

# PLANNING APPLICATION REPORT

PLANNING COMMITTEE: 7 December 2005

**APPLICATION NUMBER:** DC05-102

**PROPOSAL:** Erection of residential development with Associated open space, landscaping and Infrastructure (outline)

**SITE:** Former Strathleven Bonded Warehouses  
Gooseholm Road  
Dumbarton

**APPLICANT:** Walker Group and Diageo PLC

**AGENT:** G D Lodge and Partners  
Empire House  
131 West Nile Street  
Glasgow  
G1 2RX

**WARD:** 13

**DATE REGISTERED:** 03/06/2005

**PUBLICITY:**

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
<b>Neighbour Notification</b>	<b>15/06/2005</b>	<b>29/06/2005</b>	<b>Dumbarton and Vale of Leven Reporter</b>
<b>Development Contrary to the Development Plan</b>	<b>22/06/2005</b>	<b>13/07/2005</b>	<b>Dumbarton and Vale of Leven Reporter</b>

## REPORT:

### A. SITE DESCRIPTION

The application site is the north eastern part of the Strathleven bonded warehouses located approximately 1.2 Km north east of Dumbarton town centre and it extends to approximately 14 hectares covering the majority of the former bottling plant and warehouse site. The site is currently accessed off Townend Road via Gooseholm Road.

The site is bounded on its north by the A82 Trunk Road, beyond which is open space and farm land that is the subject of a separate planning application by the same applicant (application reference DC04-546). Dumbarton golf course lies to the west of the application site, while land to the south west of the site is used as television studio and office space. The land to the south and south east of the site is residential.

#### B. DEVELOPMENT DETAILS

Permission is sought for a residential development in outline, with access to be taken via the existing access off Gooseholm Road. 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 200 residential units has been suggested as an indicative figure although this would change depending on the built form of the proposed development.

A further outline planning application for the site is also under separate consideration (application reference DC04-192). The only difference between the two applications relates to site access. For the application under consideration in this report, access would be taken from Gooseholm Road; but for the application under separate consideration access would be taken via a new roundabout directly from the A82 trunk road

#### C. DEVELOPMENT PLAN POLICIES

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

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

Policy H4 is also relevant because 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.

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

## D CONSULTATIONS

Housing and Technical Services Scottish Water	Awaiting response No development to commence until water/drainage scheme agreed. Separate foul/surface water drainage system required. Sustainable Urban Drainage System required.
Scottish Natural Heritage	Bat survey required. Height restriction on new development. Landscape management plan required.
Scottish Environmental Protection Agency	Sustainable Urban Drainage System required. Contaminated land investigation required at application for approval of reserved matters stage. Provision to be made for waste storage at individual properties.
West of Scotland Archaeology Service	No known archaeological issue raised.
Scottish Executive Trunk Roads Network Management Division	Conditions relating to improvements to Barloan Toll; size of development; no access directly from A82 trunk road; perimeter fence; and travel plan required.

## E REPRESENTATIONS

Four letters of representation were received from nearby residents which raise objections to the increased volume of traffic that would access the site via Gooseholm Road, and the associated increase in traffic noise and pollution.

One letter of representation was received on behalf of the BBC, which occupies adjoining land. Concerns are expressed over the proposed access arrangements to the site, and regarding the potential for delay and disruption to filming due to noise, dust and vibration from demolition and construction operations.

## F ASSESSMENT

### Land Use Policy

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

However, the original intention of policy EMP2 was to protect the site's use as bonded warehouses and bottling plant and reflected the site's use at the time of the Local Plan preparation. Generally however, the intention of policy EMP2 is to ensure that existing employment areas that contribute to the local economy are protected. Since the Local Plan was adopted in 1999 local circumstances have changed and in the consultative draft West Dunbartonshire Local Plan the site is identified as a residential opportunity and is included in the housing land supply audit.

In terms of other Local Plan policies, proposals for the redevelopment of brownfield sites within the urban area are supported provided they satisfy the principles of policy DC1 and other Local Plan policies, and do not have significant adverse effects on land allocated for other land uses.

This planning application is for the redevelopment of part of a disused industrial site. The remainder of the industrial site would continue in use as TV film studios, or as marketable industrial land. The redevelopment of the site would be compatible with other Local Plan policies and housing would be the most appropriate use for the site because it is adjacent to existing established residential areas, and would have good links to nearby local facilities and to Dumbarton town centre.

In terms of Scottish Policy Guidelines, SPP2 expects that where sites fall out of use and are in locations considered no longer appropriate or marketable for their original purpose, the sites should be reallocated and redeveloped for other uses. SPP3 also promotes the reuse of previously developed land in preference to greenfield land provided a satisfactory environment can be created. The reallocation of this site for residential development is therefore compliant with the aims and objectives of the Local Plan and those of Scottish Policy Guidelines on Employment and on Housing.

#### Built Form of Proposed Development

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

#### Visual Impact

The visual impact of the proposed development has been assessed and it is considered that although the removal of the industrial buildings would be a significant change in the appearance of the site, the proposed replacement buildings would be of 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 – Drainage and Flood Risk

The proposed development of the site requires careful consideration to be given to the related matters of site drainage and flood risk. A hydrology and hydrogeology statement was submitted with the application that concludes that while there are no records of flooding on the existing developed areas of the site, flooding will have occurred locally along the lower banks of the River Leven to the west where ground is close to river level. Without flood protection measures, the site would be at risk from tidal flooding and it is therefore considered that a flood risk assessment should be required through an appropriate planning condition.

The applicant proposes to carry out land raising to a level to be agreed in order to protect the site and buildings from flood risk in accordance with policy in SPP7, which states that the minimum design level for new development of two storey housing is the 200-year event. The upfill material for land raising works would be partly from the demolition of the existing buildings on the site, and partly imported material. It is further considered that the nature of any imported material for land raising works should be controlled through an appropriate planning condition to ensure that only inert material is used.

It is considered that full details for a sustainable urban drainage system should form part of any application for approval of reserved matters and that details should be required through an appropriate planning condition.

### Other Material Considerations – Noise

The site is adjacent to the A82 trunk road and it is subjected to road noise, which is a material consideration where residential development is proposed. Planning advice note 56 requires noise mitigation measures to be agreed where necessary and it is considered that a planning condition could be used to require the submission of a noise impact assessment to establish appropriate protection and mitigation measures in this respect.

### Other Material Considerations – Contamination

The site's previous use was industrial and this means that it is potentially contaminated. It is considered that a comprehensive site investigation report should be carried out, which could be required through an appropriate planning condition.

### Other Material Considerations – Traffic

In terms of access and traffic impact, it is accepted that traffic volume on Gooseholm Road would increase because it is the sole access to the site, however it is considered that the road could be capable of such use subject to widening work in places. More detailed comments are awaited on the applicant's Transport Assessment (TA) from Housing and Technical Services.

Comments from the Scottish Executive recommend that the number of residential units within the proposed development should not exceed 200 based on the site access arrangements. This figure is in accordance with the Council's standards however it should be viewed as an upper limit and not a target figure because a number of other factors would also require to be taken into account including whether the proposed development would be served with a secondary emergency-only access.

#### Other Material Considerations – Natural Heritage

Scottish Natural Heritage considers the buildings and trees at the site may provide resting and/or breeding sites for bats, which are a European Protected Species. Should bats or roosts be present on the site appropriate licensing arrangements will be required, which is a matter for SNH.

#### Representations

With regard to the representations submitted, the increase in traffic volume using Gooseholm Road to access the site has been assessed and is considered to be acceptable subject to appropriate planning conditions relating to roads infrastructure. The impact of noise, dust and vibration from demolition and construction work could be minimised or eliminated through agreement between BBC and the applicant over respective working periods and it is understood that good progress is being made on this matter.

### G CONCLUSION AND RECOMMENDATION

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

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

**It is therefore recommended that Members indicate that they are minded to grant outline planning permission subject to the following conditions and the further conditions concerning roads matters.**

## 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 Development 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 for the development of the site shall be submitted for the approval of the Director of Development and Environmental Services.**
- 3. Within six months of the date of this permission, a masterplan for the development of the site shall be submitted for the approval of the Director of Development and Environmental Services.**
- 4. At the same time as the submission of the reserved matters, details of the phasing of the development and roads infrastructure, taking into consideration the road capacity at the Townend Road/Gooseholm Road junction, shall be submitted for the approval of the Director of Development and Environmental Services and thereafter implemented in accordance with such approved details and thereafter retained for the life of the development.**
- 5. At the same time as the submission of the reserved matters, details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Director of Development and Environmental Services. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.**
- 6. At the same time as the submission of the reserved matters, detailed plans shall be submitted for the approval of the Director of Development and Environmental Services that clearly illustrate in contour and cross-section form the existing and proposed ground levels throughout the site, the finished floor levels of the proposed development and the extent of any land raising or under building involved. The levels shall clearly relate to a fixed datum point on the site, which shall be clearly identified on the submitted plans.**

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



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

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

28. **Prior to the start of any construction works on the site, a survey shall take place for the presence of bats. This shall be carried out at the appropriate season (March to July) using suitably experienced surveyors. The results of the survey shall be submitted for the written approval of the Director of Development & Environmental Services in conjunction with Scottish Natural heritage. Should bat(s) or a bat roost be identified which are likely to be affected by the development, Scottish Natural Heritage should be contacted in order to advise on any requirements to apply for licences for work to take place.**

**Dan Henderson,  
Director of Development and Environmental Services  
Date: 24/11/05**

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**BACKGROUND PAPERS:**

1. Application form and plan
2. Ownership and neighbour notification certificates
3. West Dunbartonshire Local Plan, consultative draft (2005)
4. Consultation response from:
  - a) Housing and Technical services received 15/08/05
  - b) Scottish Water received 07/09/05
  - c) Scottish Natural Heritage received 06/07/05
  - d) Scottish Environmental Protection Agency received 04/07/05
  - e) West of Scotland Archaeology Service received 01/07/05
  - f) Scottish Executive Trunk Roads Network Management Division received 09/07/05
5. Letters of representation from:
  - a) Lambert Smith Hampton on behalf of BBC received 20/06/05 and 22/11/05
  - b) Edward & Alison Lochrie, 18 Gooseholm Road, Dumbarton received 20/06/05 and 30/06/05
  - c) John McGrath, 12 Gooseholm Road, Dumbarton received 30/06/05
  - d) Patrick Rainey, 14 Gooseholm Road, Dumbarton received 30/06/05

**Person to Contact: Jameson Bridgwater, Section Head Development Control, Development & Environmental Services, Council Offices, Clydebank G81 1TG. 01389 738656**