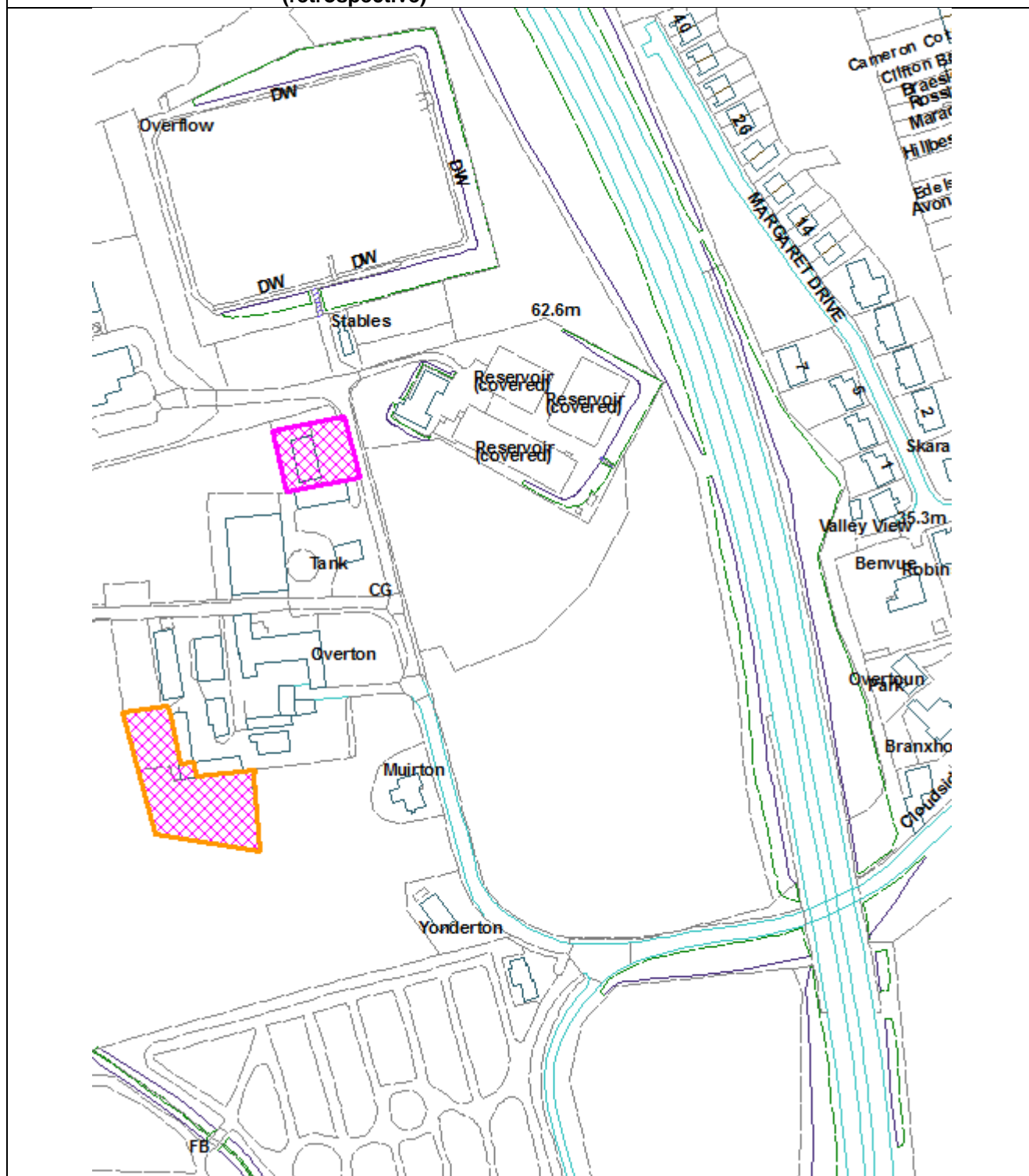
**Wards affected:** Ward 2 (Leven)



DC15/258

Part change of use of  
farmland/buildings to  
storage of caravans/leisure  
vehicles, vehicle repair and  
steel fabrication  
(retrospective)

Overton Farm  
Overton Road  
Alexandria  
G83 0LJ





**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Strategic Lead - Regulatory**

**Planning Committee: 22 June 2016**

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**DC15/270**                      **Mixed use development for retail, commercial, leisure and residential uses, including improvement to public realm, pedestrian and vehicular access, road infrastructure, woodland management, water space strategy, car parking and associated landscaping at Bowling Basin, Bowling by Scottish Canals.**

**1. REASON FOR REPORT**

- 1.1** This application is a major application. Under the terms of the approved Scheme of Delegation, it requires to be determined by the Planning Committee.

**2. RECOMMENDATION**

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

**3. DEVELOPMENT DETAILS**

- 3.1** The application seeks planning permission in principle for the redevelopment of the land around Bowling Basin, Bowling. The site is owned and managed by Scottish Canals and extends to approximately 11ha. The site extends along the north bank of the River Clyde to the east of Bowling, and the majority of the site is bounded by the existing Dumbarton-Glasgow railway line to the north, with the exception of two small sections of the site which cross the railway. These comprise a disused railway embankment and bridges extending towards the centre of Bowling, and an area of land between the operational railway and the A814 at the access into the site.
- 3.2** The site is transected by the Forth and Clyde Canal and a series of canal basins (the Upper, Lower and Harbour Basins) which pass through the site before opening out into Bowling Harbour and the River Clyde to the west. The canal is a scheduled ancient monument and its various basins, locks and drawbridges are B-listed buildings. Other buildings within the site include the Lockkeepers' House (known as 'Helenslee') and Custom House, both of which are B-listed. The disused Lanarkshire and Dunbartonshire Railway line also passes through the site, partly on a series of stone arches and a swing bridge over the canal (also B-listed) before continuing on further bridges over the operational railway and the A814. Most of the foreshore along the

southern edge of the site is a woodland area with an informal path network. Beyond the foreshore is the Inner Clyde Special Protection Area (SPA).

- 3.3** There are a number of mixed uses on the site at present. Scottish Canals uses Customs House as an office and also a flat. Helenslee contains two flats, and there is a residential bungalow (Glenarbuck Cottage) adjacent to the access road into the site. There is a boat yard and boat activity within the canal and basins, including pontoons and moored houseboats. The former railway arches to the south of the canal been refurbished and contain a café and a cycle hire/sale/repair and gift shop, whilst those north of the canal are currently undergoing refurbishment for retail or commercial use. The cycle route NCN7 passes through the site and there are a number of core paths which are popular with cyclists and walkers. There are viewpoints and picnic areas within the site.
- 3.4** The Bowling Basin site was subject to a Charrette (an interactive design workshop) in 2014 and this was attended by the community and local stakeholders. Many of the ideas discussed at the charrette have influenced or been included in the proposed masterplan for Bowling Basin. Scottish Canals' masterplan seeks to develop its potential as part of the economic regeneration of the lowland canals across Scotland's central belt. To realise this, the masterplan sets out a phased, mixed use approach which incorporates the following:
- Refurbishment of the railway arches as commercial and retail units for small-scale businesses, to provide services and facilities for tourist and recreational visitors (phases 1 and 2, already approved);
  - Public realm improvements to the hard and soft landscaping around the Lower Basin (part of phase 2, already approved);
  - Upgrading of the entrance into the site including a gateway marker, landscaping, a new visitor car park and space for small business "huts" (phase 3);
  - A new road bridge across the canal at the eastern end of the site, in order to provide access to the southern part of the site and a new car park therein. This is intended to be either a double- or single-opening bascule bridge to maintain the existing navigational channel (phase 4);
  - Residential development of approximately 75 units to the east of the canal basins, to be sustainable housing of a high quality design. It is envisaged that this would involve higher density housing fronting onto the canal, and a lower density mix within part of the woodland area. (phase 4);
  - Creation of a linear park along the old railway bridges, providing improved pedestrian access from Bowling village and allowing the diversion of the existing cycle route to avoid the need to cross the A814 (phase 4); and
  - Creation of a woodland hub for outdoor activities, heritage trail and water sports with an associated car park. Enhancement of the existing woodland by removing trees in poor condition, replanting with native species and upgrading of the path network (phase 4).
- 3.5** The refurbishment of the arches and improvements to the public realm around the harbour and lower basins (phases 1 and 2) has already been approved, and work is approaching completion. The current application seeks

permission in principle for phases 3 and 4. The applicant has advised that around £2.45million has already been spent on the site to date, with funding from a variety of sources including the Council, Scottish Canals, Scottish Government, Coastal Communities Funding and Sustrans. Investment for the future phases is expected to be in the region of £7-8million.

- 3.6** The masterplan is supported by a Design and Access Statement, and the application includes a number of technical reports: Tree Survey report, Ecology report, Extended Phase 1 Habitat Survey, Protected Species Survey, Heritage Management Statement, Transportation Assessment, Flood Risk Assessment and Utilities Assessment and a Pre-Application Consultation report.

#### **4. CONSULTATIONS**

- 4.1** Historic Environment Scotland has no objection and they welcome the proposals to unlock the economic, leisure and tourist potential. They note that the proposed bridge would require Scheduled Monument Consent and these details are still to be agreed.
- 4.2** Network Rail has no objection in principle but request that consideration be given to the close proximity of the railway during design and construction phases and that an advisory note be attached to any permission.
- 4.3** Scottish Environment Protection Agency has no objection and confirms that the design proposals in respect of flood risk are acceptable.
- 4.4** Scottish Natural Heritage has no objection subject to conditions requiring various mitigation measures.
- 4.5** Scottish Water has not commented on the application.
- 4.6** West of Scotland Archaeology Service indicate that the proposal has some potential to expose and remove archaeological material but this would be of a relatively limited scale and could be addressed through a condition requiring fieldwork to be carried out in advance of and during development.
- 4.7** WDC Environmental Health, Greenspace and Road Services all have no objections to the proposal subject to various conditions requiring further details on submission of applications for matters specified in conditions.
- 4.8** WDC Education Service have indicated that the number of pupils projected to be produced by all local development (including this development ) within the Gavinburn catchment area is not expected to cause the pupil roll to exceed the schools capacity during the period of projection to 2024.

#### **5. REPRESENTATIONS**

- 5.1** One representation has been received from Bowling and Milton Community Council. Before submitting their representation, the Community Council undertook an online survey to gather local opinion on the masterplan proposals and received a total of 68 online responses reflecting a variety of opinions.
- 5.2** The Community Council supports the regeneration of Bowling Basins as a visitor destination and welcomes recent investment in refurbishment of the arches and enhancement of the public realm around the lower basin. However, they have identified a number of concerns about the current application:
- Whilst the new housing would benefit the village in terms of increased residents and provision of much-needed family housing, this part of the proposal divides opinion. It is requested that the number of units is restricted to a maximum of 75 to ensure that there is no further extension of housing development into the woodland or along the canal;
  - Concerns about the suitability of the existing narrow access road and the proposed bridge new canal bridge for emergency vehicles;
  - The potential impact of the development on any bats within the site, especially the woodland area to the south. A request is made that a detailed survey be carried out;
  - Local concerns about increased volume of traffic passing through Bowling village;
  - Lack of school places at the local primary school (Gavinburn PS) to cope with new family housing; and
  - Any lighting of the linear park along the old railway line could affect the amenity of adjacent houses and flats

These issues are addressed in Section 7 below.

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

### Glasgow and the Clyde Valley Strategic Development Plan 2012

- 6.1** The approved plan has a spatial vision and development strategy which focuses on sustainable economic growth, regeneration and renewal of the urban fabric. The Clyde Waterfront, which includes Bowling Basin, is a core component of this strategy, as is the Glasgow and Clyde Valley green network. Dumbarton East to Old Kilpatrick is identified as a green network spatial priority, where environmental, social, access and regeneration elements are integrated and the opportunity to extend the network exists. Priority is to be given to using brownfield land in preference to greenfield for new housing provision. The site is considered to be brownfield in part and the regeneration and renewal of the site would comply with the requirements of the strategic plan.

### West Dunbartonshire Local Plan 2010

- 6.2** The site is covered by Policy GD2 of the Plan which encourages the redevelopment of underused, vacant and/or derelict land for appropriate uses. Schedule GD2(10) lists proposed uses for the site as residential/leisure/



commercial/tourism/small-scale ancillary retail and open space including retention of some natural habitat. The policy narrative indicates capacity for 90 houses on the site. In addition Policy UR1 promotes the re-use of land and buildings in the urban area that become vacant, derelict or underused in order to stimulate urban renewal and enhance the Plan area and Policy RP1 identifies the site as a Regeneration Priority where the redevelopment of underused, vacant and derelict land is to be brought forward. The principle of the development is therefore consistent with the terms of these policies.

- 6.3** In respect of the housing element, Policy RD1 states that preference will be given to residential development on brownfield sites. Policy GD1 requires all development to be of a high quality of design and to respect the character and amenity of the area in which it is located and Policy H4 sets out specific housing development standards. Whilst the details of house design will be the remit of any applications for matters specified in conditions, the proposed layout would broadly comply with the terms of these policies as discussed in section 7 below. Part of the eastern end of the site is designated as open space where Policy R1 presumes against development which adversely affects the use, character or amenity of such areas. Approximately 12 -14 units would be affected under the indicative layout submitted and further assessment is provided in section 7.
- 6.4** Policy LE8 supports tourist industry developments and recognises the Forth and Clyde Canal corridor as a Tourism Development Area. Tourist industry developments are required to: have no adverse environmental, landscape, infrastructure or transport implications; have a clear locational need; and create a significant economic benefit. In addition, Policies R4 and R5 set out criteria for development of the Forth and Clyde Canal and seek to ensure that development protects and improves the recreational and navigational amenity of the canal, takes the historic features and traditional building forms into account and encourages access to inland waterways through core paths and Rights of Way. The proposal has potential to bring significant tourism benefits to Bowling Basin in a way that will respect the historic features of the site and would comply with these policies.
- 6.5** In respect of nature conservation, the southern edge of the Bowling Basin site lies adjacent to the Inner Clyde Special Protection area and RAMSAR site (Natura 2000) where Policy E2A applies. It states that development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. The Inner Clyde is also a Site of Special Scientific Interest and Policy E2B states that development will only be permitted where an appraisal has demonstrated that the objectives of the designated area and the overall integrity of the area would not be compromised, or any significant adverse effects are clearly outweighed by social or economic benefits of national importance. Policy E5 indicates that new development proposed on sites with or adjacent to, existing trees or woodlands will be assessed in accordance with best practice and conditions can be used to safeguard existing trees and/or plant new trees if appropriate. These issues are discussed in section 7 below.

- 6.6** The application site includes a number of listed buildings. Policy BE2 aims to ensure that in relation to any works affecting a listed building or its setting, its appearance, character and setting is not adversely affected. The Forth and Clyde Canal is a Scheduled Ancient Monument and Policy BE5 indicates that any development that would have an adverse impact on or affect the setting of a Scheduled Ancient Monument will be resisted. Where the presence of archaeology becomes apparent once development has commenced, adequate opportunity must be afforded for an archaeological investigation. The proposal takes cognisance of these designations and would comply with these policies.
- 6.7** Parts of the application site are at risk from flooding, and Policies F1-3 deal with this issue. The Council will generally resist development located within the functional flood plain or that is likely to increase flooding locally or elsewhere in the catchment. However, land raising may be permitted in areas to facilitate regeneration priorities; in a mixed use development, the standard of flood protection required will apply separately to each use. The proposal would comply with these policies.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Scottish Planning Policy (SPP)

- 7.1** This presumes in favour of development that contributes to sustainable development and creates high quality places by taking a design-led approach. Paragraph 136 states that the historic environment is a key cultural and economic asset that should be seen as integral to creating successful places. Paragraph 137 states that the planning system should enable positive change in the historic environment informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced. Policies GD2, LE8, R4, R5, BE2 and BE5 of the adopted local plan, and Policies DS1, BN3, BH2 and GN7 of the LDP provide the local plan policy context of these safeguards.

### Glasgow and the Clyde Valley Strategic Development Proposed Plan 2016

- 7.2** The emerging SDP continues the approved spatial development strategy, with an emphasis on creating high quality places. The Clyde Waterfront remains a key component, where there are regeneration opportunities to reconnect communities with the river and reuse vacant and derelict land. The Forth and Clyde Canal is specifically included as part of the development strategy, aiming to continue the canal's revitalisation with a range of economic development, visitor economy, regeneration and surface water management opportunities. Bowling is specified as a Green Network Strategic Delivery Area, where the priorities of climate change adaptation measures, poor access to greenspace and habitat creation can be addressed. The proposal would comply with the strategic requirements of the proposed plan. The site is brownfield in part, although it includes a significant area of naturally regenerating woodland, and the proposal has a focus on the regeneration and

revitalisation of the canal which will enhance access to greenspace and increase biodiversity of existing habitats.

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

**7.3** 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. Therefore, as a result of Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications

**7.4** The proposed development site predominantly corresponds with the boundary of the Bowling Basin Changing Place where the Plan's strategy is to agree a masterplan for the site which:

- creates an exemplar of an integrating green infrastructure approach to development;
- has residential development along both sides of the canal;
- has improved woodland south of the former railway line;
- demonstrates green network enhancements including a linear park along the former railway line; and
- has commercial and leisure uses centre on the lower basin and former railway arches.

The proposal would comply with the strategy for the site identified in the proposed plan.

**7.5** In respect of residential development Policy BC2 reserves sites in Schedules 2-4 for housing development. Housing development on these sites will be supported subject to consideration against the Residential Development: Principles for Good Design Supplementary Guidance. Bowling Basin is identified in Schedule 4 as a new allocation for private housing, with an indicative capacity of 72 houses and Table 4 indicates the requirements for the site including:

- integrated green infrastructure approach to master-planning the site;
- canal-side housing to be sympathetic to setting;
- woodland housing to protect and enhance woodland habitat;
- secondary emergency vehicular access possibly required;
- Habitat Regulations Appraisal to demonstrate no adverse impact on integrity of Natura 2000 site

**7.6** In addition, Policy DS1 states that all development will be expected to contribute to the creation of successful places by having regard to the six qualities of a successful place: distinctive, adaptable, resource efficient, easy to get to/mover around, safe and pleasant, and welcoming. Policy GN1 protects all open spaces of value to the green network, and development on

open space will not be permitted unless provision of an open space of equal or enhanced value is provided. Although part of the residential layout was within open space in the adopted local plan, the Local Development Plan Proposals Map shows an amended open space boundary which follows the line of the burn so that the housing is now outwith the designated open space. Policy GN2 requires development to follow an integrating Green Infrastructure approach to design, by incorporating SUDs, open space, paths and habitat enhancements. Development is to be considered against the 'Our Green Network' Supplementary Guidance. The indicative layout would broadly comply with the terms of these policies and the supplementary guidance although the details of house design will be the remit of further applications and further consideration against these policies and guidance.

- 7.7** Policy GE4 states that new tourist accommodation, attractions and supporting infrastructure will be supported in appropriate locations and Policy GN7 states that development alongside the Forth and Clyde Canal should enhance it as a green network asset and that development that would have an adverse impact on the canal or its setting will not be permitted. The development proposes woodland planting and a new path network which would enhance the green network asset, the works around the upper and lower basins would provide important tourist attractions and the scale and nature of the development would be appropriate to the canalside setting, all in compliance with these policies.
- 7.8** Policy GN3 protects protected species and sites designated for nature conservation. The site is immediately adjacent to a Special Protection Area (SPA) and SSSI (Inner Clyde). Development adversely affecting such sites will not be permitted except in exceptional circumstances relating to social, economic or environmental interests. Development affecting a Special Protection Area must be accompanied by a Habitat Regulations Appraisal. These matters are covered more fully in section 7 below and it is considered that subject to appropriate conditions the proposal will not have an adverse impact on the SPA. Policy GN5 supports the expansion and enhancement of woodland involving planting and management of native trees. Development that would result in the loss of trees or woodland of amenity, cultural, historical, recreational or biodiversity value will not be permitted unless clear justification can be given and appropriate replanting can be agreed. The proposal would comply with this policy.
- 7.9** Policy BN3 does not permit demolition or development that would adversely affect the special interest, character or setting of a listed building. Appropriate enhancement of listed buildings will be supported. Policy BH2 states that development that would adversely affect a Scheduled Monument or its setting will not be permitted, and that archaeological sites should be preserved in-situ where possible or provision made to excavate and record archaeological remains. The proposal would comply with these policies.
- 7.10** Policy DS6 states that development will not be supported on the functional flood plain or with regard to the Scottish Planning Policy Flood Risk Framework, where it would have a significant probability of being affected by

flooding or increasing the probability of flooding elsewhere. It also requires that inclusion of SUDS within developments and arrangements for long-term maintenance. Flood management infrastructure will be supported where it avoids any adverse impact. The proposal complies with this policy.

Supplementary Guidance: “Residential Development: Principles for Good Design”

- 7.11** This guidance requires all development proposals to recognise the importance of the local context, be design-led, promote the six qualities of good design and be accompanied by the appropriate supporting documents. The guidance also provides a checklist for achieving high quality building design, layouts, open spaces and streetscape which will be used to assess planning applications for residential developments as they come forward. As the proposal is for planning permission in principle it does not cover details of the housing design, but the masterplan sets out examples of housing types which embody the principles of the guidance with a design-led approach relating to the local context, and a design and access statement which promotes the six qualities of good design throughout.

Supplementary Guidance: “Our Green Network”

- 7.12** Policy GN2 requires open space to be provided in accordance with the requirements set out in “Our Green Network”. This document advocates a green infrastructure approach to development and seeks to ensure that new developments provide and enhance green network opportunities. In terms of open space provision on sites, the guidance looks at three standards: accessibility, quality and quantity and these determine what level of provision would be required for sites. The Bowling Basin site already plays an important contribution in terms of the green network offer in Bowling and the enhancement of opportunities for canalside and woodland activities along with improvement of the existing cycling and walking routes is welcome and is in principle complies with the guidance.
- 7.13** “Our Green Network” also seeks to ensure that residential developments have sufficient open space and play areas. The indicative layout shows the housing to be set within enhanced woodland where there will be a path network to allow easy access to informal recreation activities and the woodland hub. These facilities will serve the residential areas as well as visitors to the site and are considered to be sufficient in terms of quantity and accessibility. In respect of quality, it will be for the detailed applications to interpret the intents of the masterplan into high quality activity spaces. Overall, the proposal is therefore considered to be in compliance with the guidance set out in “Our Green Network”.

Public Engagement

- 7.14** The Bowling Charrette held in Bowling Village Hall in 2014 and was well attended by the community and local stakeholder. The process was sponsored by Scottish Canals and West Dunbartonshire Council, with funding from the Scottish Government and sought to come up with a plan and vision for Bowling Basin. The proposed masterplan includes many of the ideas discussed at the charrette.

- 7.15** A Proposal of Application Notice (Ref. PAN14/006) was submitted to the Council in July 2014 and in accordance with the regulations for pre-application consultation, a public event was held at Bowling Village Hall over two days in August 2014 with invitations sent to local residents, community councils, elected members, Railtrack and the Crown Estate. Over 70 people attended and 52 completed a short questionnaire with feedback. There was strong support for a sustainable mixed use development on the site around the arches and lower basin. There were mixed views over the housing element with some people expressing a need for family housing in Bowling but others not wishing the south bank of the canal to be developed.
- 7.16** Due to the lapse of time between this event and submitting the application in December, 2015 an update event was held at the Village Hall in October 2015 for all local residents. The proposed masterplan drawings were displayed along with information on the work carried out to date on the arches refurbishment and public realm improvements. In addition a pre-application consultation event was held at the Council offices in November 2015 giving Members an opportunity to hear a presentation from Scottish Canals and ask questions/raise issues.

#### Principle of Development and Placemaking

- 7.17** The proposal for a mixed use development on the site is acceptable in broad policy terms and the masterplan has close regard to the historic and cultural context of the site. The overall approach is to have a gateway attraction where the heritage of the site is at the heart of the proposal. This is demonstrated by the retention, conservation and renovation approach which has been taken by Scottish Canals, for example, the refurbishment of the swing bridge arches and the re-use of the swing bridge as a linear park. The masterplan seeks to create a self-sustaining site by proposing uses and enhancing areas which will continue to attract users into the future. The residential element is an important part of opening up the potential of the site.
- 7.18** An important part of placemaking is acknowledging that the site has different characteristics and each “zone” is developed within its immediate context. The Harbour Basin nearest the river is to be enhanced as the leisure and water hub with appropriate uses such as leisure, restaurant and retail uses in new buildings around the waterside, the renovated arches and Customs House as well as marina and boat repair businesses. The Lower Basin is another focal point for activities with the potential for canal based water activities, pedestrian and cycle access and small businesses in the arches. The Upper Basin will have a different character with housing overlooking both sides of the canal. Landscaping will be used to integrate the housing into the woodland and canalside setting. Density will not be uniform but have higher densities fronting the canal and lower densities within the woodland areas. The landscaping strategy also acknowledges the different character areas: the Clyde Estuary edge, the regenerating woodland; and the canalside corridor, and uses these to develop distinct landscape proposals.

### Historic Environment

- 7.19** The historic environment plays an important role in the way the masterplan has developed. The site is rich in industrial heritage in its association with the canal and the listed buildings on site are to be protected and renovated as part of the masterplan. This work is in recognition of the important contribution buildings such as Customs House and the swing bridge make to the character of the site and which draw in visitors. The public realm works, gateway project and woodland enhancement will provide an enhanced setting for the listed buildings and will not have an adverse impact on their character or setting.
- 7.20** The canal is a scheduled monument and whilst the early phases of the masterplan will not alter the canal in any way, the formation of a bridge across the canal will lead to a significant visible change. A bascule type structure is proposed, with either a single or twin lifting span, to unlock the southern bank of the canal which at present can only be accessed by vehicles via a narrow bridge not suitable for regular traffic. Historic Environment Scotland (HES) confirm that the bridge will require scheduled monument consent and that the detailed design of the bridge has not yet been agreed with them. They would seek to ensure that any design does not radically alter the perceived width of the channel, has limited intrusions into the strong lines of the canal, and doesn't significantly reduce visibility. They highlight the need to ensure that the scale and design of the bridge are sympathetic to the setting of the canal to ensure these impacts are reduced to a satisfactory level. Scottish Canals have been advised of these issues and of the need to engage with Historic Environment Scotland at the early stages in the bridge design process. A further planning application would be required for the detailed design of the bridge over the canal.
- 7.21** The site has been identified as having a high archaeological potential with any remains preserved likely to be of a similar date to the canal itself. The canal has been realigned to make way for the railway in the mid to late nineteenth century and there may be remnants of the earlier canal below ground beyond the southern bank of the existing canal. In consultation with West of Scotland Archaeology Service it is agreed that a condition may be attached to ensure that fieldwork is carried out in advance of and during any development. It should be noted that this relates to the areas outwith the scheduled monument boundary which are controlled by the scheduled monument consent under the remit of Historic Environment Scotland and which may require a separate archaeological study.

### Ecology and Habitats Regulations Appraisal

- 7.22** The site itself does not support any sites designated for nature conservation at a local or national level but the Inner Clyde Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site are directly south of the site boundary. The proposal could affect the qualifying interest of the Inner Clyde SPA (overwintering redshank interest) which is of European importance and there is a requirement under the Conservation (Natural Habitats, &c.) Regulations 1994, as amended, for the Council to consider the

effect of the proposal on the SPA before it can be consented. This process is commonly known as the Habitats Regulations Appraisal (HRA).

- 7.23** A report has been submitted which considers the impact of disturbance to redshank in the Inner Clyde SPA. It carried out field and desk studies to look at how the different phases of the development might adversely impact on the redshank in terms of visual and noise disturbance. It concluded that the potential effects are either low or negligible in their magnitude and minor/moderate in the significance in their impact. SNH advised that provided the proposal is in accordance with the mitigation outlined in the recommended conditions then it will not adversely affect the integrity of the qualifying interest and have raised no objection. The proposal will not adversely affect the integrity of the qualifying interest of the SPA in terms of visual and noise disturbance and mitigation measures are conditioned to ensure they form part of any permission granted.
- 7.24** The Inner Clyde Site of Special Scientific Interest (SSSI) is notified for its non-breeding (wintering) cormorant, oystercatcher, red-breasted merganser, redshank, goldeneye, eider and red-throated diver populations, as well as saltmarsh habitat. Species such as red-throated diver, eider and red-breasted merganser are rarely recorded in the River Clyde, occurring in highest densities far to the west at Greenock and Ardmore Point. The probability of disturbance to these species is unlikely. The other qualifying interests, redshank, goldeneye, cormorant, curlew and oystercatcher, are present in the vicinity of the proposed development but the mitigation measures recommended would reduce any potential disturbance to these species and a condition is proposed requiring a Construction Environment Management Plan.
- 7.25** An extended Phase 1 habitat survey was carried out on the site in 2013 concentrating on the wooded area to the south of the canal. It found a variety of habitat types including broad-leaved woodland, scattered scrub, amenity grassland, open water and running water. It concluded that there were no notable plant species found within the surveyed area. No evidence of badgers was found during the survey but optimal habitats for badgers were identified. Sites with roosting potential for bats were found within several trees and the disused railway bridge although no evidence of bats was found. The trees and scrub offer suitable nesting habitats for birds. No evidence of otters or water voles was found. The report made a number of recommendations in relation to the works proposed for the site including that a further check on trees be carried out in relation to roosting bats and a bat activity survey be carried out. Where any vegetation is to be removed during the bird breeding season a bird survey is required to be carried out. These matters can be dealt with by condition.
- 7.26** A tree survey was carried out of the woodland area to the south of the canal which consists of sycamore, ash, birch, elm oak and goat willow. It assessed the trees and categorised them according to their retention value. Of the 411 trees surveyed 59% were of either of low quality and value, or no retention value. The majority of trees across the site are primary succession species



which grew once the railway/industrial usage of the site stopped. Many of the species are now in decline and have limited long-term value. The landscape strategy for the site is three-fold. The Clyde Estuary edge is to use new planting to reinforce existing tree blocks to enhance the existing open spaces; the regenerating woodland is to be retained as a screen between the canalside residential development and the estuary edge and proposes selective felling and replanting to maintain a healthy woodland structure; and the canalside corridor will have selective replanting within the housing layout and along its edges. Full details of the trees to be felled and replanted should form part of any application for matters specified in conditions.

#### Access Strategy

- 7.27** The site currently benefits from a number of pedestrian and cyclists access routes into and through the site. The masterplan approach is to improve the access for all modes and to create a more efficient circulation within the site. There are two core paths which run through the development site, No 110, which follows the NCN7/canal path, and No 166 which follows the line of the old railway and provides a link with The Saltings Local Nature Reserve which lies to the east of the site. Both of these paths are extremely popular routes for walkers and cyclists, and the occasional horse rider. The masterplan shows that both of the routes will be preserved and No166 upgraded.
- 7.28** At present the NCN7 / Core Path 110 uses the small bascule bridge to cross the canal then heads north to the A814 along the access road to the development. The access road is quite narrow here and there can be conflicts between vehicles and cyclists and walkers at this point, mostly due to the tight bend in the road at the bridge. With the increase in traffic using the road, adequate measures will have to be taken to alleviate this problem. One solution would be to divert the NCN7 away from the access road (and the A814 crossing) and across the swing bridge over the canal. As part of matters specified in conditions for the linear park this proposal should be developed further. A condition is also proposed to ensure a signage strategy for the site is developed to reduce conflict between different modes of transport, giving priority to pedestrians and cyclists.

#### Traffic and Parking Issues

- 7.29** The proposal includes the upgrading of the junction of the site with the A814 which passes through Bowling. This will improve the sightlines and visibility. Beside the upgraded junction a new gateway car park (32 spaces) is proposed and this is to be the main car park for visitors to discourage vehicles from passing over the railway bridge and entering the basin area. The existing car park to the north of the Harbour Basin will be upgraded to provide 41 spaces and this will mainly be used by those using the moorings within the basins. The new parking area proposed adjacent to the woodland is close to the woodland hub and activity centre. The residential properties would have their own integrated parking provision with levels to be determined by the size of the dwellings. Road Services have indicated that they are satisfied with the level of parking proposed.

- 7.30** A Transportation Assessment has been carried out which includes modelling of the site access junction and an assessment of the likely impact of the development using trip generation figures. Trip generation was based on 100 residential units to ensure a robust figure for the proposed 75 units. It concludes that there will be no significant detrimental effects to existing operation of the local road network in the weekday AM and PM peak periods. The junction analysis found that the upgraded junction is expected to operate under capacity with no queueing during AM and PM peak periods. Representation has been received from the community council in respect of the impacts of the site on traffic passing through Bowling, however the Transportation Assessment demonstrates, that there will not be an adverse impact on the A814.

#### Technical Issues

- 7.31** The site is close to the River Clyde and has a small watercourse at the eastern end of the site (Tinkers Burn) which flows from the north under the A814, the railway line and canal before discharging into the Clyde. There are no flood defences present on the site. It is therefore at risk from coastal and fluvial flooding. There is also a high water table so groundwater flooding may also be an issue. A flood risk assessment has been carried out which includes modelling of Tinkers Burn to ascertain the interaction between the River Clyde water levels and the flows from the burn. The results of the modelling along with the ground levels are used to define the extent of land at risk of fluvial/coastal flooding. The report finds that the flood risk to the site is largely driven by the water levels in the River Clyde and that most of the site south of the old railway line is affected by the 1 in 200 year flood event plus climate change. It therefore recommends that land raising is carried out for the residential area to the level of 1 in 200 year plus climate change including freeboard. This level would be set at 5.6m AOD. The River Clyde shoreline is a coastal environment and no compensatory storage is required. SEPA have confirmed that these proposals are acceptable.
- 7.32** The site is brownfield land in part and there is potential for some contamination linked to its industrial past as a terminal for freight transport along the canal and by train (the former railway line embankment within the woodland area is all that remains of the Lanarkshire and Dunbartonshire Line). In consultation with Environmental Health it is recommended that further site investigation is required and remediation where necessary to ensure the site is suitable for its end use.

#### Issues raised by the Representation

- 7.33** In response to the concerns, the number of residential units has been revised to 75 units as a result of the public consultation process during the charrette and other community events. A balance is required to ensure the housing element does not compromise the characteristics of the canal and woodland area and a condition is therefore proposed to restrict the number to 75 units. In respect of the suitability of the existing access and proposed bridge for emergency vehicles, Road Services have not raised any objection to the principle of the existing road being used for a new residential area or as an emergency access. The site has potential roosting sites for bats and a further

survey will be required prior to any work commencing on site. In respect of school places, the Councils Education Service has no objection to the proposed development and any future requirement for school places at Gavinburn Primary School can be accommodated within the schools capacity. With regard to the impact of any lighting on adjacent properties this would be addressed at the detailed stage.

## **8. CONCLUSION**

- 8.1** This proposal would develop the potential of the site as a gateway to the western end of the canal as part of the wider regeneration of the waterways across central Scotland. The adopted plan and proposed plan support a mixed use development on the site, including housing, which realises the tourist potential of the site, maximises the green network opportunities and sensitively enhances the ecology and cultural heritage on the site. Part of the residential development at the eastern end is within an open space in the adopted plan but this boundary has been amended in the proposed plan so that the site is now outwith the open space designation and housing would be acceptable in this location. The layout and principles of the masterplan approach are considered to be acceptable and all technical issues have been addressed through the application process and conditions. The proposal represents a significant level of investment for Scottish Canal in conjunction with partners in excess of £10million. Overall, it is considered that the proposal will have a positive impact on tourism in the area, economic regeneration, protection of important heritage and provide housing opportunities for Bowling village and the local area.

## **9. CONDITIONS**

- 01. Prior to commencement of development on site approval of matters specified in conditions shall be obtained from the Planning Authority. Applications shall include:**
- a) site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping;**
  - b) block and layout plans and elevations of each building, showing dimensions and palettes of external materials;**
  - c) landscaping plans showing the location and species of all trees to be felled and the proposed trees, shrubs, hedges and palettes of hard landscaping materials;**
  - d) block and elevation plans of the proposed new access bridge including any alterations to the canal structure; and**
  - e) details of existing and proposed ground levels, and finished floor levels, relating to a clearly identified fixed datum point.**
- 02. As part of any application(s) for the approval of matters specified in conditions:**

- a) any residential development of more than 6 dwellings must be served by a public road conforming to the principles set out in the Scottish Government policy document “Designing Streets”;
  - b) each residential unit shall be provided with a secure covered cycle storage facility at ground floor level;
  - c) cycle parking for non-residential uses should conform to “Cycling by Design 2010”; and
  - d) car parking provision should conform to the Councils Parking Standards with any departure justified by a Transportation Assessment.
03. The number of dwelling units consented for the site is 75 units. If this number is exceeded the further agreement of the Planning Authority will be required.
04. As part of any application(s) for the approval of matters specified in conditions for the linear park, proposals shall be submitted which demonstrate how the National Cycle Network 7 can be diverted away from the internal access road and onto the swing bridge, passing over the canal and railway track, and connecting with the route as it runs parallel to the north of the A814.
05. As part of any application(s) for the approval of matters specified in conditions, a detailed report on the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
- a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site);
  - b) An assessment of the potential risks (where applicable) to:
    - i. human health property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
    - ii. groundwater and surface waters
    - iii. ecological systems
    - iv. archaeological sites and ancient monuments
  - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
06. 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.

07. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site.

Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.

08. The presence of any previously unencountered 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 affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
09. As part of any application(s) for the approval of matters specified in conditions, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details.
10. As part of any application(s) for the approval of matters specified in conditions, a scheme for the control and mitigation of dust shall be 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.
11. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall

ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken.

12. As part of any application(s) for the approval of matters specified in conditions, a Construction and Environmental Management Plan shall be submitted for the further approval of the Planning Authority in consultation with Scottish Natural Heritage. It shall include:
  - a) detail measures to screen the development in terms of noise and visual disturbance from the Inner Clyde SPA, Ramsar site and SSSI;
  - b) detail measures to limit pollution to the Inner Clyde SPA, Ramsar site and SSSI;
  - c) identify those works that are likely to have significant potential for visual and noise disturbance, such as piling.

No works which are identified as likely to have a significant potential for visual and/or noise disturbance shall be carried during the main wintering period (mid-September to early April).

The Construction and Environmental Management Plan shall be implemented within a timescale agreed with the Planning Authority.

13. As part of any application(s) for the approval of matters specified in conditions, a detailed Recreation and Access Management Plan which details measures to limit potential disturbance to the north shore of the Inner Clyde SPA, Ramsar site and SSSI from increased access to the river shall be submitted for the further approval of the Planning Authority and implemented within a timescale agreed with the Planning Authority.
14. As part of any application(s) for the approval of matters specified in conditions, details of a bat survey to be carried out in relation to roosting bats and bat activity shall be submitted for the further approval of the Planning Authority and implemented within a timescale agreed with the Planning Authority.
15. As part of any application(s) for the approval of matters specified in conditions, details of a revised Extended Phase 1 Habitat Survey to be carried out during April – September in relation to vegetation along the canal, shall be submitted for the further approval of the Planning Authority and implemented within a timescale agreed with the Planning Authority.
16. Where any vegetation removal is undertaken within the bird nesting season (March- August) a suitably qualified ecologist shall inspect the area for the presence of nests up to a maximum of one day prior to removal. Details of the inspection shall be submitted for the further approval of the Planning Authority prior to the work commencing on site.

17. All applications for the approval of matters specified in conditions shall comply with the recommendations of the Bowling Flooding and Erosion Risk Study: Flood Risk Assessment (26 May 2016), that is, land raising of low-lying areas of the site to above the 1 in 200 year plus climate change flood level plus freeboard (set at 5.6m AOD). Full details of the finished floor levels of all new buildings shall be submitted for the further approval of the Planning Authority and shall be implemented in accordance with these details.
18. As part of any application(s) for the approval of matters specified in conditions, details of a signage strategy and on-site design measures to reduce conflicts between vehicles on the road and cyclists and walkers using the core paths shall be submitted for the further consideration of the Planning Authority and shall be implemented as approved subject to agreed timescales.

**Peter Hessett**  
**Strategic Lead - Regulatory**  
**Date: 1 June 2016**

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**Appendix:** None

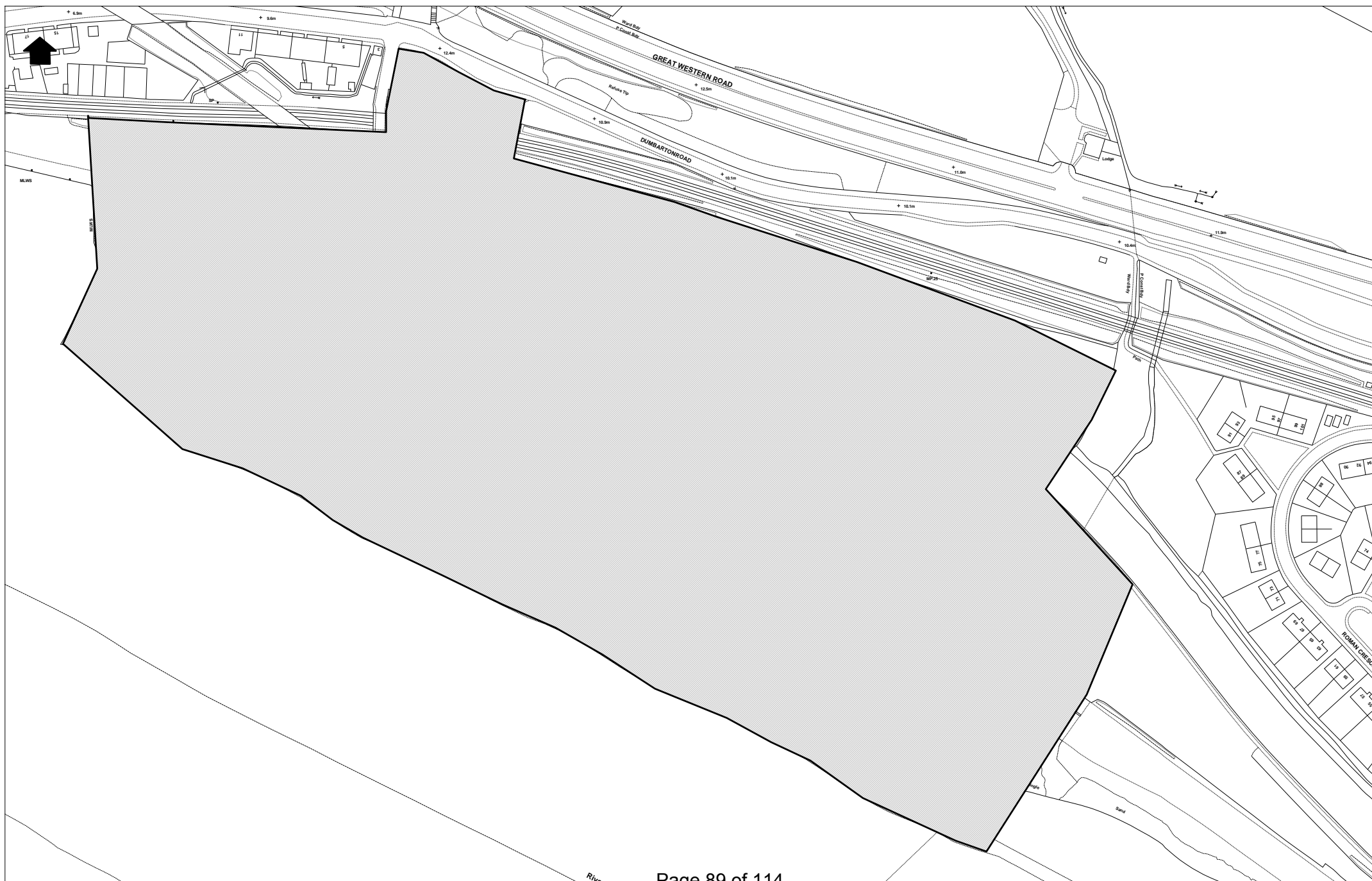
**Background Papers:**

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

**Wards affected:** Ward 3 (Dumbarton)









**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead- Regulatory**

**Planning Committee: 22 June 2016**

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**DC16/079                      Change of Use from Vacant Industrial Unit to Children`s  
Soft Play Area at Unit 2, Bleasdale Court, 2 South  
Avenue, Clydebank Business Park by Neil Halls**

**1.      REASON FOR REPORT**

- 1.1**      This application is contrary to the development plan and under the terms of the approved Scheme of Delegation it 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 relates to a vacant industrial unit measuring 790m<sup>2</sup> in floor area, which is part of a row of commercial buildings close to the eastern entrance to the Clydebank Business Park. This row contains 9 units, of which Units 1-3 are currently vacant, Units 4-6 and 7-8 are occupied by a piping company and a marine engineering company respectively, and unit 9 is also vacant. To the front, the unit faces onto a small parking area, with South Avenue and a large communal car park beyond, whilst to the rear it backs onto a shared service yard off Symington Drive. The letting agent advises that the unit has been vacant since 2014. Whilst the business park consists primarily of office and industrial uses, there are a small number of other uses distributed throughout the park, including a gymnastics club, a children`s nursery and three small gyms, (one of which is unauthorised and for which a retrospective application has been sought).
- 3.2**      It is proposed to change the use of the unit from business/light industrial (Use Class 4) to a children`s soft play area (Use Class 11). There would be no external changes to the building, and the existing parking and access would be used. The agent has advised that the maximum capacity would be 80 children, but this would be very rare and more typically there

would be up 40 children at any one time. A total of 26 full and part time staff would be employed, including catering, reception, play and party staff.

- 3.3** The applicant currently operates a children's soft play centre within the Kilbowie Retail Park, however he has indicated that the unit is too large and expensive for the business, and as the rental contract is ending alternative premises are now sought in order to relocate the business. The applicant has submitted a supporting statement, which indicates that they have built up a strong local customer client base and wish to remain within the Clydebank area in a location well served by public transport. He has also indicated that there are a limited number of buildings within Clydebank town centre which would provide the space needed for the play centres; however the rental of a retail unit of such a size would be uneconomic.

#### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to conditions relating to car parking.
- 4.2** West Dunbartonshire Council Regeneration Service has no objections and notes that it would be desirable to secure the existing jobs provided by the business.
- 4.3** West Dunbartonshire Council Environmental Health Service has no objection subject to conditions.

#### **5. REPRESENTATIONS**

- 5.1** Three representations have been received which object to the proposal. The concerns raised are as follows:-
- Proposal is not a suitable use for a recognised industrial/business area
  - Inadequate parking and access, given the need to cross South Avenue to access the site on foot or from the overspill car park;
  - Additional traffic created by the proposal; and
  - Criticism of the operation and business practices of the existing play centre.

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

### West Dunbartonshire Local Plan 2010

- 6.1** The Clydebank Business Park is designated as an Industrial and Business Use Site, where Policy LE1 applies. There is a presumption in favour of uses which positively extend the permanent employment potential of such sites, although the policy does allow for the reuse of existing industrial or business class sites for suitable alternative uses where this can be justified against such criteria as specific locational need, there being no adverse impact on the industrial land supply, lack of suitable alternative locations, economic and environmental benefits, and the impact on the attractiveness of the location to industrial and business investment.
- 6.2** The Business Park is also designated as a Strategic Industrial and Business Location, and is within the central Clydebank Core Economic Development Area. Policy LE6 indicates that the Business Park is strategically important as a location for industrial, business and warehousing uses. Sites within the Business Park shall be safeguarded for economic development uses and there shall be a strong presumption against uses other than for business and industry. This policy designation is derived from a previous structure plan and does not feature in the more recent Strategic Development Plan. As such it is of less significance.
- 6.3** Policy RET1 indicates that new commercial leisure developments should adopt a sequential approach to site selection, giving first preference to town centre sites, then edge of centre, then commercial centres (unless edge of centre also) and finally out of centre locations. The application site is considered to fall within the “edge of centre” category.
- 6.4** These issues are discussed in Section 7 below, but the proposal would result in the use of the premises for non-industrial purposes and it is considered that the impact of this would be unacceptable, so the proposal would conflict with Policies LE1 and LE6. Additionally, it is not considered that a sequential approach to site selection has been demonstrated, and that the proposal is therefore contrary to Policy RET1.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Scottish Planning Policy (SPP)

- 7.1** The SPP advocates a “town centre first” policy, whereby uses which attract significant numbers of people, including commercial leisure uses, should follow the sequential approach to site selection. This is addressed in sections 7.6-7.9 below.

- West Dunbartonshire Local Development Plan (LDP) Proposed Plan
- 7.2** 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 Duntiglenan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan will remain unadopted. All other recommended modifications of the Examination Report have been incorporated into West Dunbartonshire Local Development Plan, which will retain Proposed Plan status. The Council has received legal opinion that the Proposed Plan including the accepted modifications and the Examination Report continue to be a material consideration in the determination of planning applications.
- 7.3** The site is located within an area identified as an Existing Business and Industrial Area, where Policy GE2 states that development of Use Class 4, 5 and 6 uses will be supported. Proposals for alternative uses will be assessed with regard to impact on the operations of existing uses in the area, impact on the suitability of the area for future industrial and business investment, impact of availability of land and buildings for business, industry or storage and distribution uses, the availability of other locations for the proposed use and positive contribution the proposed use can make. The proposal is contrary to Policy GE2 as the applicant has not adequately demonstrated that other locations in more suitable locations are not available for the proposed use and because the proposal would have an adverse impact on the suitability of the area for future industrial and business investment.
- 7.4** Policy SC3 indicates that Town Centres are the preferred location for new leisure uses, unless these are serving a specific neighbourhood, community or catchment which would be better served more locally.
- 7.5** Policy DS1 has regard to all development and indicates that proposals are expected to contribute towards creating successful places by having regard to the six qualities of a successful place, which include being adaptable, resource efficient, accessible and safe and pleasant. These issues are discussed below, but it is not considered that the proposal conflicts with Policy DS1.
- Sequential Assessment & Locational Need
- 7.6** The applicant has indicated a desire that the business remain within the Clydebank area so as to continue to serve its existing customers, and also to have a site which is readily accessible by public transport. However, the children's play centre is a commercial leisure use, which is a type of activity which should ideally be located within the town centre and for which a sequential approach to site selection is required by local and

national policies. In this case the proposal would result in the business moving from its present location (an edge-of-centre commercial centre) to a less suitable location (an edge of centre business park).

**7.7** The applicant has submitted information about alternative sites which were looked into as alternatives to the application site. Although the applicant wishes to remain within Clydebank, a variety of sites both within and outside West Dunbartonshire were considered, but all were dismissed for various reasons:

- 11 North Avenue, Clydebank Business Park (also allocated for business/industry and condition of building poorer);
- 6 Cable Depot Road, Clydebank (within redevelopment area, building too large and major work required to convert);
- Unit 6 Alpha Centre, South Douglas Street, Clydebank (also allocated for business/industry, limited parking, less accessible by public transport than application site);
- South Elgin Place, Clydebank (also allocated for business/industry, building too small);
- 1070 South Street, Scotstoun (under offer and leased)
- Bingo Hall, Ferry Road, Renfrew (under offer and leased, location not convenient for existing customer base);
- 124 Portman Street, Kinning Park, Glasgow (competitor already based there and location not convenient for existing customers)
- 12 Main Street, Bridgeton, Glasgow (too small, location not convenient for existing customers); and
- Unit 3, Glasgow East Trade Park, Rutherglen (too small, under offer and leased, location not convenient for existing customers)

**7.8** Of these sites, only that in Renfrew is within a town centre, and most of the other sites listed are within industrial areas. The site on Cable Depot Road is not allocated for business/industry, but it is within the Queens Quay “Changing Place” area where major new development is envisaged and it is further away from Clydebank town centre than the application site. Whilst the application site is sequentially preferable to all of the locally available alternative sites considered by the applicant, consideration does not appear to have been given to vacant retail units within Clydebank town centre and its edge of centre commercial centres (Clyde and Kilbowie retail parks), which would be the preferred location for such a use.

**7.9** Although the applicant’s current premises is understood to be too large and thus uneconomic for the business, it is considered that the applicant has not demonstrated an appropriate sequential approach to the selection of an alternative location, and the proposal is therefore contrary to the SPP and to policies RET1 and SC3 of the adopted local plan and proposed local development plan respectively.

#### Impact on Business Park

- 7.10** The introduction of non-conforming uses within business and industrial areas can be problematic as such uses can undermine the supply of industrial accommodation or erode the attractiveness of the area to business investors. In this case the loss of industrial floorspace would be relatively small scale in the context of the business park. There are a number of vacant units of various sizes within the Clydebank Business Park which are currently being marketed, so it is unlikely that the loss of the application unit would deny a business the opportunity to locate in the area, and it is considered that the impact on the industrial land supply would be minimal.
- 7.11** The business park does contain a number of non-industrial uses already, although some of these uses (e.g. the children's nursery and gyms) do cater to some extent to people who work in the business park. However, in general the proliferation of non-industrial uses within the business park is considered to be undesirable as it risks diluting the business character of the area and introducing activities which conflict with business operations (such as HGV movements), which will effectively act as a disincentive for business/industrial users to invest in the area.
- 7.12** The proposed children's soft play centre operation would operate 7 days a week. The client base for the facility would mainly be toddlers and younger children with their parents or carers, who would come and go from the unit throughout the day. Whilst the access and parking arrangements are considered to be acceptable in their own right (q.v.), the introduction of more child pedestrians to the business park area would erode its industrial character. The existing child-orientated uses within the business park are either orientated towards childcare during working hours (i.e. the nursery) or are primarily used outwith core business hours (i.e. the gymnastics club). Neither would apply to the application proposal, which would in addition occupy a prominent unit close to the entrance into the estate. It is considered that this type of commercial leisure use would detract from the attractiveness of the business park for business/industrial investment, and that the proposal is therefore contrary to policies LE1 and LE6 of the adopted local plan and policy GE2 of the proposed local development plan.

#### Parking & Road Safety

- 7.13** The application site has 12 allocated parking spaces directly in front of the unit, of which 2 would be for disabled users. The Council's adopted car parking standards for a unit of this size/nature is 14 spaces, but as there is



a large 75-space communal overspill car park on the opposite side of South Avenue close to the unit it is considered that the shortfall of 2 spaces is insignificant and the Roads Service has no objection to the parking arrangements.

- 7.14** Pedestrian access into the business park is compliant with all relevant design standards, with adequate footpaths and pedestrian crossing opportunities. Therefore, notwithstanding the aforementioned concerns about the introduction of additional child pedestrians into the business park, the road infrastructure is considered to be safe and appropriate, and again the Roads Service has no objection on any road safety grounds.

## **8. CONCLUSION**

- 8.1** The preferred location for the proposed use would be the town centre, in accordance with the development plan, and then a commercial centre in preference to an industrial/business area. The applicant has not demonstrated adequately why the opportunities in such locations that are available are not suitable. Furthermore the introduction of this use to the business park would erode its attractiveness for business/industrial investment. Accordingly, the proposal is considered to be contrary to the policies of the adopted local plan, and proposed local development plan.

## **9. REASONS**

- 1. The proposal would result in a commercial leisure use being developed outwith the defined town centre in circumstances where sequentially preferred locations have not been adequately investigated. Accordingly, the proposal would be contrary to policy RET1 of the West Dunbartonshire Local Plan 2010 and policy SC3 of the West Dunbartonshire Local Development Plan Proposed Plan.**
- 2. The new use would undermine the business character of the Clydebank Business Park and thus erode its attractiveness as a location for business investment and detract from the industrial character of the area. Accordingly, the proposal would be contrary to policies LE1 and LE6 of the West Dunbartonshire Local Plan 2010 and policy GE2 of the West Dunbartonshire Local Development Plan Proposed Plan.**

**Peter Hessett**  
**Strategic Lead- Regulatory**  
**Date: 6 June 2016**

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

**Appendix:** None

**Background Papers:**

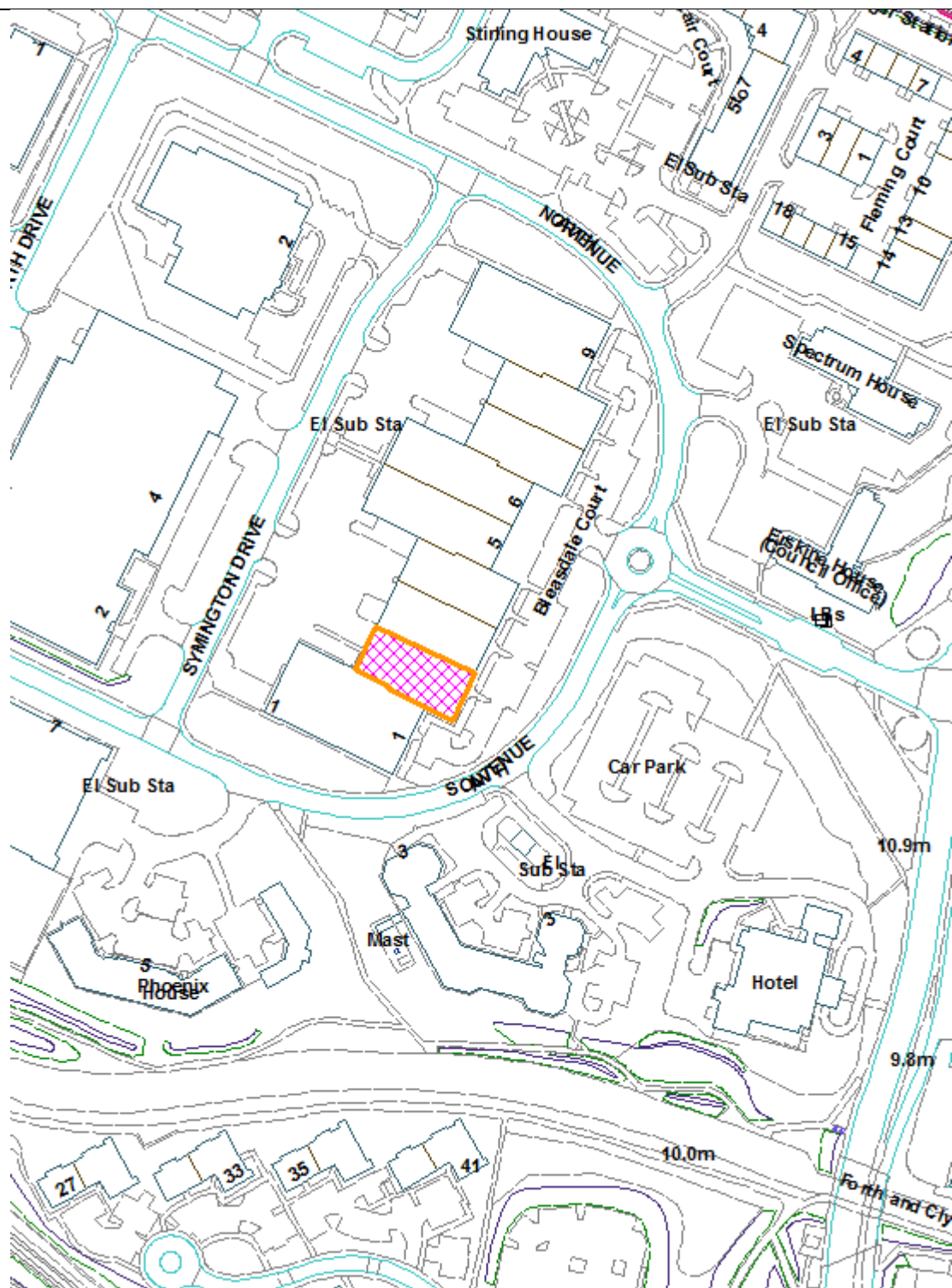
1. Application forms and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire Local Development Plan Proposed Plan

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

DC16/079

Change of use from  
industrial unit to childrens  
play area

Unit 2  
Bleasdale Court  
2 South Avenue  
Clydebank Business Park  
Clydebank  
G82 1LE





**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Strategic Lead - Regulatory**

**Planning Committee: 22 June 2016**

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**Subject: Kirktonhill Conservation Area Appraisal**

**1. Purpose**

- 1.1** To advise Committee of the preparation of a conservation area appraisal for Kirktonhill Conservation Area in Dumbarton and to seek approval to undertake public consultation on the appraisal.

**2. Recommendation**

- 2.1** It is recommended that Committee notes the preparation of a conservation area appraisal for Kirktonhill Conservation Area (see Appendix 1) and agrees that it be published for consultation.

**3. Background**

- 3.1** The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that conservation areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.' Local authorities have a statutory duty to identify and designate such areas. The Kirktonhill Conservation Area in Dumbarton was designated in 1984 and is one of five conservation areas in West Dunbartonshire, and one of two in Dumbarton, the other being Knoxland Square.
- 3.2** Conservation area appraisals identify and assess the special features of conservation areas, looking at the key elements that contribute to their character and appearance. Appraisals can be used in a number of ways: (i) to identify opportunities for enhancement; (ii) to identify issues that threaten the integrity of conservation areas; (iii) to help inform development management decisions; and (iv) to examine the appropriateness of existing boundaries. The West Dunbartonshire Proposed Local Development Plan indicates that the Council will look to undertake appraisals of all conservation areas over the lifetime of the plan.
- 3.3** Kirktonhill is West Dunbartonshire's largest conservation area and is an area where significant development has occurred since its designation over 30 years ago. The Scottish Civic Trust was commissioned in January 2016 to undertake an appraisal of Kirktonhill and the Trust has now submitted its finalised report to the Council.

## **4. Main Issues**

- 4.1** The Kirktonhill Conservation Area Appraisal has been prepared by independent conservation specialists, the Scottish Civic Trust. At this stage, Committee is not being asked to endorse or agree the content and recommendations of the appraisal as Council policy. Instead the recommendation is to issue the document for public consultation, so the views of the local community can, at a future date, be taken fully into account in determining whether to approve the appraisal and take on board all its recommendations.
- 4.2** The Conservation Area Appraisal identifies a number of key features that define the character of the area and support its conservation area status. These key features include: (i) the area's preservation as a surviving, coherent Victorian suburb; (ii) an interesting mix of large mansions, modest residential villas and traditional terraces and tenements; (iii) the predominance of traditional materials (sandstone, slate roofs, sash and case windows and timber panelled doors); (iv) traditional boundary treatments (stone gate piers and decorative cast iron railings); (v) an attractive mature green environment that compliments the built environment; and (vi) the survival of notable buildings designed by prominent local architects of their time.
- 4.3** In order to help guide the future management of the area, the Conservation Area Appraisal identifies a number of conservation issues that have the potential to have a detrimental impact on the conservation area. These include:
- The existence of four buildings on the Buildings at Risk Register (Helenslee (former Keil School); Levenford House: Garden Walls and Gateway, West Bridgend; Levenford House: Stables, Helenslee Road; Levenford House: Lodge, Helenslee Road);
  - Areas of modern development that have not always been sympathetic to the area, in terms of material, design and density;
  - Several properties exhibit ongoing maintenance and repair requirements; and
  - The public realm is, in some parts, utilitarian in character and can detract from the otherwise high quality built environment.
- 4.4** On the basis of the analysis carried out, the Civic Trust has recommended within the Conservation Area Appraisal several changes to the boundary of the conservation area. The key changes suggested comprise of:
- The inclusion of Levensgrove Park within the conservation area - both due to its historic development and current contribution to the setting of the Kirktonhill suburb, the park is worthy of conservation area status.
  - The removal of Helenslee crescent from the conservation area - this area in the northern part of the conservation area was formerly the grounds of Dunmore House, but has been redeveloped with late 20<sup>th</sup> Century.

housing, which is distinctively different in character and appearance to the rest of the conservation area.

- The removal of the area of modern housing on the southern stretch of Helenslee Road – the character and detailing of this modern housing development is different to the historic parts of the conservation area, in terms of materials, plot size, house positioning, density and boundary treatments.

The existing boundary and the suggested new boundary are shown on the map in Appendix 1.

#### Next steps

- 4.5** It is intended that the Conservation Area Appraisal will be published for a minimum 12 week consultation period, taking account of the consultation running over the summer holiday period. The consultation will be advertised on the Council website, on social media and in the local press. Properties affected by the suggested boundary changes will be directly notified, and an information session will be held, hosted by the Scottish Civic Trust. The comments received will be fed back to the Scottish Civic Trust and a final version of the Conservation Area Appraisal prepared. This will be brought back to Planning Committee for approval and any agreed changes to the conservation area boundary will be advertised locally and in the Edinburgh Gazette and notification given to Scottish Ministers, in accordance with legislation.

### **5. People Implications**

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

### **6. Financial Implications**

- 6.1** There are no financial implications associated with this report.

### **7. Risk Analysis**

- 7.1** It was not considered necessary to carry out a risk assessment on the matters covered by this report.

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

- 8.1** A screening has been undertaken and no equalities issues have been identified.

### **9 Strategic Environmental Assessment**

- 9.1** A strategic environmental assessment is not required for the conservation area appraisal. Further consideration will be given to the requirement for a strategic environmental assessment, should it be determined by the Council

at a later date that the boundaries of the conservation area should be amended.

## **10. Consultation**

- 10.1** It is intended that the conservation area appraisal be issued for consultation, as detailed above.
- 10.2** Greenspace has been made aware of the Conservation Area Appraisal and its recommendation to include Levensgrove Park within the conservation area. The views of Greenspace will be taken on board together with any other comments received during the consultation period.

## **11. Strategic Assessment**

- 11.1** The guidance is considered to support the Council's strategic priority of improving local housing and environmentally sustainable infrastructure.

**Peter Hissett**  
**Strategic Lead - Regulatory**  
**Date: 23 May 2016**

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<b>Person to Contact:</b>	Pamela Clifford, Planning & Building Standards Manager, <a href="mailto:pamela.clifford@west-dunbarton.gov.uk">pamela.clifford@west-dunbarton.gov.uk</a> 0141 951 7938
	Alan Williamson, Team Leader – Forward Planning, <a href="mailto:alan.williamson@west-dunbarton.gov.uk">alan.williamson@west-dunbarton.gov.uk</a> 0141 951 7948
<b>Appendices:</b>	Appendix 1 – Existing conservation area boundary and boundary proposed in the conservation area appraisal
<b>Background Papers:</b>	Kirktonhill Conservation Area Appraisal, May 2016, The Scottish Civic Trust.
<b>Wards Affected:</b>	Ward 3



Appendix 1: Existing conservation area boundary and boundary proposed by the conservation area appraisal





## WEST DUNBARTONSHIRE COUNCIL

### Report by the Strategic Lead - Regulatory

Planning Committee: 22 June 2016

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**Subject: Draft Supplementary Guidance on Renewable Energy**

#### **1. Purpose**

- 1.1** To seek approval of Draft Supplementary Guidance on Renewable Energy and to undertake consultation on the draft guidance.

#### **2. Recommendation**

- 2.1** It is recommended that the Committee approves Appendix 1 as Draft Supplementary Guidance on Renewable Energy and that it is published for consultation.

#### **3. Background**

- 3.1** The Scottish Government encourages Development Plans to be concise user-friendly documents, which should be supported by supplementary guidance, setting out matters of detail. The Proposed West Dunbartonshire Local Development Plan refers to a number of areas for which supplementary guidance will be prepared, including renewable energy. Policy DS5 of the Proposed Plan states that *'Proposals will be considered in relation to further information and detail to be provided through supplementary guidance. This will include a spatial framework for wind farms.'* This requirement was specifically recommended within the Local Development Plan Examination Report.
- 3.2** On the basis of the Committee decision on 27 April 2016, the status of the LDP will remain as 'Proposed.' The supplementary guidance will therefore not become statutory and will remain as planning guidance until the Council has an adopted Local Development Plan.

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

- 4.1** Renewable energy is becoming an ever more prominent land use across Scotland. Scottish Planning Policy requires Development Plans to set out strategies and policies to ensure that the area's potential for generating heat and electricity from renewable sources can be achieved, whilst giving due regard to relevant environmental, community and cumulative considerations. Specifically in terms of wind energy, Scottish Planning Policy requires Local Development Plans to set out a spatial framework, identifying areas that are likely to be the most appropriate for wind energy development, as a guide for developers and communities.

- 4.2** The draft supplementary guidance has been prepared in three sections; (i) Planning for wind energy; (ii) Other forms of renewable energy and; (iii) Community benefits and ownership. In summary, the key issues can be described as:

Planning for wind energy

- 4.3** As required by Scottish Planning Policy and referred to by Policy DS5 of the Proposed Local Development Plan, the draft Supplementary Guidance sets out a spatial framework for wind energy. The key purpose of this is to identify those areas that are likely to be the most appropriate for wind energy proposals, thus giving greater certainty to local communities and potential wind energy developers. The methodology for preparing the spatial framework is largely defined by Scottish Planning Policy. The framework for West Dunbartonshire essentially divides the authority area into 2 classifications; areas of significant protection and areas with potential for wind farm development. Wind energy proposals are more likely to be supported in the areas with potential for wind farm development.
- 4.4** Any application, regardless of where it sits in the spatial framework will still require to be assessed against the criteria contained within DS5 of the Proposed Local Development Plan. In order to help applicants know what is expected, the draft supplementary guidance provides further details of how the Planning Authority will assess applications against the DS5 criteria.

Other renewable energy

- 4.5** Whilst on a large scale commercial basis, wind energy has seen the most demand nationally, other forms of renewable energy form an important part of Scotland's energy mix. This trend is likely to increase further in the longer term, as we move further away from a carbon-based economy.
- 4.6** The supplementary guidance describes particular considerations that will apply to specific types of energy generation. The types of energy generation comprise of (i) hydro; (ii) biomass; (iii) solar; (iv) geothermals; and (v) anaerobic digestion and energy from waste. The guidance will give prospective applicants greater clarity on the key issues they will be expected to address within their development proposals.

Community benefits and ownership

- 4.7** When renewable energy proposals are acceptable in land use terms, Scottish Planning Policy gives support to local authorities to engage with developers to secure community benefits. Over recent years as renewable energy developments, and particularly wind farms, have become more widespread across Scotland's landscapes, the process of securing community benefits has become standard practice, enabled by a clear willingness from the renewable sector to provide such benefits alongside their developments.
- 4.8** The draft supplementary guidance sets out advice for developers to ensure that community benefit schemes are fair, transparent and provide lasting benefits for communities. The advice includes:

- The level of benefit developers should consider. A contribution of £5,000 per MW of installed capacity is recommended to be requested from all wind turbine developers. This figure is consistent with what other local authorities across Scotland are seeking from wind energy developments
- A variety of approaches for managing community benefits including a contribution to a Renewable Energy Fund to be held and managed by the Council.

**4.9** The draft supplementary guidance makes clear that any discussion on community benefits will not form part of the consideration of the associated planning application.

## **5. People Implications**

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

## **6. Financial Implications**

**6.1** The advice in relation to community benefits will help to ensure that the communities of West Dunbartonshire that may be affected by renewable energy developments receive appropriate benefits. Whilst any financial contributions will be for the sole use of local communities, there may be a role for the Council in holding and managing such contributions.

## **7. Risk Analysis**

**7.1** It was not considered necessary to carry out a risk assessment on the matters covered by this report.

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

**8.1** A screening has been undertaken and no equalities issues have been identified.

## **9 Strategic Environmental Assessment**

**9.1** As per legislation, a Strategic Environmental Assessment has been undertaken, the outcome of which has helped shape the draft guidance. The SEA will be consulted upon at the same time as the draft supplementary guidance. A Habitats Regulation Appraisal screening has also been undertaken, which identified no significant effect on European protected sites.

## **10. Consultation**

**10.1** The views of the Council's Energy and Compliance Section were sought during the preparation of the guidance. Should Committee approve this report, the draft guidance will be advertised for public consultation, with targeted consultation to the renewable sector and environmental bodies also being undertaken. The consultation will run for an extended 12 week period, taking account of the summer holiday period. The responses to the

consultation will be analysed and taken on board as appropriate, with a finalised version thereafter being brought back to Committee.

## **11. Strategic Assessment**

- 11.1** The guidance is considered to support the Council's strategic priority of improving the well-being of communities.

**Peter Hessett**  
**Strategic Lead Regulatory Services**  
**Date: 31 May 2016**

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<b>Person to Contact:</b>	Pamela Clifford, Planning & Building Standards Manager, <a href="mailto:pamela.clifford@west-dunbarton.gov.uk">pamela.clifford@west-dunbarton.gov.uk</a> 0141 951 7938  Alan Williamson, Team Leader – Forward Planning, <a href="mailto:alan.williamson@west-dunbarton.gov.uk">alan.williamson@west-dunbarton.gov.uk</a> 0141 951 7948
<b>Appendices:</b>	Appendix 1 – Draft Supplementary Guidance on Renewable Energy
<b>Background Papers:</b>	Strategic Environmental Assessment – Environmental Report, May 2016.  Habitats Regulations Appraisal – Screening Record, May 2016
<b>Wards Affected:</b>	All

## **WEST DUNBARTONSHIRE COUNCIL**

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

**Planning Committee: 22 June 2016**

---

**Subject: Draft Supplementary Guidance on Renewable Energy**

#### **1. Purpose**

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- 3.2** On the basis of the Committee decision on 27 April 2016, the status of the LDP will remain as 'Proposed.' The supplementary guidance will therefore not become statutory and will remain as planning guidance until the Council has an adopted Local Development Plan.

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

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- 4.2** The draft supplementary guidance has been prepared in three sections; (i) Planning for wind energy; (ii) Other forms of renewable energy and; (iii) Community benefits and ownership. In summary, the key issues can be described as:

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- 4.4** Any application, regardless of where it sits in the spatial framework will still require to be assessed against the criteria contained within DS5 of the Proposed Local Development Plan. In order to help applicants know what is expected, the draft supplementary guidance provides further details of how the Planning Authority will assess applications against the DS5 criteria.

Other renewable energy

- 4.5** Whilst on a large scale commercial basis, wind energy has seen the most demand nationally, other forms of renewable energy form an important part of Scotland's energy mix. This trend is likely to increase further in the longer term, as we move further away from a carbon-based economy.
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Community benefits and ownership

- 4.7** When renewable energy proposals are acceptable in land use terms, Scottish Planning Policy gives support to local authorities to engage with developers to secure community benefits. Over recent years as renewable energy developments, and particularly wind farms, have become more widespread across Scotland's landscapes, the process of securing community benefits has become standard practice, enabled by a clear willingness from the renewable sector to provide such benefits alongside their developments.
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- A variety of approaches for managing community benefits including a contribution to a Renewable Energy Fund to be held and managed by the Council.

**4.9** The draft supplementary guidance makes clear that any discussion on community benefits will not form part of the consideration of the associated planning application.

## **5. People Implications**

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

## **6. Financial Implications**

**6.1** The advice in relation to community benefits will help to ensure that the communities of West Dunbartonshire that may be affected by renewable energy developments receive appropriate benefits. Whilst any financial contributions will be for the sole use of local communities, there may be a role for the Council in holding and managing such contributions.

## **7. Risk Analysis**

**7.1** It was not considered necessary to carry out a risk assessment on the matters covered by this report.

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

**8.1** A screening has been undertaken and no equalities issues have been identified.

## **9 Strategic Environmental Assessment**

**9.1** As per legislation, a Strategic Environmental Assessment has been undertaken, the outcome of which has helped shape the draft guidance. The SEA will be consulted upon at the same time as the draft supplementary guidance. A Habitats Regulation Appraisal screening has also been undertaken, which identified no significant effect on European protected sites.

## **10. Consultation**

**10.1** The views of the Council's Energy and Compliance Section were sought during the preparation of the guidance. Should Committee approve this report, the draft guidance will be advertised for public consultation, with targeted consultation to the renewable sector and environmental bodies also being undertaken. The consultation will run for an extended 12 week period, taking account of the summer holiday period. The responses to the

consultation will be analysed and taken on board as appropriate, with a finalised version thereafter being brought back to Committee.

## **11. Strategic Assessment**

- 11.1** The guidance is considered to support the Council's strategic priority of improving the well-being of communities.

**Peter Hessett**  
**Strategic Lead Regulatory Services**  
**Date: 31 May 2016**

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<b>Appendices:</b>	Appendix 1 – Draft Supplementary Guidance on Renewable Energy
<b>Background Papers:</b>	Strategic Environmental Assessment – Environmental Report, May 2016.  Habitats Regulations Appraisal – Screening Record, May 2016
<b>Wards Affected:</b>	All