

WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 13th November 2024

DC24/081/FUL: Façade improvements to shopfronts, landscaping and associated infrastructure at Artizan Centre, College Way, Dumbarton by West Dunbartonshire Council

1. REASON FOR REPORT

- 1.1 The planning application raises new or significant issues and 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 site is located on College Way within Dumbarton's Town Centre and extends to approximately 1 ha. The site is primarily hardstanding and includes a variety of buildings forming part of the Artizan Shopping Centre, with a few small areas of grass along the site's boundary as well as some street trees planted along High-Street, at the car park on Risk Street Carpark and at Artizan Centre entrance on St Mary's Way. A small portion of the south of the development site is located within the Dumbarton Town Centre Conservation Area boundary, including the buildings fronting High Street.
- 3.2 At the time of submission, and therefore reflected in the plans and drawings, College Way was lined with retail units which formed part of the wider Artizan Shopping Centre, albeit the majority of these were vacant. Since the submission of the application, a number of these units have been demolished in order to make way for both this proposal and also the wider redevelopment of the site. These demolition works do not alone require planning permission. The application site also includes the public realm between the retail units on College Way as well as a section of High Street at the southern end of the site and the land between Risk Street and St Marys Way to the north of the site.
- 3.3 This Planning Application covers what will be Phase 1 of a wider re-development project of the current Artizan Centre site in Dumbarton. The wider masterplan/development framework is being considered separately via an application for Planning Permission in Principle (DC24/108/PPP) and comprises a mixed-use scheme that seeks to redevelop the site and partially repurpose the existing buildings where possible. The masterplan seeks to create a new high quality permeable public realm and is intended to contain the following uses: residential; retail (at ground floor and key corners); leisure/food and beverage and a healthcare facility. West Dunbartonshire Council successfully applied to the UK Government's Levelling Up Fund to tackle the decline of Dumbarton Town Centre and deliver three key projects in the town, one of which is the Artizan Centre.

3.4 As part of this application, permission is sought for façade improvements to existing shopfronts as well as landscaping and associated infrastructure. The façade improvements include:

- The removal of the “gateway” canopies at the entrances to the Artizan Centre St Marys Way. Conservation Area Consent has already been granted under application DC24/086/CON for the removal of the canopy at the High Street which is within the Conservation Area,
- Removal of shelter canopies on College Way,
- Upgrade of shelter canopies on High Street with bronze film,
- Partial removal of zinc cladding at upper levels to be replaced with glazed ceramic tile cladding. This cladding will be similar to what has been approved at the adjacent Glencairn House,
- Timber cladding at upper levels on High Street to be removed, and replaced with timber effect cladding panels,
- Painting of concrete at upper-level black,
- Removal of existing light fittings attached to building and replaced with bronze coloured light fittings,
- One concrete upstand to be cut off at roof line and made good with new capping piece, and
- All shopfronts including glazing, doorsets and signage to be removed and replacement black aluminium shopfronts installed.

3.5 The public realm/landscaping proposals include:

- Creation of new square in the location of the buildings currently being removed,
- A shelter structure as a focal point within the new square created via a series of vertical elements with the inclusion of a sedum roof canopy,
- Enhancement of Collage Way with new high-quality paving and landscaping,
- Open space,
- Play space,
- A feature landscaped area in the form of “maze”.

4. CONSULTATIONS

4.1 West Dunbartonshire Council Roads Service

No objection to the proposal subject to conditions relating to a construction programme and details traffic management proposals being submitted. Informatives recommended in relation to pre/post inspections of the publicly adopted areas, mechanical road brush provision, all necessary permits/permissions being obtained prior to commencement of works and site boundaries being appropriately secured to ensure no material can be deposited on publicly adopted areas.

4.2 West Dunbartonshire Council Roads Service (Flooding)

No objections. It is noted that the site has been identified as a location which is at risk of Coastal Flooding as shown on the SEPA Flood Maps for all likelihoods. Historic records show at least 1 event where coastal flooding has reach the High Street. As coastal flooding can be predicted in advance the site would require to be flood resilient with consideration to not increasing the flood depth to surrounding properties in the likelihood of a flood event. The factors contributing to coastal flooding in Dumbarton are the tidal level and wind speed/direction.

- 4.3** West Dunbartonshire Council Environmental Health Service
No objections subject to conditions relating to site investigation, remediation, hours of work and dust control.
- 4.4** West Dunbartonshire Council Biodiversity Officer
No objections subject to conditions relating to a Tree Protection Plan to describe how these trees will be safeguarded through the development process, including details of any works required to the trees to allow for the construction phase.
- 4.5** West of Scotland Archaeology Service
No objections subject to a condition relating to the implementation of a programme of archaeological works in accordance with a written scheme of investigation.

5. REPRESENTATIONS

- 5.1** One objection was received in relation to the proposal. The full details are contained within the planning file and are available for public viewing. However, the key points of objection relate to the lack of progress in regard to the proposed demolition on site. These points are addressed in the appraisal below.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- National Planning Policy 4
- 6.1** Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change. Policy 3's intent is to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
- 6.2** As part of the site is located within a conservation area Policy 7 applies. Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. A number of listed buildings are located within the town centre in the vicinity of the site and Policy 7 further advises that development proposals affecting the setting of listed building should preserve their character and special architectural and historic interest.
- 6.3** Within the Artizan Centre, some of the units are vacant and as such Policy 9 addressing brownfield, vacant and derelict land and empty buildings applies. Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.
- 6.4** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 15 relates to local living and 20-minute neighbourhoods. Development proposal will contribute to local living including, where relevant, 20-minute neighbourhoods. Consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to shopping and playgrounds and informal play opportunities, parks, green streets and spaces.

- 6.5** Policy 21 which addresses play, recreation and sport encourages, promotes and facilitates spaces and opportunities for play, recreation and sport. Policy 22 on flood risk and water management states that proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SuDS) and seek to minimise the area of impermeable surface. The application site is within an area at risk of flooding and falls into the exemption set out within the Policy relating to redevelopment of an existing building or site for an equal or less vulnerable use. It remains that as per the Policy matters relating to flood risk require to be fully considered and understood.
- 6.6** Policy 23 aims to safeguard people from environmental harm and promote and facilitate development that improves health and wellbeing. Development proposals that will have positive effects on health will be supported. Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported through Policy 27.
- 6.7** With appropriate planning conditions, the proposed development is supported by all relevant policies of National Planning Framework (NPF)4 and is assessed fully in Section 7 below.

West Dunbartonshire Adopted Local Plan 2010

- 6.8** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.9** Policy RET5 seeks to improve the environment of the town centres of Alexandria, Clydebank and Dumbarton and Policy RET6 seeks to protect and enhance the retail and commercial function by encouraging the improvement of existing retail floorspace.
- 6.10** Policy DC 2 requires new shopfronts, whether on existing buildings or on new developments, to be designed in accordance with the Council's Shop Front Design Guide for commercial frontages.
- 6.11** Policy BE1 seeks to ensure that no works adversely affect the appearance and character of conservation areas and Policy BE2 takes a similar approach in respect of ensuring that proposals do not adversely affect the setting of any listed buildings. Policy BE3 encourages and supports the renovation rather than demolition of derelict properties which are not listed but are considered to contribute to the townscape character of the surrounding area. Policy B5 advises on development proposals that impact upon local archaeology and the approach to assessing and recording features.
- 6.12** Policy R2 states that the Council will have due regard to the provision of open space as an integral part of proposals. Policy R3 relates to the enhancement of open space and sports facilities.
- 6.13** Policy E1 relates to the Council's biodiversity duty. Policy E5 requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. There is a general presumption against development within the flood

plain. The up-to-date development plan position in flooding is set out within Policy 22 of NPF4 which therefore has primacy in this instance.

- 6.14** The proposal overall complies with the relevant policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** Policy CP1 seeks to ensure 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). Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.3** Dumbarton Policy 1 High Street and Retail Development supports a more diverse and vibrant Town Centre and will encourage a range of uses within the Core Town Centre area where they accord with Policy SC2 of the Plan. Policy SC2 supports a range of different uses within the core Town Centre where they help to improve the vibrancy of the Town Centre.
- 7.4** Policy BE1 takes a similar approach to the adopted Local Plan in respect of archaeology with Policy BE2 advising on the impact upon the setting of listed buildings. Due to the location within a conservation area, Policy BE3 applies. Policy BE3 does states that new development within or affecting a Conservation Area should be of a high standard of design and enhance the character of the area, and should have regard to the Conservation Area Appraisal for that area.
- 7.5** Policies ENV1, ENV4, and ENV6 are all similar to the ecology and tree, water environment and flooding policies of the adopted Local Plan, although in respect of flooding, the up-to-date development plan position is set out within Policy 22 of NPF4 which has primacy.
- 7.6** The Council will actively encourage the temporary greening of any vacant, derelict, stalled or underused site to improve the contribution to the green infrastructure and to improve the character and amenity of the particular community or area in accordance with Policy ENV7. Policy ENV8 relates to air, light and noise pollution and states that all new development must ensure that significant adverse noise impacts on surrounding properties and uses are avoided. Policy ENV9 requires developers to establish the nature of any contamination on any potential development site. Where contamination is present and risks to key receptors are identified, then remediation will be required to ensure the site can be made suitable for its future use.

7.7 It is considered that overall, the application proposal being assessed complies with the relevant policies above.

Historic Environment Scotland's Policy and Guidance

7.8 The Historic Environment Policy for Scotland seeks to ensure that changes to specific assets and their context are managed in a way that protects the historic environment.

7.9 Historic Environment Scotland's Managing Change in the Historic Environment Guidance Note series provides advice and guidance to Planning Authorities determining applications which affect the historic environment. Guidance Note subjects relevant to this proposal include setting, external walls, shopfronts and windows.

7.10 The guidance note on 'Setting' advises that setting can be important to the way in which historic structures or places are understood, appreciated and experienced, and provides guidance on factors to be considered in assessing the impact of a change on the setting of a historic asset or place. Overall, it is considered that the principle of the proposal will enhance the setting of the Dumbarton Conservation Area and be to the benefit of the wider area and therefore have no detrimental effects to any surrounding Conservation Area or listed buildings.

7.11 The guidance on 'External Walls' highlights that the design, materials, method of construction, colour, texture, detailing and finish typically contribute to the character of a historic wall. Whilst the buildings of the Artizan themselves are not listed they form a part of the fabric of the Conservation Area. Shopfronts are highlighted as contributing to the architectural quality of a building and to the character of a place.

7.12 Overall, the proposal presents no conflicts with Historic Environment Scotland's Policy and Guidance.

7.13 Dumbarton Town Centre Conservation Area Appraisal

Dumbarton Town Centre Conservation Area was designated on 11 October 2019. The Conservation Area Appraisal notes that the architecture of Dumbarton town centre falls into a number of distinct eras which can be easily identified by the styles and materials employed. This creates interest and relieves potential monotony. It is noted that since the turn of the century, West Dunbartonshire Council has seen the regeneration of the town centre as a priority, including the Artizan Centre at the heart of the 1960s re-development which was re-modelled in 2004

7.14 The creation of the Artizan Centre and its redevelopment is noted at several points throughout the appraisal, with comments made that the re-modelling (and enlargement) of the Artizan Centre destroyed the 1960s pedestrian route through the town square to the cinema, housing and station beyond; that there are a number of unresolved areas behind and near the Artizan Centre that do not aid orientation; and that there is even a uniformity of scale in the buildings that were delivered as part of the creation of the Artizan Centre.

7.15 The Dumbarton Town Centre Conservation Area Proposal of 2019 noted that the High Street Character Area had retained much of its original form in terms of its solid frontage and retail designation. The lack of quality in shop frontages and signage is extremely detrimental to the character and townscape of Dumbarton. Many shopfronts and signage displays on High Street are constructed of non-traditional materials, and do not reflect the original proportions of traditional shopfronts.

- 7.16** Open space in the town centre comprises largely of car parks and small pockets of grass: Dumbarton is well served by places to park and the majority of these are landscaped with hedge planting and trees (some flowering).
- 7.17** The appraisal also notes that given the various periods of development evident in the Dumbarton Town Centre Conservation Area, there is a wide range of building materials used, not all of which fall under the category of “traditional”. Public realm finishes are stated to be tidy, albeit clinical.

Creating Places Guidance and Green Network and Green Infrastructure Guidance

- 7.18** The Creating Places Supplementary Guidance – November 2022 seeks to achieve high quality development with a design led approach based on a thorough appraisal of the site and an analysis of its context and sets out that this is expected for all development proposals.

- 7.19** The Green Network and Green Infrastructure Supplementary Guidance - November 2022 seeks to ensure that the proposal also integrates landscaping and green infrastructure as part of the setting of the new development and open space created. This will include a focus on biodiversity enhancement.

Principle of Development

- 7.20** The site is located within the defined Dumbarton Town Centre area as well as within the core Town Centre area. NPF4, the adopted Local Plan and the proposed LDP2 all promote developments within town centres which increase viability and vitality of the town centre. The proposals to upgrade shopfronts is well supported by Policy 14 of NPF4 which requires proposals to improve the quality of an area and regardless of scale as well as Policy DC 2 of the adopted Local Plan.
- 7.21** The proposal for public realm works in the form of a shelter structure, play area and landscaping is also well supported through Policy 15 relating to local living and 20 minute areas as well as Policy 21 relating to the provision of play opportunities. In addition, Policy ENV7 supports the temporary greening of sites.
- 7.22** The proposal will support long term town centre regeneration plans for Dumbarton Town Centre and will complement the proposals for the regeneration of the Glencairn House. Overall, the principle of the development to upgrade existing shopfronts as well as the public realm works are appropriate and encouraged within the Town Centre where this development proposal is located. The proposals will provide significant enhancement to the area, which in turn will create a more attractive environment which will potentially encourage people to the Town Centre. Any increase in footfall will have a positive impact on the overall vitality and viability of the Town Centre.

Site Layout, Design and Appearance

- 7.23** The site layout in part remains as is, with the shopfronts remaining in situ and College Way retaining its current development pattern. The new landscaped square extends to an area of approximately 1600 square metres. Underground surface water attenuation crates which must avoid all other underground utilities will be provided below the new square. The new landscaping features to Collage Way also require to avoid existing utilities. However, their placement retains the strong through route along College Way and links the new square to the High Street via a high-quality public realm space.

- 7.24** New developments require to be well designed, take cognisance of the setting into which they are introduced and provide a high-quality appearance. The proposals to upgrade the shopfronts along College Way as well as High Street, use a colour palette and materiality that have been developed to reference the heritage of the site and wider town. Dumbarton's prolific glassmaking industrial heritage was clustered in the northeast of the town in an area known as 'Artisan'. This legacy provides the namesake for the current Artizan Centre and provides a rich narrative to draw upon for the materiality concepts. Proposals for Glencairn House also reference this history in the colour palette used, in particular for the new additions to the building. The tonal, ceramic cladding in particular links the current proposal with the consented works to Glencairn House. Whilst the proposed works will be a visual change to what is existing, it is considered that the proposed materials and colours will add richness and interest to existing shopfronts.
- 7.25** The shopfronts along High Street are also within the Dumbarton Town Centre Conservation Area and as such require to take this into account. The Conservation Area Appraisal for Dumbarton Town Centre particularly notes that the lack of quality in shop frontages and signage is extremely detrimental to the character and townscape of Dumbarton. The shopfronts in question are not within historic buildings, but rather a more recent shopping precinct development. None-the-less, the upgrade of the existing shopfronts with a high design quality and materials will benefit the appearance of both the Conservation Area and wider Town Centre.
- 7.26** Overall, it is considered that the proposal will create a well-designed development which will address the six qualities of successful places by ensuring the layout and form of the development is appropriate, complying with policies GD1 and CP1 of the adopted and proposed Plans, as well as Policy 14 of NPF4. In addition, the proposal whilst bringing in new colour palettes and materials is appropriate within the Dumbarton Town Centre Conservation Area, in accordance with the policies relating to conservation areas and the historic environment.

Open space, landscaping and trees

- 7.27** Open space and landscaping are an integral part of this proposal. Open space is created where buildings previously part of the Artizan Centre once sat. As the buildings that occupied the site previously were not residential and are outwith the boundary of the conservation area, their demolition does not require any application for consent in terms of Planning. Within the space created, a shelter structure is to be created. This is formed of a series of vertical elements which take design references from the structures of Dumbarton's shipbuilding heritage. The shelter structure also features a sedum roof. Beyond the shelter structure is a proposed play space. This incorporates a variety of equipment for different ages and abilities and draws inspiration from Dumbarton's connection to the water with sailboat and wave shaped play equipment. To the west of the shelter structure and play space is an area of landscaping is to be provided which also incorporates play in the form of logs and stepping stones. Due to the wider proposal for the Artizan Centre site (covered within a separate application) a "meanwhile" area of landscaping located to the northeast of the site. This incorporates existing trees as well as hard and soft landscaping to create a maze pattern. The addition of open space, play space and the addition of landscaping feeds into the national spatial strategy to create vibrant places to live, to make better use of our spaces to support physical activity, relaxation and play, to bring people together and to celebrate our culture, diversity and heritage.
- 7.28** There are a small number of trees on the site currently. Three on High Street and approximately twelve to the north of the site at the Risk Street / St Mary's Way entrance to the Artizan Centre. It is proposed that these trees will be retained. The

Council's Biodiversity Officer has requested further details of how these trees are to be protected during construction. This condition has been recommended. New planting as part of the proposal is to be located centrally within College Way, as well as within a landscaped area surrounding the shelter structure and play space as well as within a "meantime" space which will temporarily be greened with the expectation that further development will occur on this space at some point in the future. The proposal includes an increase in the number of trees planted as well as shrub/perennial planting and wildflower grass seeding and amenity grass seeding in the "meantime space". The increase in planting is in accordance with Policies relating to biodiversity as well as creating places. In addition, the Council has a specific policy relating to the temporary greening of spaces and as such the "meantime" space is in accordance with this policy.

Flooding and drainage

7.29 Considering flooding and drainage, the Council's Roads Service were consulted on the application in this respect. It has been stated that the site has been identified as a location which is at risk of Coastal Flooding as shown on the SEPA Flood Maps for all likelihoods and that historic records show at least 1 event where coastal flooding has reach the High Street. As coastal flooding can be predicted in advance the site would require to be flood resilient with consideration to not increasing the flood depth to surrounding properties in the likelihood of a flood event. No objections have been raised.

7.30 Policy 22 of NPF4 sets out to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Development proposals at risk of flooding or in a flood risk area will only be supported in certain circumstances. These include for essential infrastructure, for water compatible uses, for development of an existing building or site for an equal or less vulnerable use; or for the redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice. This proposal is for the redevelopment of an existing site for an equal vulnerable use, does not create additional floorspace and comprises landscaping and public realm works. The works to the existing buildings including the replacement shopfronts do not raise any concerns or have any implications in respect of flood risk. Therefore, the proposal is considered to be in accordance with the Policy.

Residential Amenity

7.31 Whilst the immediate surrounding area is a busy town centre which is not predominantly residential, it is recognised that residential properties do exist within the town centre. Whilst residents choosing to reside within the town centre may benefit from the proximity of local shops, services and transport links, the same degree of residential amenity as would be experienced within a primarily residential area cannot be expected. The proposal to introduce landscaping works, shelter structure and play space has the intention of providing space for activity, however this is in the context of a busy town centre location and it is considered that any impact on residential amenity within the town centre would be minimal. The construction phase of the development has the potential to cause noise issues, however this will be short term in nature. Subject to appropriate conditions the proposal complies with the policy.

Access and Parking

7.32 The town centre location means the site is highly accessible with good connections to the surrounding area including footpath network and nearby bus stops and the

train station. The site is approximately 0.5 miles or a 10 minute walk from Dumbarton train station, and connectivity between the locations is scheduled to be improved through the Connecting Dumbarton project. From Dumbarton train station there are regular trains to other stations in West Dunbartonshire and to Glasgow, Edinburgh and Helensburgh. National cycling route 7 runs through Dumbarton town centre, within 100 metres of the southern entrance of the Artizan Centre. There are a number of local bus routes that run along the High Street with a bus stop just outside the Artizan Centre. There is sufficient car parking in the vicinity, and due to the town centre location, proximity to access routes and existing town centre parking provision, it is considered that no additional or dedicated parking is justified. The Council's Roads Service have offered no objections to the proposal and suggested conditions relating to a construction programme and details traffic management proposals being submitted.

Built and Cultural Heritage

7.33 Part of the application site lies within Dumbarton Town Centre Conservation Area, and the impacts upon the Conservation Area are already considered earlier in the assessment. A number of listed buildings are located within the Town Centre, and in the vicinity of the application site. These include the Category B listed Glencairn House which lies adjacent to the site on the opposite side of High Street. It is not considered that the proposal has any impact upon the setting of any of the listed buildings within the Town Centre.

7.34 Turning to archeological matters, West of Scotland Archeology Service (WoSAS) advice on elements of the proposal that would require ground disturbance as they would have the potential to intersect with significant historic period settlement remains if these survive within the footprint of the areas affected. The requirement for the implementation of a programme of archaeological works in accordance with a written scheme of investigation is set out by WoSAS. This requirement can be addressed by condition.

Other Matters

7.35 No site investigation has been submitted as part of the application documents. Whilst one has been submitted as part of the other planning application submission for the wider project further details are required. As such it has been recommended as part of the consultation response from Environmental Health that that a condition be applied regarding site investigation. Further conditions recommended by Environmental Health relate to, remediation, hours of work and dust control. The addition of these conditions will ensure that the proposal is in accordance with the relevant policies.

Representations

7.36 As highlighted during the assessment above, the demolition of the existing buildings does not alone require planning permission and does not form part of this application. Concerns regarding the rate at which the development is progressing is not a material consideration that can have any bearing on the assessment of the application proposal.

8. CONCLUSION

8.1 The proposed development comprises what will be the first phase of a larger proposal to tackle the decline of Dumbarton Town Centre which successfully gained Levelling Up funding. It feeds into the Connecting Dumbarton project as well as the adjacent Glencairn House project as part of this. The upgrade to the shopfronts as well as the improvements and additions in the form of the shelter structure, play

space and landscaping are welcome and important additions to Dumbarton Town Centre. The developments will bring vitality to the town centre and provide positive new spaces for the community and is phase one in securing the town centres long term future. The striking new colour palette and material finishes are heavily influenced by the rich history of the town of Dumbarton itself and add an additional layer to the story of the town centre. In addition the colour and material finishes link this development with the adjacent Glencairn House project. The proposal is considered acceptable with reference to NPF4, the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan 2.

9. CONDITIONS

1. Prior to the commencement of development on site, exact details of all proposed external materials (inclusive of all hard surfaces), to be used in the development site shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.

Reason: In the interest of visual amenity.

2. Notwithstanding the approved plans, a programme for the implementation and completion of the soft and hard landscaping works shall be submitted to, and approved in writing by the Planning Authority. Thereafter the development shall proceed accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of visual amenity.

3. Notwithstanding the approved details, a Tree protection Plan to describe how trees on site shall be safeguarded through the development process, including details of any works required to the trees to allow for the construction phase shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved plan.

Reason: In the interest of visual amenity, protection and enhancement of biodiversity and tree protection.

4. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.

Reason: In the interest of visual amenity and biodiversity.

5. Notwithstanding the approved plans, prior to the installation of the proposed play equipment, full details of the equipment to be installed and its location shall be provided to and approved in writing. Thereafter, the play equipment shall be installed as specified, and remain in place for the lifetime for the development unless otherwise agree in writing by the Planning Authority.

Reason: To ensure that full details of play equipment are secured.

6. Prior to commencement of any works on site, a site management scheme for construction traffic shall be submitted to and approved in writing by the Planning Authority. Thereafter work shall proceed in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of road safety.

7. a) No development that breaks ground or otherwise involves ground works (other than investigative work) can take place until such time as a comprehensive site investigation has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. The investigation shall be completed by a suitably qualified and competent person and completed in accordance with advice given in the following:
 - Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)
 - BS 10175:2011+A1:2013 – British Standards institution ‘The Investigation of Potentially Contaminated Sites – Code of Practice’.
 - Land Contamination and Development Management -Guidance.
https://www.ep-scotland.org.uk/wp-content/uploads/2019/09/ConLanDevGuide_12-Aug19-FINAL.pdf
- b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated, and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted.
- c) If the risk assessment identifies any unacceptable risks then an appraisal of remedial options followed by a detailed remediation scheme will be submitted to and approved in writing by the Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Planning Authority’s written approval of the remediation scheme.

Reason: To protect public health and to ensure that the site is suitable for its intended use.

8. Remediation of the site shall be carried out in accordance with the approved remediation scheme prior to the proposed development being brought into use. Any amendments to the approved remediation scheme shall not be implemented unless approved in writing by the Planning Authority.

On completion of the remediation works, the developer shall submit a verification report to the Planning Authority, confirming that the works have been carried out in accordance with the approved remediation scheme and that the works have successfully reduced the risks to acceptable levels.

Reason: To protect public health and to ensure that the site is suitable for its intended use.

9. The presence of any previously unexpected 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 site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.

Reason: To protect public health and to ensure that the site is suitable for its intended use.

10. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.

Reason: To protect public health and to ensure that the site is suitable for its intended use.

11. Unless otherwise approved in writing by the Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this 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 this Authority.

Reason: To minimise the occurrence of dust, in the interests of the amenity of the area.

12. 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:

- | | |
|---------------------------------|-------------|
| a. Mondays to Fridays: | 0800 – 1800 |
| b. Saturdays: | 0800 – 1300 |
| c. Sundays and public holidays: | No Working |

Reason: To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise and disturbance at unsocial hours.

13. Prior to any works proposed which break ground or otherwise involves ground works, the developer shall secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority in consultation with

the West of Scotland Archaeology Service. 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 to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In the interests of the recording of antiquity.

Michael Mulgrew
Planning, Building Standards and Environmental Health Manager
Date: 13th November 2024

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Appendix: Location Plan

Background Papers:

1. Application forms and plans
2. Representation
3. Consultation responses
4. National Planning Framework 4
5. West Dunbartonshire Local Plan 2010
6. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
7. Creating Places Guidance (2022)
8. Green Network and Green Infrastructure Supplementary Guidance (2022)
9. Dumbarton Town Centre Conservation Area Appraisal
10. Historic Environment Policy for Scotland
11. Historic Environment Scotland Managing Change in the Historic Environment Guidance Notes on Setting, External Walls and Shopfronts

Wards affected: Ward 3 (Dumbarton)