

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 25 November 2015 at 2.00 p.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill and Tommy Rainey.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Alan Williamson, Team Leader – Forward Planning; Colin Newman, Team Leader – Building Standards; Raymond Walsh, Network Services Co-ordinator; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillors Patrick McGlinchey and Hazel Sorrell.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 28 October 2015 were submitted and approved as a correct record.

PLANNING APPLICATIONS

Reports were submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

New Applications:-

- (a) **DC15/199 - Erection of 20 flats and associated parking at Auld Street/Beardmore Street, Clydebank by Wheatley Housing Group.**

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

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair invited Ms Susan Dick, local resident and representative for a number of local residents to address the Committee. Ms Dick made her and a number of local residents' views on the application known and was heard in answer to Members' questions.

The Chair then invited Mr Gavin Bennett, local resident to address the Committee. Mr Bennett made his views on the application known.

Mr David Nicol, representative for the applicant, was invited by the Chair to address the Committee. Mr Nicol spoke in support of the application and was heard in answer to Members' questions.

Following discussion and having heard officers in further explanation of the report and in answer to Members' questions, Councillor McColl seconded by Councillor Agnew moved that:-

The Committee refuse planning permission on the grounds that:-

- (1) the proposed development is not in character or to scale with its surrounding area;
- (2) there would be overshadowing/loss of sunlight for current residents; and
- (3) there would be an unacceptable loss of mature trees on the site, and the proposed condition regarding landscaping would not be adequate to enforce appropriate replacement planting.

As an amendment, Councillor O'Neill seconded by Provost McAllister moved that:-

The Committee grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 1 hereto and delegate authority to the Planning & Building Standards Manager to issue the decision notice following the conclusion of a legal agreement which would provide for a financial contribution in lieu of open spaces and which would provide that the development remains Registered Social Landlord housing.

On a vote being taken, 4 Members voted for the motion and 4 for the amendment. There being an equality of votes, Councillor O'Neill used his casting vote in favour of the amendment which was accordingly declared carried.

- (b) **DC15/217 - Change of use from Retail (Class 1) to One Stop Shop and Offices (Class 2) at 2 Sylvania Way South, Clydebank by West Dunbartonshire Council.**

Full planning permission was granted.

- (c) **DC15/195 - Residential development of 11 detached dwelling houses with installation of new access road, associated landscaping and boundary treatments at Former Water Works, off Cochno Road, Clydebank by A&G Property Group Ltd.**

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

Having heard the Planning & Building Standards Manager and the Network Services Co-ordinator in further explanation of the report and in answer to Members' questions, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 2 hereto.

HARDGATE HALL AND ADJACENT LAND AT GLASGOW ROAD, HARDGATE

A report was submitted by the Executive Director of Infrastructure and Regeneration providing an update on the measures detailed in the report to Committee in August 2015.

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

- (1) to note that a further report would be submitted to Committee no later than February 2016 providing an update on the works carried out on site following the service of the Building Warrant Enforcement Notice and the Listed Building Enforcement Notice and whether there is progress regarding a new owner of the site; and
- (2) otherwise to note the content of the report

Note:- Councillor McColl left at this point in the meeting.

OUR GREEN NETWORK – SUPPLEMENTARY GUIDANCE

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the outcome of the consultation on the draft Supplementary Guidance 'Our Green Network' and seeking approval to adopt the Guidance.

The Committee agreed the proposed changes to the supplementary guidance and agreed its adoption, subject to notification to Scottish Ministers.

REVIEW OF THE SCOTTISH PLANNING SYSTEM

A report was submitted by the Executive Director of Infrastructure and Regeneration advising that the Scottish Government has launched a review of the Scottish Planning System and seeking agreement for this Council's response to the call for evidence.

The Planning and Building Standards Manager advised that she had recently received a letter from the Local Government and Regeneration Committee of the Scottish Parliament who are undertaking the inquiry into Fixed Betting Odds Terminals and they had asked that the Council include in its response that betting shops should have their own distinct class. After discussion and having heard the Planning & Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to approve Section 4 of the report as the basis of the Council's response to the review; and
- (2) that the Planning & Building Standards Manager should include 2 additional points regarding betting shops and more weight needing to be given by Reporters to the strength of views of local communities and community representatives when they are examining Local Development Plans and considering planning appeals.

Note:- Councillor Casey left the meeting during discussion of the above item of business.

The meeting closed at 3.12 p.m.

DC15/199 - Erection of 20 flats and associated parking at Auld Street/Beardmore Street, Clydebank by Wheatley Housing Group.

Permission was GRANTED subject to the following conditions:-

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of works, full details of the design and location of all walls and fences, including retaining walls, to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
3. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
4. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details prior to development on site.
5. Prior to the commencement of development details of the design and location of the bin stores shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.
6. Notwithstanding the details submitted a revised landscaping scheme for the amenity open space and southern edge of 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 residential property. The scheme shall include details of additional tree planting to compensate for the trees that have been removed and the maintenance arrangements for the trees and open space areas. The landscaping shall thereafter be maintained in accordance with these details.
7. Prior to the occupation of the last flat in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard.
8. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning

Authority. The report shall be prepared by a suitably qualified person and shall include the following:

- (a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site).
 - (b) An assessment of the potential risks (where applicable) to:
 - human health
 - property (existing and proposed), including buildings,
 - crops, livestock, pets, woodland and service lines and
 - pipes
 - groundwater and surface waters
 - ecological systems
 - archaeological sites and ancient monuments
 - (c) An appraisal of remedial options, including a detailed one based on the preferred option.
9. 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 carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Local Planning Authority
11. The presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out.
12. 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 on-going 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. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust 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.
14. During the period of construction, all works and ancillary operations which are audible at the site boundary or at such other places that may be agreed by the Planning Authority shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Monday to Fridays: 0800 - 1800

Saturdays: 0800 - 1300

Sundays and Public Holidays: No working

15. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 "Evaluation of Human Response to Vibration in Buildings". It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
16. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. This NIA shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby industrial and commercial sources, using BS4142: 2014 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas". Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. The NIA and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

DC15/195 - Residential development of 11 detached dwelling houses with installation of new access road, associated landscaping and boundary treatments at Former Water Works, off Cochno Road, Clydebank by A&G Property Group Ltd.

1. Prior to the commencement of development details of the Sustainable Urban Drainage Systems and its maintenance following installation shall be submitted for the approval of the Planning Authority. The SUDS shall be designed to ensure that those contaminants are not mobilised and that pollution pathways are not created, and shall be implemented prior to occupation of any house. The Sustainable Urban Drainage System shall thereafter be formed and maintained on site in accordance with the approved details.
2. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site).
 - b) An assessment of the potential risks (where applicable) to:
 - Human health
 - Property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Groundwater and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
 - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
3. 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 for 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 11A in relation to the intended use of the land after remediation.

4. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
5. The presence of any previously un-encountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
6. 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.
7. Prior to commencement of works, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted for the written approval of the Planning Authority. Such details shall thereafter be implemented prior to the occupation of the house to which it relates.
8. Exact details and specifications of all proposed external finishing materials which shall include the use of natural slate shall be submitted for the further written approval of the Planning Authority prior to any work commencing on the site. Such details shall thereafter be implemented as approved.
9. A landscaping scheme for the amenity open space and boundaries of the site (including the edges of the new access road) 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 house. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details. The landscaping shall include the replacement tree planting and the use of hedgerows to mark perimeter boundaries.

10. Prior to the occupation of any house within 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 splays, passing places and turning heads.
11. Prior to the occupation of the sixth house in the development, all roads and footpaths within and serving the development including the new access road and connection to the 3 existing adjacent cottages shall be completed to their final specification and adoptable standard, including street lighting, traffic-calming measures and approved landscaping of the new access road.
12. The car parking spaces shown on the submitted layout plan (Drawing No L002.1) shall be constructed, surfaced and delineated on the site prior to the dwellings which they serve being first occupied, and these shall thereafter be retained for the purposes of parking.
13. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Planning Authority shall be carried out only between the hours of 08.00 and 18.00 Monday to Saturday inclusive and not at all on a Sunday or Public Holiday.

PLANNING COMMITTEE

NOTE OF VISITATION – 23 NOVEMBER 2015

Present: Councillors Finn and Mooney
Attending: Pamela Clifford (a) and Keith Bathgate (a&b)
Apologies: Councillor Casey

SITE VISIT

Site visits were undertaken in connection with the undernoted planning applications:-

(a) Auld Street/Beardmore Street, Clydebank

DC15/199 – Erection of 20 flats and associated parking at Auld Street/Beardmore Street, Clydebank by Wheatley Housing Group.

(b) Former Water Works, off Cochno Road, Clydebank

DC15/195 - Residential development of 11 detached dwellinghouses with installation of new access road, associated landscaping and boundary treatments at Former Water Works, off Cochno Road, Clydebank by A&G Property Group Ltd.

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 16 December 2015

DC15/241: Sub-division and change of use of a shop to form a hot food takeaway and a separate office unit with associated external alterations at 157 High Street, Dumbarton by Sky Pizza Ltd.

1. REASON FOR REPORT

- 1.1** This proposal raises issues of local significance. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The site is a retail unit between Bridge Street and Riverside Lane which currently operates as a pet shop and extends to almost 300m². The present use only occupies the ground floor of a two-storey flat-roofed building. The upper floor has no windows and is much smaller than the ground floor, and is presently only used for storage, staff areas and/or office accommodation. Within the surrounding town centre there is a mix of business uses including shops, banks, offices, bookmakers, public houses and hot food takeaways, along with some residential flats. To the rear of the site there is a service yard and a public car park.
- 3.2** Planning permission is sought for two units to form a hot food takeaway and a class 2 (office, financial or professional services) unit. In terms of physical works to the building, it is proposed that the existing entrance would be retained and that a second entrance would be formed for the hot food takeaway. The existing large shop front windows would be retained. The hot food takeaway element of the proposal would occupy approximately 75% of the ground floor and would have a sales area, kitchen, freezer, chiller and staff area and would be operated by Pizza Hut. An internal layout for the office unit has not been provided and it is unlikely to be available until a tenant has been identified. The hot food take away would be open from 11.00 to 00.00 daily and would employ 2-3 full time staff members. In addition, a further 20 – 25 part time staff would also be required.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service has no objection to the proposed uses.
- 4.2** West Dunbartonshire Council Environmental Health has no objection subject to conditions relating to construction noise, installation of a grease trap and ventilation/extraction.

5. REPRESENTATIONS

- 5.1** None.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The site lies within Dumbarton town centre, where Policy RET5 states that applications for non-retail uses will be favourably considered where they contribute to the vitality and viability of the town centre and do not conflict with other local plan policies. It is considered that the proposed use would contribute positively to the vitality and viability of the town centre and would not have a detrimental impact on the character and amenity of the area. This matter is discussed further in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan

- 7.1** On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is presently with the Scottish Ministers.
- 7.2** The Dumbarton Town Centre and Waterfront “Changing Place” section of the LDP supports a strong retail core and recognises that non-retail uses also make a town centre. The site is not included within the core retail area and policy SC3 outlines that proposals for non-retail uses within town centres will be supported where they do not impact on the core retail area encourage visits to the town centre and are appropriate to the town centre’s role and function. There are a significant number of class 2 uses within the High Street, including banks and solicitor’s offices. While the proposal would introduce another class 2 and hot food carry out use in the town centre, such uses are reasonably spread across the High Street and it is not considered that there are so many Class 2 uses as to have a detrimental impact on the

vitality and viability of the town centre. While different uses will have different impacts in terms of footfall, the proposed uses would still make some contribution nonetheless. Although there may be other available units within the town centre the vast majority of vacant ground floor units are located in the core retail area. Such requirements therefore restrict the number of potentially suitable premises for certain class 2 uses. In summary, it is considered that the proposal meets with the requirements of policy SC3 and would make a positive contribution to the town centre.

Scottish Planning Policy (SPP)

- 7.3** This states that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into the town centre. The planning system should encourage a mix of uses to support vibrancy, vitality and viability throughout the day and into the evening. The SPP recognises that there can be concerns about the number or clustering of some non-retail uses, and indicates that where a town centre strategy identifies a need for constraint of particular uses in the interests of character, amenity or well-being of communities, local development plans should include policies to prevent clustering or overprovision.

Vitality and Viability

- 7.4** Like many other town centres, Dumbarton High Street has suffered a decline in the quantity and variety of shops in recent years, due primarily to the loss of retail expenditure to out of centre locations. This has affected the vitality and viability of the town centre. Class 2 uses are defined within the use classes order as financial, professional and other services which are appropriate to provide in a shopping area and where the services are provided principally to visiting members of the public. Like retail, such uses also contribute to the vitality and viability of a town centre by having customers who visit the premises and who may also use other facilities within the town centre while there. In this way, class 2 uses can provide alternative or additional reasons for members of the public to visit the town centre.

- 7.5** Scottish Planning Policy supports a mix of uses within town centres and recognises that they should not be just for retail uses. Within Dumbarton High Street there is already a mix of uses including a significant number of Class 2 uses, which include:

- estate agents;
- banks and building societies;
- betting shops;
- solicitors;
- loan shops/pawnbrokers; and
- other services.

Nonetheless, it is not considered that there is an undue concentration of class 2 uses within the High Street. Whilst there is a preference for further Class 1 uses in order to address the decline in the town centre's retail offer, Class 2 and hot food carry out uses also contribute to the character, viability and vitality of the town centre by providing services to visiting members of the public.

Loss of Retail Unit

- 7.6** The unit is currently occupied by a pet shop which has been at this location for at least 25 years. However, within the Dumbarton High Street area, including the Artizan Centre on College Way, there are a relatively high proportion of vacant units, including a number of vacant units of various sizes within the core retail area. The unit has been the subject of a marketing campaign since early June and there has been no interest from retail operators. Whilst the preference would be for this unit to remain in use as a shop, there are suitable alternative locations available in the retail core should it choose to relocate and there are an adequate number of units available for new retail businesses should they be looking for premises within Dumbarton town centre. The use of this unit as an office and hot food takeaway will make a positive contribution to the vitality and viability of the town centre.

Suitability of Proposed Use

- 7.7** In recent months the Scottish Government has responded to criticism about the perceived proliferation of certain types of Class 2 uses, specifically betting shops and payday lenders, and has updated Scottish Planning Policy to allow planning authorities to consider the impact of such uses on the economic wellbeing of the community. However, any decision to refuse such uses would require to be supported by a strategy, policy or other evidence regarding the negative impacts which might arise in that particular case. The Council is currently working with the Scottish Government and Glasgow City Council on a pilot project related to the Scottish Government's Town Centre Action Plan to develop a robust evidence base and planning position in the form of Supplementary Guidance to support its position on payday loan and betting shops planning applications and appeals. Although this project is not complete it is considered that the intention behind the project and future supplementary guidance is still relevant to the current application. There are currently 2 betting shops, 2 loan shops and 1 pawnbroker within the High Street. Granting consent for any use within Class 2 would mean that this unit could also be used as a betting shop or pay day loan shop, which would be detrimental to the vitality and viability of the town centre. Given the recent acknowledgement by the Scottish Government of the impact that these types of Class 2 uses have on the economic wellbeing of the community it is considered appropriate in this instance to restrict the use of the property. A condition can be used to prevent the property being used as a pay day loan shop/betting shop/pawn brokers while still allowing other class 2 uses such as an estate agents, solicitor's office, dental surgery etc.

8. CONCLUSION

- 8.1** Although the proposal involves two non-retail uses being introduced into Dumbarton town centre they would not impact on the viability and vitality of the town centre. Restricting the use of the class 2 unit so that it could not be used as a betting office, pay day loan shop or pawn brokers would ensure that the development would not have a detrimental impact on the economic wellbeing of the community. Overall, it is considered that the proposal would therefore contribute positively towards the vitality and viability of the town

centre and can therefore be justified in terms of the policies of the adopted local plan and proposed local development plan.

9. CONDITIONS

- 1. Notwithstanding the terms of the Town and Country Planning (Use Classes)(Scotland) Order 1997, or any subsequent order amending, revoking or re-enacting that Order, this consent does not allow the Class 2 use to be a betting office, pawnbrokers or pay-day loan shop, unless a separate application for planning permission is submitted.**
- 2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.**
- 3. Prior to the commencement of development, details of an adequate sized grease trap shall be submitted for the written approval of the Planning Authority and thereafter installed and maintained in accordance with the approved details prior to the hot food takeaway opening for business.**
- 4. Prior to the commencement of development, details of the flue/extraction system shall be submitted for the written approval of the Planning Authority and thereafter installed and maintained in accordance with the approved details prior to the hot food takeaway opening for business. The submitted details shall include the noise output and filter system.**
- 5. Prior to the commencement of development, details of the bin store shall be submitted for the written approval of the Planning Authority and thereafter formed and maintained in accordance with the approved details prior to the hot food takeaway opening for business.**

Richard Cairns
Executive Director of Infrastructure and Regeneration
Date: 1st December 2015

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development.

email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

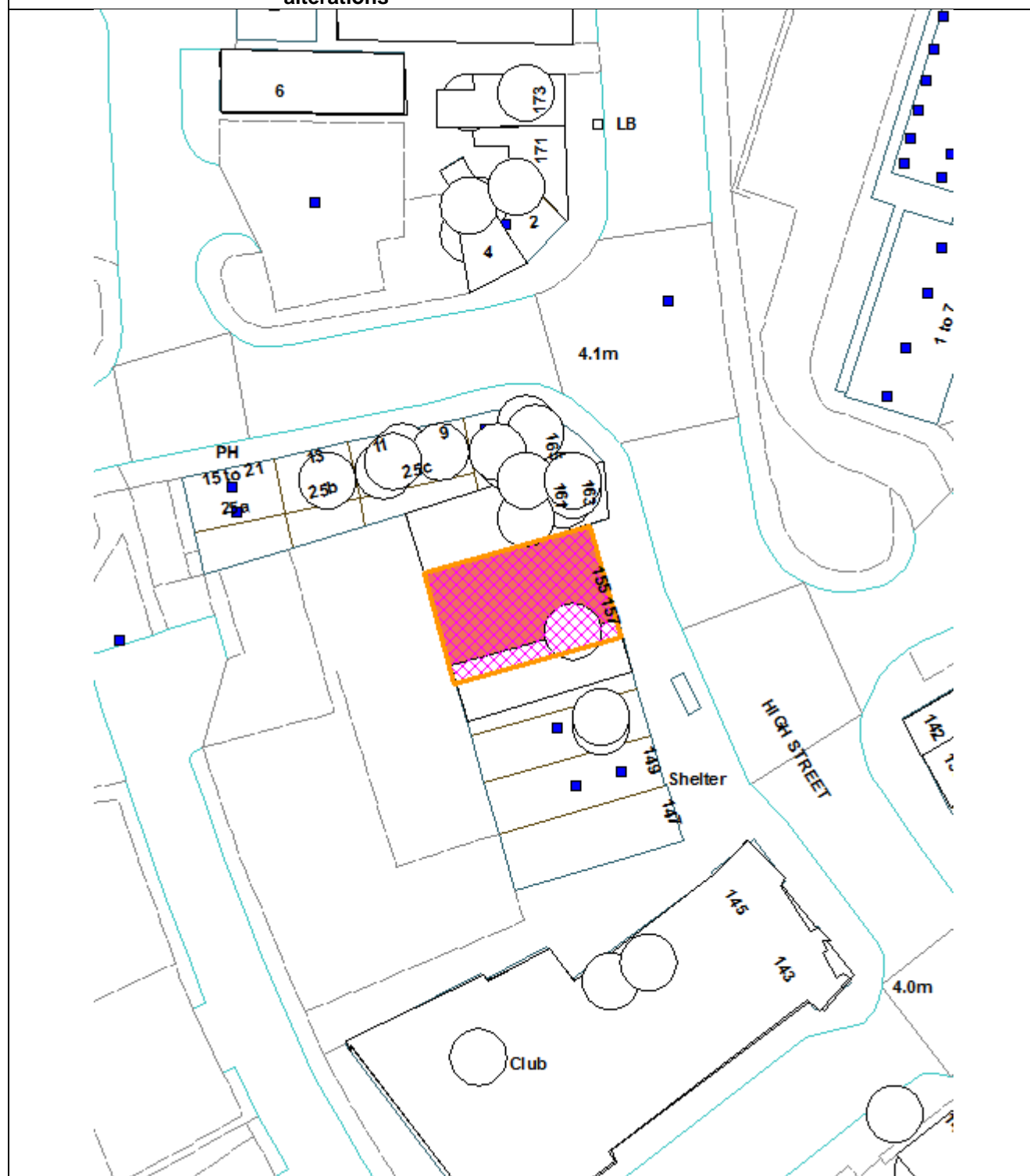
1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. Consultation responses
5. Scottish Planning Policy

Wards affected: Ward 3 (Dumbarton)

DC15/241

**Sub-division and change of
use of a shop to form a hot
food takeaway and a
separate office unit with
associated external
alterations**

**157 High Street
Dumbarton
G82 1NZ**



WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 16 December 2015

DC15/222: Erection of shared campus primary schools, early education and childcare centre and unit for children with additional support needs at St Kessog's Primary School, Dalvair Road, Balloch by West Dunbartonshire Council.

1. REASON FOR REPORT

- 1.1** This proposal raises issues of local significance. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application site comprises the grounds of the present St Kessog's Primary School, along with an adjacent strip of landscaping along the side of Carrochan Road. The site is within a predominantly residential area, and the existing school is a single storey flat-roofed building fronting Dalvair Road, with its playing field to the north, separated from Carrochan Road by the landscaped strip which comprises a broad grass verge containing a number of small trees. The site borders housing to the south and west, but Carrochan Road to the north east contains various small shop units and a public house. The site is only a short distance from Haldane Primary School to the north east and Jamestown Primary School to the south east.
- 3.2** It is proposed to clear all of the existing buildings and playing fields, and replace these with a new shared educational campus containing:
- a replacement for the current St Kessogs RC Primary School;
 - a non-denominational primary school replacing both Haldane and Jamestown Primary Schools;
 - an Early Education and Childcare Centre replacing Jamestown EECC; and
 - a new unit for children with additional support needs (ASN)

The anticipated school rolls will be as follows:

primary schools (total):	651 children
EECC:	60 children
ASN:	36 children
total staff:	103 staff

- 3.3** The various facilities would be contained within a single new building, situated to the north of the existing school on the site of the current blaes playing field. It would be orientated to face east, towards Main Street/Carrochan Road. The new building would be two storeys in height, and would comprise a shared central administrative area, on either side of which would be a wing containing one of the primary schools and either the EECC or the ASN unit. The shared gym/assembly and dining halls would be located in a projecting block to the rear of the central administrative area. The building would be of a contemporary design with the use of a limited palette of materials, including a mixture of slate cladding, facing brick, coloured fibre cement board, metal cladding panels, glazing, curtain walling and an aluminium standing seam roof. It would feature very shallow (almost flat) roof pitches suitable for accommodating solar panels, with a maximum height above ground of approximately 9m. The front elevation would have extensive glazing areas and would predominantly consist of facing brick. Although it would not be symmetrical, it would have a very regular appearance.
- 3.4** Whereas the existing school is accessed from Dalvair Road, the new campus would be accessed from Main Street/Carrochan Road. In order to accommodate this access, a new roundabout would be formed at the junction of Miller Road, with access provided to a car park in the eastern part of the site, in front of the new building. A total of 88 car parking spaces would be provided on site, along with a dedicated drop off area within the car park. The main pedestrian access points would be on Carrochan Road and Main Street to the north and south of the new roundabout, separated from the car parking, and a new pedestrian crossing would be provided on Carrochan Road adjacent to the northern access. Although a vehicular access from Dalvair Road would be retained, this would only be a service access for maintenance, deliveries, school trips and refuse collection.
- 3.5** In addition to the playground area to the rear (west) of the building, a new all-weather synthetic sports pitch would be created to the south of the new building, on the site of the existing school building. The new pitch would be enclosed by 2.4m high weldmesh fencing but it would not be floodlit. It is not intended to make it available for community use.
- 3.6** A Transportation Statement, Design and Access Statement, an Extended Phase 1 Habitat Survey, Drainage Strategy and Bat Survey have all been submitted as part of the application, in order to address the various technical issues.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service has no objection subject to a swept path analysis being submitted to demonstrate that buses would be able to use the Dalvait Road school entrance when required, suitable signing to disabled parking bays, directional arrows marked in the car park, extension of speed limits on surrounding roads, increasing the width of a footway and the addition of refuge islands on the Miller Road and school entrance legs of the new roundabout.
- 4.2** West Dunbartonshire Council Environmental Health Service has no objection to the proposal subject to conditions relating to contaminated land, construction noise, drainage, lighting and dust control.
- 4.3** Sportscotland has no objection subject to the new synthetic pitch being operational no later than one year after the demolition of the present St Kessog's Primary School.
- 4.4** West Dunbartonshire Council Estates Section and the Scottish Environmental Protection Agency have no objection to this application.

5. REPRESENTATIONS

- 5.1** None.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 6.1** The school site is identified as a Public Service Opportunity, where Policy PS3 states that the Council will encourage improved or new public services. When considering a development proposal, consideration will be given to locating developments in areas of social and economic need, areas in close proximity to new housing and locations that may facilitate future development opportunities. The proposal is therefore considered to be in accordance with Policy PS3.
- 6.2** Policy GD1 is a general policy which applies to all development, and which states that all new development is expected to be of a high standard of design and respect the character and amenity of the area in which it is to be located. Policy T4 is also applicable and states that sites should be well integrated into walking, cycling and public transport routes. The proposal is considered to be in accordance with these policies.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan

7.1 On 8 April 2015, the Council advertised its intention to adopt the West Dunbartonshire Local Development Plan, incorporating all of the Examination Report recommended modifications (with the exception of those relating to the inclusion of Duntiglennan Fields, Duntocher as a housing development opportunity). On the same date, the Council advised the Scottish Ministers of its intention to adopt the Plan. The policies referred to below therefore incorporate the accepted recommended modifications. The formal adoption of the plan is presently with the Scottish Ministers.

7.2 The site is located within an Existing Residential Area covered by Policy BC3, which aims to ensure that development will only be permitted which would not detract from the amenity, character or appearance of the surrounding area. This designation allows for various uses compatible with residential areas, including schools. Policy DS1 requires all development to contribute towards creating successful places and refers to the six qualities of a successful place which are: distinctive, adaptable, resource-efficient, and easy to get to /move around, safe and pleasant, and welcoming. Policy DS3 requires significant travel generating uses to be located within 400m of the public transport network and where relevant, measures to ensure accessibility by active travel or sustainable means should be employed. Policy GN1 is also relevant and requires suitable open space to be provided where any proposal will involve the loss of open space. Policy GN2 requires development to follow an Integrating Green Infrastructure approach to design by incorporating SuDS, open space, paths and habitat enhancements at a level proportionate to the scale of development and in accordance with Supplementary Guidance. The proposal is considered to be in accordance with all of these policies for the reasons discussed below.

Scottish Planning Policy (SPP) – Playing Fields

7.3 SPP indicates that playing fields are an important resource for sport and should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing fields strategy in consultation with Sportscotland, as part of their wider open space strategies. For many sports and recreation developments, locations within or close to residential areas will be the most appropriate location and advice will be available from Sportscotland in this regard. In this case, Sportscotland have confirmed that they are satisfied with the facilities proposed as part of the development and the proximity of the site to additional facilities at the nearby Inler Park.

Principle of Educational Use

7.4 The site has been used as a primary school for many years. The proposal would result in the continuation of this use and would replace the various existing buildings, which are either underoccupied or no longer of an appropriate standard, with high quality modern facilities. The proposal involves the co-location of two other existing primary schools, an EECC and an ASN unit onto the site, leading to a more efficient grouping of these units in

a central location within the community. Whilst the site currently contains only a single school, it is considered that the site is large enough to accommodate all of these developments and it is therefore considered that the principle of redeveloping the site as a new educational campus is acceptable, and that the provision of significantly improved school facilities for children in the Balloch/Jamestown area is to be welcomed.

Design, Layout and Materials

- 7.5** The proposed building would be of contemporary design, comprising a linear 2 storey building with a rear projection containing the gym hall, dining room and assembly area. The building would be set back sufficiently from Main Street/Carrochan Road to ensure that its height and size will not unduly dominate the street at this location. The main entrances of the primary schools will be positioned centrally on the Main Street/Carrochan Road frontage in order to create a readily identifiable feature entrance. Each school would have a separate entrance in order to retain their own identities. The fact that the building would be positioned to face Main Street/Carrochan Road would help to make the facility more prominent, as befitting its importance within the local community.
- 7.6** Most of the front elevation would be finished in facing brick, although all of the elevations have an extensive amount of glazing. On the front elevation, the facing brick and glazing would be broken up with areas of natural slate cladding and coloured fibre cement board. The rear and side elevations would make considerably more use of glazing and coloured fibre cement board than the front elevation. The use of this palette of materials will help to enhance the architectural features and create a visually interesting building. Glazing has been used in the design to make the most of natural light and ventilation whilst the glass type will reduce solar transmissions and assist with temperature control. Overall, the proposed building is considered to be of an attractive modern design which would enhance the appearance of this location.
- 7.7** The proposal would result in the loss of a landscaped area along the edge of Carrochan Road. Whilst this area contributes towards the amenity and appearance of the area, it is considered that the new landscaping which would be provided along the school frontage, although smaller in area, would provide an equally attractive area of green space. The net loss of a relatively small area of open space is therefore considered to be outweighed by the benefits of the proposed new educational campus. In relation to green infrastructure, the site would be easily accessible to pedestrians and would incorporate suitable drainage measures within its design.

Vehicular Access

- 7.8** The intensification of use of the site will give rise to more traffic, and rather than use the existing Dalvaird Road entrance it is proposed to form a new roundabout on Main Street/Carrochan Road which would be better able to deal with peak traffic levels, and which would also improve the junction of a main road into the Haldane area. The proposed school car park would have provision for 83 car parking spaces plus 5 disabled spaces and 6 drop off

spaces. This level of provision is considered to be appropriate, and the provision of a dedicated drop off area within the car park will assist traffic circulation. A new toucan crossing would be formed on Carrochan Road which will provide a safe pedestrian route to and from the residential areas to the north and east. The existing signal-controlled pedestrian crossing on Main Street, near Davidson Road would also be retained. There will also be pedestrian access into the school campus from Dalvait Road. These linkages and crossing points will allow safe and easy access into the campus for children arriving by foot.

Impact on Residential Property

- 7.9** Although the building will be two storey and closer to some of the existing housing at Granger Road than the existing school, it would be a sufficient distance from these to avoid any unacceptable overlooking. The potential for overshadowing has been considered in the design and siting of the building, and whilst there will be shadow cast towards the houses to the west/north west of the new building in the morning, it pass by mid-day as the sun rises and moves to the west, and the impact on these houses is considered to be acceptable.
- 7.10** Schools are by their nature busy locations which generate a lot of activity at either end of the school day, and noise from children playing outdoors at intervals/lunchtime is inevitable. However, the site has operated as a primary school for many years and it is not likely that its redevelopment will significantly increase the impacts on nearby residents. In addition, there have been no representations received from local residents who have been neighbour notified and the proposal has also been advertised in the local press.
- 7.11** The proposal also includes a small all-weather pitch at the south of the site, and it is intended that this would only be available for use by the school. It is also not proposed to provide any floodlighting, so it is unlikely that the pitch will give rise to significant impacts upon neighbouring residents in terms of noise or light nuisance.

Technical Issues

- 7.12** Prior to the submission of the planning application, an extended phase 1 habitat survey and a bat survey were undertaken which included a building inspection. Although the site is potentially suitable for foraging wildlife such as badgers, there was no evidence of wildlife other than bats on site. The bat survey identified that although the site was not used by bats in significant numbers, there was evidence of a single roost on site. Consequently, the contractor will be required to obtain a licence from Scottish Natural Heritage which may require certain parts of the building to be stripped by hand and bat boxes to be erected throughout the site. The design and location of bat boxes can be controlled through a planning condition.
- 7.13** A site investigation has not yet been undertaken but in order to ensure that any potential contamination is addressed, suitable conditions will be attached to ensure that the site is suitable for its intended use.

8. CONCLUSION

- 8.1** The proposal would provide high quality primary/early education and childcare facilities for the Balloch area, on a site which has a long history of use for educational purposes. The site is consistent with all relevant planning policies. The proposed new building has been designed and positioned to provide an enhanced civic presence within the local community, and its appearance is considered to be of quality modern design. The impact upon nearby residents is considered to be acceptable and the new access/parking arrangements will have a positive impact on the surrounding area.

9. CONDITIONS

- 1. During the period of construction no delivery or removal of material from the site shall take place out with the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.**
- 2. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.**
- 3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the new school. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.**
- 4. 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 thereafter be implemented as approved.**
- 5. Prior to the commencement of works on site full details of all ground surfaces including play surfaces, social space, roads and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new school.**
- 6. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls) and sprinkler tanks to be erected on site shall be submitted for the further written approval of the Planning**

Authority and shall be implemented within a timescale to be agreed by the Planning Authority.

- 7. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.**
- 8. Notwithstanding the approved plans, details of the design and location of all external furniture, including cycle shelters shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.**
- 9. Notwithstanding the approved plans, details of all external signage shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new school.**
- 10. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species which shall include a landscaping strip along Carrochan Road shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the school. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.**
- 11. The new sports pitch shall not be made available for hire without a separate application for planning permission.**
- 12. Notwithstanding the approved plans, details of the specification and surface of the synthetic grass pitch shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitch and appropriate drainage. The synthetic grass pitch shall be operational within a timescale to be agreed by the Planning Authority prior to the commencement of development on site.**
- 13. Prior to the commencement of development on site a School Travel Plan and Workplace Travel Plan shall be submitted for the further approval of the Planning Authority and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.**

- 14. Prior to the commencement of development on site, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and thereafter it shall be implemented prior to the occupation of the school and maintained as approved.**
- 15. Prior to the commencement of development on site, a scheme for the control and mitigation of dust shall be submitted for the written approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and identify measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.**
- 16. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:**

 - a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)**
 - b) an assessment of the potential risks (where applicable) to:**

 - human health;**
 - property (existing and proposed), including buildings, pets, service lines and pipes;**
 - ground waters and surface waters.**
 - c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.**
- 17. 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.**

- 18. 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.**
- 19. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.**
- 20. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.**
- 21. Before any plant and machinery is used on the premises it shall be enclosed with sound insulating material in accordance with a scheme which shall be approved in writing by the Planning Authority and thereafter implemented as approved.**
- 22. 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 sources upon nearby residential properties and other 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.**

23. Prior to the commencement of development on site a swept path analysis which demonstrates that the service access on Dalvait Road is suitable for use by buses, shall be submitted to and approved by the Planning Authority. Any actions arising from the analysis shall be implemented within a timescale agreed with the Planning Authority.
24. The disabled parking spaces to be formed on site shall be suitably signed.
25. Prior to the commencement of development on site directional arrows shall be marked in the car park prior to the new school becoming operational.
26. Prior to the commencement of development on site a pedestrian crossing shall be provided on Carrochan Road and the footway between the new crossing and the school entrance shall be widened to 3 metres and refuge islands shall be formed on the Miller Road and school entrance legs of the new roundabout and shall be formed prior to the new school becoming operational.
27. Prior to the commencement of development on site, details of the design and location of bat boxes shall be submitted to and approved in writing by the Planning Authority and thereafter shall be implemented prior to any demolition or tree felling being undertaken on site.

Richard Cairns
Executive Director of Infrastructure and Regeneration
Date: 1st December 2015

Person to Contact: Pamela Clifford, Planning & Building Standards Manager,
Housing, Environmental and Economic Development.

email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

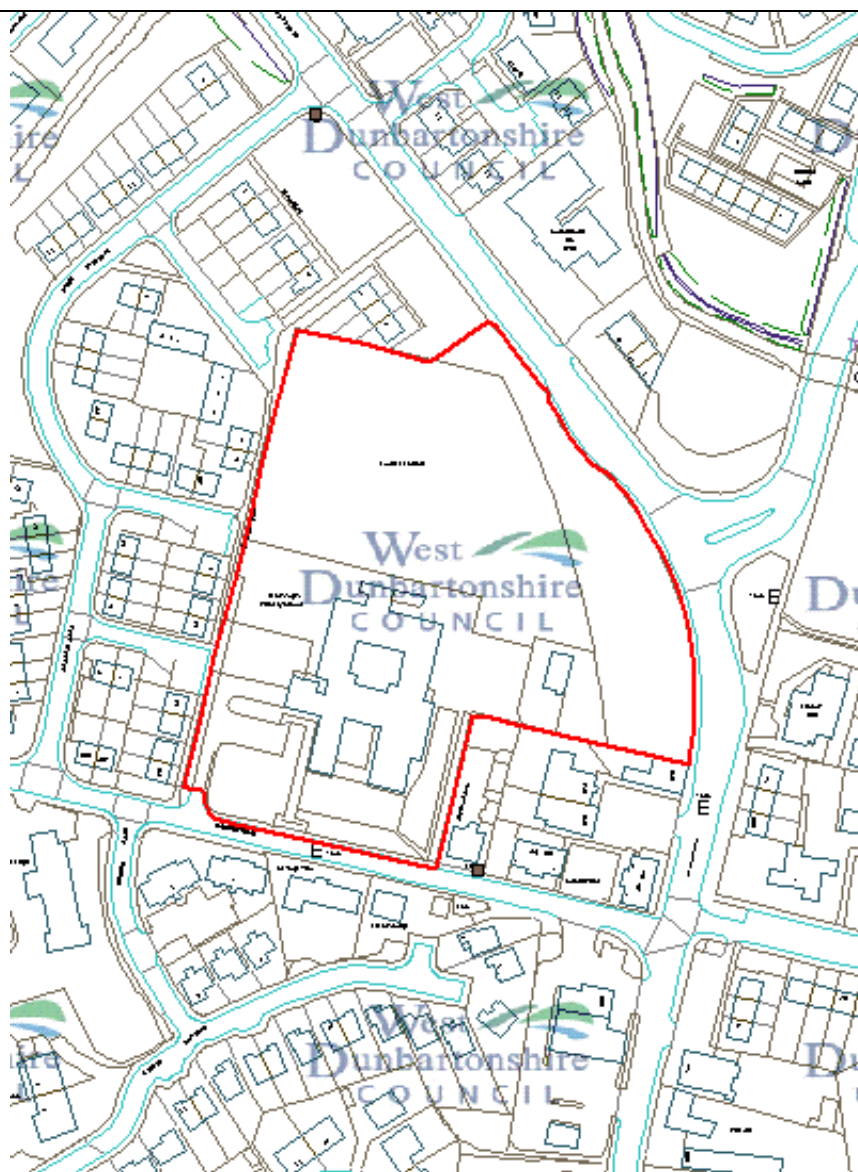
1. Application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. Consultation responses
5. Scottish Planning Policy

Wards affected: Ward 1 (Lomond)

DC15/222

**Erection of shared campus
primary schools, early
education and childcare
centre and unit for children
with additional support
needs**

**Primary Schools Campus Development Site
Carrochan Road
Balloch**



WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 16 December 2015

Subject: Proposal for erection of mixed use development at Braehead, Renfrewshire

1. Reason for report

- 1.1** To agree the Council's response to a planning application received by Renfrewshire Council for mixed use development at Braehead.

2. Recommendations

- 2.1** It is considered that the additional retail floorspace proposed at Braehead would adversely impact on West Dunbartonshire's town centres and Glasgow City Centre and it is recommended that the Committee approve Appendix 1 as this Council's objection to the proposals.

3. Background

- 3.1** On 25 January 2013, Renfrewshire Council consulted with West Dunbartonshire Council in respect of a planning application (13/0049/PP) submitted to it by Capital Shopping Centres plc for *Erection of mixed use development comprising Class 1 (retail use), Class 2 (financial, professional and other services), Class 3 (food & drink use), Class 7 (hotel use), Class 11 (assembly & leisure), including an events arena and other ancillary uses; construction of transport interchanges and route for Fastlink bus service, car parking, roads & accesses, footpaths and covered walkways, public realm works (including provision of open space & civic square), together with landscaping, all associated works and necessary infrastructure ; and demolition of some buildings* at Kings Inch Drive / King's Inch Road (Braehead), Renfrew. The Planning Committee agreed an objection to this application in March 2013, which was subsequently submitted to Renfrewshire Council.
- 3.2** Renfrewshire Council adopted its Local Development Plan in August 2014. This included the designation of Braehead as a town centre, which went against the recommendation of the LDP examination report to not designate Braehead as a town centre. Following adoption of its Local Development Plan, Renfrewshire Council also granted planning permission to the above application.
- 3.3** Following these decisions, legal challenges were raised in the Court of Session and on 25th June 2015 a judgement was issued which quashed the designation of Braehead as a town centre in the Renfrewshire Local

Development Plan, which subsequently led to the reduction of the previously issued planning permission.

- 3.4** On 10th November 2015, Renfrewshire Council re-consulted this Council as it intends to retake the decision in respect of application 13/0049/PP outlined in paragraph 3.1 above.

4. Main issues

- 4.1** Appendix 1 sets out the Council's objections to the planning application, which have already submitted to Renfrewshire Council to meet with the consultation deadline.
- 4.2** The mixed use planning application for Braehead includes:
- An additional 41,000 sq.mt of retail floorspace
 - 3,100 sq.m of financial services and cafes/restaurants
 - A 200 bed hotel
 - A 5000 seat arena
 - A new/relocated transport interchange
 - Almost 800 additional car parking spaces giving a total of 8500.
- 4.3** There is currently 55,000 sq.mt of retail floorspace in the Braehead Shopping Centre (a figure which excludes the surrounding retail warehouses and superstore). The current proposals would increase the retail floorspace within the shopping centre by 75%. This is to be achieved by a reconfiguration and extension of the western part of the centre towards the Soar leisure facility (formerly Xscape). It is suggested that 25-30 new retail units will be created including a department store.
- 4.4** A new events arena would be developed to the west of the expanded shopping centre between it and Soar. This would be fronted by a civic space. The civic space would replace the car parking currently in place between the shopping centre and Soar. A new hotel would sit on the other side of the civic space from the arena.
- 4.5** A new transport interchange would be created to the south of the existing centre. The applicant hopes that Fastlink will be extended from the Southern General to serve Braehead. The additional and replacement car parking will be located within a number of new multi-storey car parks. New footpaths, cycle paths and landscaping are also part of the proposal.
- 4.6** This Council's concerns are principally to the proposed additional retail floorspace and are set out in Appendix 1. The key points are:
- In applying the sequential approach it is not accepted that there are no locations which could accommodate the proposal in part.
 - That the proposal for additional retail floorspace is not supported by the Strategic Development Plan and does not meet the criteria of the Plan's Sustainable Location Assessment or Strategy Support Measure 11, by way of the proposal's impact on Glasgow City Centre and the wider network of Strategic Centres including Clydebank and Dumbarton.

- That the retail impact of the expanded Braehead on West Dunbartonshire's town centres is not acceptable.
- That the regeneration argument offered to support the expansion is not evidenced.

4.7 If Renfrewshire Council approve the Braehead application, it would have to be referred to the Scottish Ministers owing to an objection from a neighbouring authority.

5. People Implications

5.1 None.

6. Financial Implications

6.1 None.

7. Risk Analysis

7.1 None.

8. Equalities Impact Assessment (EIA)

8.1 It is not considered that the report or recommendations raise any equalities issues.

9. Strategic Environmental Assessment

9.1 Not applicable.

10. Consultation

10.1 Not applicable.

11. Strategic Assessment

11.1 It is considered that the Council priority of improving economic growth and employability is threatened by the proposals to increase retail floorspace at Braehead. This would result in a loss of expenditure and investment in West Dunbartonshire, reducing economic growth.

Richard Cairns

Executive Director of Infrastructure and Regeneration

Date: 3 December 2015

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
email: pamela.clifford@west-dunbarton.gov.uk

Alan Williamson, Team Leader – Forward Planning,
email: alan.williamson@west-dunbarton.gov.uk

Appendices: 1) West Dunbartonshire Council response to planning application 13/0049/PP to Renfrewshire Council for mixed use development at Braehead, Renfrew

Background Papers: Report to 6 March 2013 Planning Committee on the Renfrewshire Local Development Plan & Braehead

Wards Affected: All

West Dunbartonshire Council response to Renfrewshire Council planning application 13/0049/PP for mixed use development at Braehead, Renfrew

West Dunbartonshire Council objects to planning application 13/0049/PP.

Scottish Planning Policy and Sequential Assessment

Scottish Planning Policy requires the application of the town centre first principle and a sequential approach to be undertaken when planning for uses which generate significant footfall, including retail and commercial leisure uses, with town centres a preferred location to commercial centres.

Braehead is identified as a commercial centre in the Strategic Development Plan and as a strategic centre in the Renfrewshire Local Development Plan. It is therefore a less preferred location for new retail development than designated town centres.

In applying the sequential approach it is not accepted that the proposed floorspace cannot be disaggregated. Unlike the judgement referred to in the applicant's Planning Statement at paragraph 2.76, the proposed floorspace is not intended to operate as a single unit and therefore can be disaggregated. It is argued by the applicant that the scale of retail development is necessary; otherwise the viability of the entire project would be undermined. However, the most significant part of the project *is* the retail element. Other commercial aspects of the application should only be proposed if viable without subsidy from the retail element.

It is not agreed that there are no locations which could accommodate the development in part. The applicant's sequential site assessment identifies numerous town centres with catchments that are likely to be significantly affected by the Braehead proposals, and with sites that could accommodate a substantial element of the additional floorspace proposed at Braehead. These are sustainably accessible locations, such as Clydebank and Dumbarton, which are sequentially preferable to Braehead, which is predominantly accessed by the private car.

Strategic Development Plan and impact on Glasgow City Centre

The Clyde Waterfront, which Braehead forms part of, is identified as a key component of the Strategic Development Plan Spatial Development Strategy. Diagram 3 of the Plan sets out forms of development in line with the strategy. Retail is not listed.

It is therefore considered that reference to supply-side criteria of Diagram 4 is required. In relation to the network of centres, this asks if the proposal is:

- Respecting the scale of the centre – the proposed additional floorspace reflects a 75% increase in retail floorspace at the Braehead Shopping Centre which is considered disproportionate
- Supporting the network of centres – the proposed additional retail floorspace will have an adverse impact on several centres within the Network of Strategic Centres including Clydebank and Dumbarton. This is considered further below.
- Keeping impact on the City Centre to an acceptable level – the proposed additional retail floorspace will have an adverse impact on Glasgow City Centre.

In relation to sustainable transport it is recognised that the proposal includes public transport enhancements. However, a 10% increase in car parking spaces to 8500 spaces is proposed reflecting that Braehead is predominantly reached by the private car.

Overall, in relation to Diagram 4 it is considered that the proposals for additional retail floorspace at Braehead are for an unsustainable location and that there is no known demand/need for the additional floorspace established in the Development Plan.

Schedule 12 of the Strategic Development Plan identifies a Network of Strategic Centres. This identifies Braehead as a commercial centre. Under 'Challenges', it is indicated that Braehead should diversify to incorporate a range of functions but no reference to additional retail floorspace is made. The West Dunbartonshire town centres of Clydebank and Dumbarton are recognised as part of the Network with challenges including retail offer and expenditure leakage (Clydebank) and retail offer and town centre vacancies (Dumbarton). Glasgow City Centre is also recognised with competition from other centres as its sole challenge. It is contended that additional retail floorspace at Braehead does not accord with the challenges set out for that centre in the Strategic Development Plan, but exacerbates the challenges identified for Clydebank and Dumbarton town centres and the City Centre.

Strategy Support Measure 11 calls for Local Development Plans to bring forward provisions to arrest the decline of traditional town centres, and for the long-term health and well-being of Glasgow City Centre to be reflected in the development management decisions of local authorities.

West Dunbartonshire's town centres are considered below. It is considered that the status of Glasgow City Centre, a significant UK retail centre and a key economic driver for the city-region, is at risk from the current Braehead proposals. They will significantly increase and improve the retail offer of the centre, drawing additional trade that would otherwise be spent in the City Centre and other town centres. It presents the risk of creating a competing retail centre to Glasgow City Centre and threatens investment in new retail floorspace in the City Centre.

In summary, the Strategic Development Plan does not offer support for additional retail development at Braehead; assessment against the supply-side criteria of Diagram 4 is required; and the proposal runs counter to the Strategic Development Plan's support for Glasgow City Centre and the wider network of centres set out in Strategy Support Measure 11.

Retail Capacity and Impact Assessment

It can be assumed that the submitted figures of the retail capacity and impact assessment will be favourable to the applicant's case. West Dunbartonshire Council trusts that Renfrewshire Council will thoroughly assess these and take account of impact on town centres in other authority areas.

That said, the retail capacity assessment is considered to be overly-complex, running to 78 tables, 23 of which are based on assumptions of other developments

being implemented and drawing trade from Braehead. Much is made of this and the justification for a 75% increase in retail floorspace is largely based upon Braehead reclaiming expenditure it would lose were these developments to go ahead. However, because of Braehead's dominance and the uncertainty caused by the expansion proposals, many of these developments will not proceed. Further, Braehead is not a town centre, but a commercial centre, and there is no justification for it to draw back this trade from what are mainly town and edge-of-town centre developments.

Table 68 of the applicant's assessment shows the turnover of almost all other retail centres increasing in the period 2008-2019, whilst the turnover of the Braehead Centre and Retail Park decreases by 26%. It is on this basis that a justification is made for additional floorspace at Braehead, but such a drop in turnover at a time when the applicant suggests significant increases in expenditure generally and increases at almost all other centres seems unlikely and should be challenged.

The 2004 Household Shopping Survey showed that Braehead was already drawing significant trade from the catchments of West Dunbartonshire's town centres, with 11% of trade from Dumbarton/Vale of Leven and 8.2% of trade from Glasgow North West/Clydebank. The applicant's figures suggest that in 2019, with the Braehead expansion plans implemented, Braehead will draw 7.5% of available expenditure from the Dumbarton/Vale of Leven catchment and 3.5% of available expenditure from Glasgow North West/Clydebank, but this is on the basis of the assumptions challenged above. Regardless of that, and taking the applicant's figures, the Braehead expansion would result in an additional draw of over £2M from Dumbarton/Vale of Leven and over £9M from Glasgow North West/Clydebank (based on a comparison of tables 67 and 76). This is not acceptable to West Dunbartonshire Council at a time when it is trying to secure investment in its own town centres. The total expenditure drawn to Braehead following its expansion is estimated at £14.25M from Dumbarton/Vale of Leven and £38.23M from Glasgow North West/Clydebank. This is a significant loss of trade to a centre not easily sustainably accessed from these areas, and a loss which damages West Dunbartonshire's town centres. Further, all of the trade draw/impact figures are likely to increase significantly in respect of Clydebank/Glasgow North West when the proposed Renfrew>Yoker bridge is constructed.

Regeneration argument

The applicant offers strong justification for the additional retail floorspace at Braehead based upon it being the catalyst for economic regeneration on the Clyde Waterfront. No evidence is offered as to how this will be achieved. The proposed investment is contained within the Braehead area, an area which is not in need of physical regeneration. It does not follow that physical regeneration will occur out with the Braehead area as a result of the expansion proposals. Whilst there would be investment and jobs created at Braehead, this would be at the expense of other areas on Clyde Waterfront that are arguably in greater need of regeneration.