

**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Acting Director of Housing, Regeneration  
& Environmental Services (Housing & Regeneration Services)**

**Planning Committee: 6 December 2006**

---

## **PLANNING APPLICATION REPORT**

**APPLICATION NUMBER:** DC06-217

**PROPOSAL:** Erection of Residential Development (Outline)

**SITE:** Diamond Power  
Glasgow Road  
Dumbarton

**APPLICANT:** Diamond Power Speciality

**AGENT:** C B Richard Ellis  
Pacific House  
70 Wellington Street  
Glasgow  
G2 6UA

**WARD:** 12

**DATE REGISTERED:** 12/07/06

**PUBLICITY:**

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Neighbour Notification	19/07/06	02/08/06	Dumbarton and the Vale of Leven Reporter
Development Contrary to the Development Plan	19/07/06	09/08/06	Dumbarton and the Vale of Leven Reporter

**REPORT:**

**A. SITE DESCRIPTION**

The application site is the Diamond Power factory premises located on the south side of Glasgow Road, Dumbarton. The existing vehicular access to the site is taken off Glasgow Road between Dumbuck Gardens and Catriona Place. The access road is appropriately 130 metres long and leads to the

main area of the site that contains the factory buildings and parking areas. The site is generally level and extends to approximately 4 hectares.

The site is flanked on its south east and north west sides by open space and on its south west side by the railway line. Beyond the railway line is a water treatment works and the Clyde foreshore. The site is also flanked on its north east side by the residential estate on the former Matsui Babcock factory site. These properties are slightly elevated above the site and there is an area of landscaping/planting that runs along the rear boundary fences of the residential properties.

## B. DEVELOPMENT DETAILS

Permission is sought for residential development in outline. As this is an outline application details of the layout, number and types of properties and roads layout have not been submitted. A figure of 100 residential units has been suggested although this could change depending on the built form of the proposed development. The existing factory buildings would be demolished to accommodate the residential development and access to the site would be taken off Glasgow Road utilising the existing access.

## C. DEVELOPMENT PLAN POLICIES

The site is identified in the Dumbarton District, District Wide Local Plan (adopted 1999) as part of an existing industrial/business use land. Policy EMP2 encourages the creation of new jobs and supports the expansion of existing companies within existing industrial/business use land. This policy also promotes new industrial and business development, particularly the re-use of vacant land/premises. Policy EMP2 also covers the former Matsui Babcock factory site however this has been redeveloped as a residential estate. This policy also covers the open ground to the south east.

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

The West Dunbartonshire Local Plan (Consultative Draft) identifies the site as continuing to be an industrial/business use site. Proposals for the redevelopment of the site will be assessed against specific criteria to ensure that there will be no adverse effect on the quantity, availability and distribution of business/industrial land. The area to the south east of the site is identified as a housing opportunity site and the area to the north west is identified as a redevelopment opportunity site that would be suitable for housing/industry.

Scottish Executive planning policy guidelines in SPP2 Economic Development, SPP3 Planning for Housing and Planning Advice Note 56 (Planning and Noise) are also relevant.

## D. CONSULTATIONS

Scottish Water	No objections as the development should not have a detrimental impact on their network. However the developer will have to contact Scottish Water to agree connection to Scottish Waters infrastructure. A Sustainable Urban Drainage System (SUDS) is recommended in the surface water drainage design.
Scottish Environment Protection Agency	No objections and recommends a SUDS system to treat surface water run off.
Scottish Natural Heritage	Demolition of the buildings should not proceed after March 2007 unless a re-survey for bats is carried out and felling/cutting back of trees or shrubs should be carried out outwith the bird breeding season (March to July inclusive). Conditions are also recommended to avoid disturbance to wild life at the Clyde Foreshore and adjacent to the railway line.

## E. REPRESENTATIONS

Nine letters of objection have been received from nearby residents and the grounds of objection relate to the increase in traffic that the development will generate and the resultant congestion; the access to the site is inadequate; the proposal is contrary to policy; amenity will be affected through increased noise and loss of privacy.

## F. ASSESSMENT

### Land Use Policy

The application is required to be assessed against the Development Plan and other material considerations. The use of the site for residential purposes is not compatible with policies in the adopted local plan because the site is identified for industrial/business use, not residential development.

In the adopted Local Plan, Policy EMP2 covers the application sites as well as the site of the adjacent former Matsui Babcock factory and the open ground to the south east of the site. This reflected the industrial nature of the site and the Matsui Babcock site at the time of the local plan preparation. The intention of Policy EMP2 is to ensure that existing employment areas that contribute to the local economy are protected. Since the local plan was adopted in 1999 local circumstances have changed and the former Matsui Babcock site has been redeveloped as a housing estate.

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

The Glasgow and the Clyde Valley Joint Structure Plan requires a minimum 10 year potential bank of marketable land for business and industry, including a 5 year supply of readily available marketable sites. Local industry and business development needs should be met in the local plan. Within the Dumbarton Area between 5 to 10 hectares of land for industrial and business development opportunities are required to be identified in the local plan. There is sufficient industrial and business land supply within the Dumbarton Area. The land to the north of the A82 has been approved in outline to the Walker Group/Strathleven Regeneration Company for business development and this contributes to this marketable supply.

Diamond Power are intending to relocate to the former Polaroid premises in the Vale of Leven Industrial Estate. A planning application has been submitted recently for alterations and extensions to the building to meet their manufacturing needs (DC06-345).

Since the preparation of the adopted local plan the nature of the land uses in the vicinity of the Diamond Power premises has altered with residential developments at the former Matsui Babcock site, Castlegreen Gardens and Dumbuck Gardens as well as a nursing home at the junction of Castlegreen Street with Glasgow Road. The surrounding area is therefore predominantly residential in nature. Within the West Dunbartonshire Local Plan Consultative Daft the open ground on either side of the application site is identified as potential residential sites. It is therefore considered that the release of the application site for residential use would be compatible with the existing and potential surrounding uses and would be appropriate at this location. In the longer term this site would be envisaged as part of a comprehensive redevelopment from Castlegreen Street to the Dumbuck Bonded Warehouses to the east.

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

### Built Form of Proposed Development

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

### Visual Impact

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

### Other Material Considerations – Traffic

Diamond Power has indicated that they have 125 employees, 10 to 15 of whom are on night shift. The majority of employees arrive and depart the site during peak times in private cars. There are also deliveries and visitors to the site during the course of the day. The number of proposed trips to and from the site during peak times is not considered to be significantly greater than the existing situation and would not have a detrimental effect on the roads network. In addition should the redevelopment of this site be carried out in conjunction with the redevelopment of the adjacent sites, a second vehicular access would be expected.

### Other Material Considerations – Natural Heritage

The site is in close proximity to the Clyde foreshore which is a Special Protection Area and Site of Special Scientific Interest. These natural heritage interests are of international and national importance, however Scottish Natural Heritage does not consider that the proposed development would significantly threaten these interests. There are other natural heritage interests that could potentially be affected including bats (a European Protected Species) and nationally protected breeding birds.

A bat survey has been carried out and SNH has examined the report. There was no evidence of nesting bats at the site, however some of the existing buildings have the potential for roosting when the buildings become vacant. If the buildings are not demolished prior to March 2007 a resurvey will be required and this may be addressed through appropriate planning conditions. In addition, SNH has recommended other conditions to protect the natural heritage interests and appropriate conditions may also be attached to require vegetation clearance to be carried out at appropriate times.

## Other Material Considerations - Representations

The majority of the objections relate to the potential increase in traffic generated in association with the development. An assessment of this has been made above and Roads Service does not consider that the redevelopment of the site would have a net detriment to the public roads network. Roads Service also considers the vehicle access onto Glasgow Road to be acceptable. However if measures are proposed to be carried out that would widen/improve the access this would generally improve the situation. This can be conditioned.

With regard to the potential impact on residential amenity as a result of noise disturbance it would be appropriate to restrict the times of construction, however it is not considered that the final development would result in noise disturbance. The detailed planning application will show the types and position of the proposed residential units and careful consideration will be given to the relationship to houses outwith the site.

### G. CONCLUSION AND RECOMMENDATION

Although not specifically allocated in the Development Plan for residential development, it is considered that housing would be an appropriate re-use at this location because it would integrate well with neighbouring housing areas and would have good links to the local area and town centre. The proposal would be supported by national planning policy and complies with the general thrust of the Development Plan.

**It is therefore recommended that outline planning permission be granted with the following conditions.**

### H. CONDITIONS

1. **Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto including any emergency access, and the landscaping of the site (hereinafter called the reserved matters) shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services within three years of the date of this permission and the development must be commenced within five years of the date of this permission or within two years from the date of final approval of all the foregoing reserved matters.**
2. **At the same time as the submission of the reserved matters, a Design Statement in accordance with the advice issued in Planning Advice Note No.62 shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.**

- 3. At the same time as the submission of the reserved matters, details of the phasing of the development and roads infrastructure, shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services and thereafter implemented in accordance with such approved details and thereafter retained for the life of the development.**
- 4. At the same time as the submission of the reserved matters, details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Director of Housing, Regeneration and Environmental Services. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.**
- 5. At the same time as the submission of the reserved matters, detailed plans shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services that clearly illustrate in contour and cross-section form the existing and proposed ground levels throughout the site, the finished floor levels of the proposed development and the extent of any land raising or under building involved. The levels shall clearly relate to a fixed datum point on the site, which shall be clearly identified on the submitted plans.**
- 6. At the same time as the submission of the reserved matters, a comprehensive contaminated land investigation shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services. The investigation shall be completed in accordance with a recognised code of practice and shall include a site-specific risk assessment of all relevant pollution linkages.**
- 7. Where the risk assessment referred to in condition 6 above identifies any unacceptable risk as defined under Part II A of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services and no works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy.**
- 8. Remediation of the site shall be carried out in accordance with the approved remediation plan referred to in condition 7 above. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Director of Housing, Regeneration and Environmental Services.**
- 9. On completion of the remediation works referred to in condition 8 above, and prior to the site being occupied, the developer shall submit a report to the Director of Housing, Regeneration and Environmental Services to confirm that the works have been carried out in accordance with the approved remediation plan.**

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



17. **Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services prior to any work commencing on the site.**
18. **Prior to commencement of works, full details of the design and location of all fences and walls to be erected on the site shall be submitted for the consideration and written approval of the Director of Housing, Regeneration and Environmental Services.**
19. **Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Housing, Regeneration and Environmental Services.**
20. **Prior to the occupation of any house in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splay and all turning heads to the satisfaction of the Director of Housing, Regeneration and Environmental Services.**
21. **Prior to occupation of the last dwellinghouse in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard of the Roads Authority.**
21. **No dwellinghouse shall be occupied until the vehicle parking spaces and turning areas have been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.**
23. **The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.**
24. **Should the demolition of the factory buildings not commence by the end of March 2007 the demolition works should not begin unless a targeted re-survey for the presence of bats is undertaken. This should be carried out by a suitably experienced surveyor. The results of the survey shall be submitted for the written approval of Director of Housing, Regeneration and Environmental Services in conjunction with Scottish Natural Heritage. The survey shall include details of mitigation measures and details of the method of translocation of this protected species.**
25. **There should be no felling or cutting back of trees or scrub during the bird breeding season (March to July inclusive) unless a survey by a suitably qualified person has shown that no nests that are in use or being built could be damaged.**

26. At the same time as the submission of the reserved matters specific details of the landscaping to be carried out along the southern edge of the site adjacent to the railway line shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.
27. At the same time as the submission of the reserved matters details of the proposed vehicular access into the site, including the proposed sightlines and any measures to increase/improve visibility, shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services.

---

**Irving Hodgson**  
**Acting Director of Housing, Regeneration**  
**& Environmental Services**  
**(Housing & Regeneration Services)**

**Wards affected:** 12

**Appendix:** None

**Background Papers:**

1. Copy of planning application received 07/07/06
2. Copy of Transport Statement from agents received 12/07/06
3. Copy of consultation response from Scottish Water received 18/07/06
4. Copy of consultation response from SEPA received 14/08/06
5. Copy of consultation response from SNH received 14/08/06
6. Copy of consultation from Roads Service received 25/08/06
7. Copy of Noise Assessment from agents received 11/09/06
8. Copy of Bat Survey from agents received 17/10/06
9. Copy of correspondence from SNH received 20/10/06 on bat survey

**Person to Contact:** Sean McDaid, Team Leader, Development Management, Housing, Regeneration & Environmental Services, Council Offices, Clydebank G81 1TG.  
01389 738656  
email: [sean.mcdaid@west-dunbarton.gov.uk](mailto:sean.mcdaid@west-dunbarton.gov.uk)