

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regulatory

Planning Committee: 10 June 2020

DC20/018: Demolition of former St Cuthbert's Church and the erection of 24 flatted residential units at Dalton Avenue, Clydebank by Clydebank Housing Association.

1. REASON FOR REPORT

- 1.1** This application is subject to a representation from a Community Council and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** That the Committee indicate that it is **Minded to Grant** planning permission and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision/ green infrastructure improvements in the local area.

3. DEVELOPMENT DETAILS

- 3.1** The 0.36 hectare site is located within the Linnvale area of Clydebank. It is situated at the end of the main access road into Linnvale and is bounded by roads to the west and north-east. To the south-east a footpath separates the site from a block of cottage-style flats and to the north of the site there is an existing large area of open space including an equipped play area. The area around the site is predominantly residential and characterised by two-storey flats and houses, however, immediately to the south-west of the site there are two blocks of four-storey high flats. The site contains the former St Cuthbert's church, a single storey brick building which has been vacant since 2017. The site is generally level although it is raised slightly above Dalton Avenue.
- 3.2** Planning permission is sought for the erection of 24 one, two and three bedroom flats. Three flats will be wheelchair accessible. The development would consist of two, three-storey high blocks joined together by a single-storey section to form an L-shaped building. The building would have a frontage onto Dalton Avenue and a second frontage facing south-west,

overlooking a 24-space carpark that would serve the development. Vehicular access into the site would be via Attlee Avenue, which lies to the north-east of the site. There would also be a number of footpaths providing pedestrians access to the site. Amenity space within the development would be provided at the 'rear' of the building, directly adjacent to the existing open space and play area to the north. Ten young ornamental trees would be removed however new trees would be planted as part of the landscaping scheme.

- 3.3 The building would have a fairly simple design with a low-pitch roof hidden behind a parapet on the front elevations. The elevation facing onto Dalton Avenue and Livingstone Street would be slightly curved with recessed balconies in the centre and at the corners. Most of the windows on the building would extend down to floor level and have 'Juliet' style balconies to maximise the amount of daylight received inside the flats. The building would be finished with a grey multi-tone, textured brick.
- 3.4 Supporting technical information has been provided as part of the application and this includes a Contaminated Land Assessment and a Phase 1 Habitats Survey,

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service have no objections subject to conditions regarding the allocation of an area of landscaping for parking should it be required in the future.
- 4.2 Environmental Health Service have no objections subject to conditions regarding land remediation and noise.
- 4.3 Glasgow Airport has no objections subject to conditions regarding landscaping and a bird hazard management plan.

5. REPRESENTATIONS

- 5.1 One representation has been received from Linnvale and Drumry Community Council on behalf of local residents. They object to the location of the vehicular access as they are concerned that it will reduce the number of on-street parking spaces on Attlee Avenue.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. 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.
- 6.2** Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Our Green Network” Planning Guidance (2015) in Section 7 below.
- 6.3** Policies T1 and T4 require sites to be integrated with sustainable travel and Policy E5 relates to trees and 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. The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers’ Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The site is identified as an Existing Neighbourhood. Policy BC4 supports the principle of residential development within existing residential locations, provided there is no adverse impact on neighbouring amenity or character of an area. It is considered that there will be no adverse impacts on either of these. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming.

- 7.3** The consideration of policies DS1, GN2, SD1, DS6 and GN5 with regards to new residential development, green network, transport, flooding and drainage are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure a high design quality in housing and being suitable for a mix of occupants rather than a specific demographic.
- 7.4** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.5** On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications. The Examination Report of Local Development Plan 2 was received on 22nd April 2020 and will be presented to the August Planning Committee for consideration, together with the modified Local Development Plan 2 and associated documents. The findings of the Examination Report have not materially changed the content and form of the LDP 2 policies and land allocations used in the assessment of this application.
- 7.6** The site is identified under Policy H4 as an Existing Neighbourhood, which seeks to protect, preserve and enhance the residential character and amenity of existing residential areas at all times.
- 7.7** Similarly to Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.8** Policy GI2, ENV1, ENV4, and ENV6 are similar to the green network, tree, and flooding policies of the Adopted and Proposed Plan 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and Local Development Plan 1. Policies 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.

- 7.9** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use. It is considered that the proposals comply with the above policies as discussed below.

Principle of Development

- 7.10** The site is identified as an Existing Residential Area/Existing Neighbourhood within the adopted local plan and proposed local development plans. The principle of the proposed residential use is therefore acceptable and would be in keeping with the surrounding residential area. To enable the development to take place the former church building will be demolished. It is understood that the building, which was constructed in 1978, was owned by the Church of Scotland and was in use until 2017 when its congregation merged with another local church. The building is not listed and has little architectural merit. It is therefore considered that demolition of the vacant building will not have a detrimental impact on the visual amenity of the area, and it will allow the site to be redeveloped for much-needed affordable housing in this established residential area.

Site Layout, Design and Appearance.

- 7.11** The site has a prominent location, being positioned at the head of the main access route into Linnvale, and due to the layout of the surrounding streets it is surrounded by flats and houses that look onto the site. The building will therefore be a focal point and its design has been carefully considered to take this into account. The three-storey high building will provide height, which will compliment the adjacent 4 storey high blocks, providing a density and character at this location. Part of the frontage facing onto Dalton Avenue will be slightly curved to follow the bend in the road and it is this part of the building that will be most visible when travelling along the main road into Linnvale. This feature will add further to the character of the building and to the visual amenity of the area.
- 7.12** The building will be finished with a multi-tone clay facing brick while most of the surrounding residential properties are finished with render. Most, if not all, of the surrounding buildings date from the post-war period and their design and finish reflects the style of that time. The proposed

development is contemporary and its materials including clay bricks and slim profile aluminium window frames will reflect a more urban style that will be attractive and will also be durable and low maintenance. The design of the building is considered acceptable in this residential area.

- 7.13** The building will have a fairly simple design with a shallow-pitch roof hidden behind a parapet and recessed balconies on the west-facing elevation. The use of a single storey section to join the two blocks helps to reduce the overall massing of the building and adds visual interest. It is also a practical feature as it will contain the bin store. An internal cycle store with space for 30 bikes will also be accommodated within the building, which frees up space outside the building for landscaping.

Impact on residential amenity

- 7.14** It is considered that the building will not have a detrimental impact on the amenity of surrounding residential properties. The existing two storey flats that lie to the south-east of the site will be over 27 metres away from the building, which will minimise any impact that it will have in terms of overlooking or overbearing effect. The existing two storey flats that lie to the east of the site will not be significantly affected by overshadowing as the building will lie over 19 metres away and they will not be affected by overlooking as there will only be bathrooms windows on the side elevation that face it, which will have opaque glazing. The proposal is therefore considered acceptable as existing neighbouring amenity will be safeguarded.
- 7.15** It is considered that the development addresses the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the Adopted and Proposed Plans alongside the Residential Development Design Guidance.

Open Space and Landscaping

- 7.16** An area of amenity open space for the development will be provided at the 'rear' of the building which will connect with the existing large area of open space and the play area directly to the north of the site. The development does not include a play area as the existing play area to the north of the site is modern, has a range of equipment and is easily accessible. In terms of the open space for the site, while quality areas are being provided, it falls short of the provision as required by the 'Our Green Network Planning Guidance', and therefore a financial contribution is required in order to meet with the requirements of the Planning Guidance and applicable policies of LDP1 and LDP2. The required financial

contribution fee is £20, 790 and this will address the shortfall and can be secured through a legal agreement or other suitable mechanism. On balance, the open space and landscaping provision proposed for the site is appropriate as the site also benefits from the existing adjacent area of open space and associated play area.

- 7.17** Trees and hedging will be planted along the northern boundary to provide some screening between the site and adjacent open space/ play area. Further landscaping including tree planting will be provided throughout the rest of the site, particularly along the south-eastern boundary of the site where the existing houses will look onto the car park. The planting of trees here will provide a more attractive outlook for residents. Approximately 10 trees and some large shrubs on the site require to be felled to accommodate the development. Most of these trees are fairly small and ornamental in appearance, and although they do provide an attractive setting for the existing building, it is considered that they do not make a significant contribution to the visual amenity of the wider area. The four large mature trees at the north-west and south-west corners of the site will be retained, which will help to provide a more established setting for the new development.

Roads, Parking, Access and Permeability

- 7.18** Vehicular access into the site would be from Attlee Avenue and a twenty-four space car park, including 3 disabled bays, would be formed along the south-eastern portion of the site. The car park is five spaces short of the number of parking spaces typically required for a development of this size. However, the site is close to the town centre and well served by public transport with a train station (Drumry) and bus stops within a few minutes walking distance. A cycle store capable of holding 30 bikes will be formed within the building and will help to support the use of this form of sustainable transport. The Council's Roads service has recommended that an area of the landscaping is identified for additional parking provision in the future should this be required. A condition is recommended which will allow the parking provision to be assessed after a period of time, and additional spaces formed if there are any issues. A number of pedestrian accesses will be formed on the eastern and western sides of the site, which means that the site will be well connected to its surroundings, including the adjacent play area.

Representation from Community Council

- 7.19** Linnvale and Drumry Community Council have indicated that local residents are concerned that the location of the vehicular access into the site on Attlee Avenue will remove the ability for residents to park on the road. At present, residents of Attlee Avenue park on one side of the road (the side closest to their homes), which allows space for cars to pass (single file) on the other side of the road. The proposed vehicular access into the site is from the opposite side of the road from where the existing residents park their cars. This access has been reviewed by the Councils' Roads Service and found to be acceptable as an access and that the new access will not prevent or have any impact on the established on-street parking by existing residents. Also, the new access into the site will be wide enough to allow cars to turn off the road and drive into the site even if there are cars parked on the road opposite the access. Taking these considerations into account, the proposed access is considered to be acceptable.

Technical Matters

- 7.20** A phase 1 contaminated land assessment has been submitted for the development and this is acceptable to the Council's Environmental Health Service at this stage and they have recommended a number of conditions relating to the submission of a detailed site investigation including remediation and mitigation measures. These matters alongside others regarding noise, dust mitigation and construction activity can be addressed as planning conditions.
- 7.21** A phase 1 habitat survey was carried out on the site. It identified the site as being of little ecological value with no connectivity to any greater areas of habitat. The report advises that a nesting bird survey would be required should any vegetation or building removal require to take place during the bird breeding season (March to September, inclusive).
- 7.22** Glasgow Airport has advised that a bird hazard management plan will be required due to the shallow pitch of the building's roof, which could attract birds. They have also advised that they will require full details of the proposed landscaping scheme to ensure that it will not pose a risk to aircraft by attracting birds. According to SEPA flooding maps the site is not at risk from flooding. To ensure that the site does not increase flood risk elsewhere, a sustainable drainage scheme for the site will be required. All can be dealt with by conditions.

8. CONCLUSION

- 8.1** The proposed development would result in the removal of a vacant building and the construction of much needed affordable housing within an existing residential area. The building has a quality, modern design that will contribute positively to the character and appearance of the local area. It will provide new homes within an established community with excellent access to public transport and to the town centre.

9. CONDITIONS

01. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
02. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
03. Prior to the commencement of development on site, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
04. Prior to the commencement of development on site, details of the design and location of all external lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development, unless otherwise agreed in writing with the Planning Authority.
05. No unit within the development shall be occupied until all of the vehicle parking spaces have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
06. Prior to the commencement of development on site, full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design,

and thereafter shall be implemented prior to the occupation of any unit within the development.

07. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan L(90)100. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
08. Notwithstanding the 'Land Contamination Preliminary Risk Assessment' (Dated April 2020) submitted, no development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - i. A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
 - ii. An assessment of the potential risks (where applicable) to:
 - human health, property (existing and proposed), groundwater and surface waters, ecological systems
 - iii. An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
09. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing

of the intended commencement of remediation works not less than 14 days before these works commence on site.

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

11. 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.
12. If required, a monitoring and maintenance scheme to include monitoring the long- term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health measures. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
13. 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
14. During the period of construction, all works, including piling, 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:

Mondays to Fridays:	0800-1800
Saturdays:	0800-1300
Sundays and public holidays:	No working

15. 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 the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
16. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
17. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of and take into account the following:
 - The impact of the piling on surrounding properties.
 - Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.
18. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details

shall be in place prior to the occupation of the any unit within the development and thereafter maintained for the lifetime of the development.

19. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first unit within the development. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
20. Prior to the occupation of the development, the developer shall install the necessary infrastructure to enable the full development to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
21. All ground or vegetation clearance works, including any tree felling or demolition works, shall take place outwith the main bird breeding season (i.e. outwith the period of March to September inclusive), and no demolition or ground or vegetation clearance works are permitted between March to September in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of any bird nesting activity and of any actions required to protect birds.
22. Unless otherwise agreed in writing by the Planning Authority, prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
23. Twelve months after the full occupation of the building, a parking review including a methodology statement to be agreed with the Planning Authority shall be undertaken to ascertain levels of parking and to establish whether there are any parking related problems associated with the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority and any actions recommended in the review shall be implemented in a timescale agreed with the Planning Authority.

24. Unless otherwise approved in writing, no development shall commence until such time as a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of:

- The organisation(s) responsible for implementing the Bird Hazard Management Plan on an ongoing basis;
- Arrangements for the management of fruit and berry bearing trees and shrubs to dissuade hazardous flocking bird species that may exploit these potential food sources;
- Arrangements for the management of potential nesting and roosting habitat.

The approved Bird Hazard Management Plan shall be implemented within a timescale agreed with the Planning Authority. It shall remain in force for the life of the development. No subsequent alterations to the plan shall take place unless firstly agreed by the Planning Authority in consultation with Glasgow Airport.

Peter Hessett
Strategic Lead- Regulatory
Date: 10 June 2020

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Appendix: None.

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. Representation
4. West Dunbartonshire Local Plan 2010;
5. West Dunbartonshire Local Development Plan Proposed Plan;
6. West Dunbartonshire Local Development Plan 2 Proposed Plan.
7. 'Our Green Network' Guidance
8. Residential Development Design Guidance

Wards affected: Ward 5 – Clydebank Central