

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Planning Committee: 2 June 2021

DC21/030/FUL: Erection of three storey block of flats comprising 18 units for affordable rent (8 X 1bed and 10 X 2bed) and associated parking/open space at Bowling Green, 11 John Knox Street, Clydebank by Clydebank Housing Association.

1. REASON FOR REPORT

- 1.1 This application is for a development that would be a departure from the adopted development plan 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 application site is located on John Knox Street in Clydebank and forms part of the Clydebank Bowling Club. The club has two bowling greens and the proposal relates to the green that is located furthest away from the Pavilion. The 0.2 hectare site is bounded by newly-built, residential Council properties to the north-west, by a railway line to the north-east, and by a road to the south-west with tenement properties on the opposite side. To the south-east lies the other bowling green and associated bowling club buildings. The area around the site is predominantly residential and characterised by three/four storey high flats, however, there are also leisure uses within a nearby warehouse-style building.

- 3.2 Planning permission is sought for the erection of 18 one and two bedroom flats. Two flats will be wheelchair accessible. The development would consist of a three-storey high, C-shaped block with a frontage on to John Knox Street and another overlooking a 18-space car park that would serve the development. Vehicular access into the site would be taken directly from John Knox Street. An area of private amenity space and an outdoor drying area would be provided at the rear of the building and a 216 square metre area of open space would be provided in the north-western corner of the site.
- 3.3 The building would have a fairly simple design with a dual-pitch roof and gable walls on the sections of the building that would project towards the bowling green. Communal entrance doors would have box profile canopies to provide shelter and to draw attention to their location, and larger windows reaching down to floor level would be incorporated into the ground floor flats to maximise light.
- 3.4 Supporting technical information has been provided as part of the application including a Contaminated Land Assessment.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service have no objections subject to a condition 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 including those regarding land remediation and noise.
- 4.3 Glasgow Airport has no objections subject to conditions regarding landscaping and solar panels.
- 4.4 Network Rail and SportScotland have no objections to the proposed development.

5. REPRESENTATIONS

- 5.1 No representations have been received in connection with the application.

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. Policy H5 seeks to protect the character and amenity of existing residential areas.
- 6.2** Policy R1 aims to protect areas of functional and valued open space. Development on existing sports pitches is not supported except in certain circumstances, including where it has been demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand and that the site could be developed without detriment to the overall quality of provision. 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. 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 Duntiglenan 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** Policy GN1 seeks to prevent development that would result in the loss of an open space. Playing fields and sports pitches should not be developed except where a proposed development is ancillary to the principle use of the site as a playing field/involves a minor part of the playing field, or where a new or upgraded playing field of comparable or greater benefit for sport is provided in a location which is convenient for its users and which maintains or improves the overall playing field capacity in the area. A replacement bowling green would not be provided as part of the development, however, the Club would still have one bowling green and this matter is considered further in section 7.11 below.
- 7.4** 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.
- 7.5** 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

- 7.6** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.

- 7.7** 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. Policy GI1 seeks to safeguard open space and outdoor sports facilities, with development on playing fields and sports pitches only supported where the proposed development is ancillary to the principle use of the site as a playing field, or where a new/upgraded playing field of comparable or greater benefit for sport would be provided in the local area.
- 7.8** 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).
- 7.9** 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. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource. Policy GI4 relates to developer contributions which are to be used to improve the green network and areas of open space.
- 7.10** 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

- 7.11** 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. However, the site is an existing bowling green and therefore it is also covered by the policies that seek to protect outdoor sports facilities. SportScotland was involved in pre-application discussions with the applicant, which also involved consultation with Bowls

Scotland. SportScotland notes that there has been a decline in Bowls participation and ongoing challenges in membership and financial sustainability for a number of years. They also note that in terms of local provision for the sport there are nearby greens which have capacity for more members. SportScotland concludes that the loss of one green would not be detrimental to the overall quality of provision for bowls in the surrounding area and therefore do not object to the current application. Policy R1 of the adopted local plan allows development of sports pitches where it has been demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand and that the site can be developed without detriment to the overall quality of provision. It is considered that the proposal meets the requirements of this policy. Policies GN1 and G11 of the proposed LDP1 and proposed LDP2 do not support development unless a new or upgraded facility is provided within the local area. The proposal does not involve the provision of a replacement facility, however, the sale of the bowling green will allow Clydebank Bowling Club to invest in their existing facility, and the presence of nearby bowling clubs with capacity for new members means that the loss of one green should not have a detrimental impact on the ability of local people to participate in the sport.

- 7.12** A statement has been submitted by the applicant, Clydebank Housing Association, in support of the application. They currently have a waiting list of over 800 applicants, with over 600 of those applicants waiting for one and 2 bedroom properties and 6 applicants requiring wheelchair adapted homes. The proposed development would provide 18 homes, including 2 suitable for wheelchair users, and will therefore go some way to meeting this demand. The Housing Association already has a number of properties within this area and the proposed development would make a valued addition to their housing stock. The proposed development will provide much needed homes for affordable rent near the centre of Clydebank and the principle of the development is considered to be acceptable.

Site Layout, Design and Appearance.

- 7.13** The development has been designed to reflect and complement its surroundings. Most of the surrounding flatted blocks are also 3 storey high and the building will be set back a similar distance from the edge of the street as the adjacent building to provide a consistent building line. While the longest frontage will face on to the car park, the end of the building has also been designed to provide an active frontage onto John Knox Street. The 18-space parking court will provide separation between the development and the newly-built flats on the adjacent site. Bin stores and a bike store with space for 20 bicycles will be provided next to the parking court.

7.14 The building will be finished with a mix of brick and cladding. Within the surrounding area there is a mix of finishing materials including sandstone, render and brick. The newly-built properties on the adjacent site are also finished with brick and therefore the development would be in keeping with this. The proposed development incorporates some traditional design features such as a dual-pitched roof and gables, however, it will also incorporate contemporary elements such as cladding, floor level windows on the ground floor and box canopies around the communal entrances. The design of the building is considered acceptable in this residential area.

7.15 An area of amenity space measuring over 200 square metres will be provided within the development. A small area of private amenity space for residents will be provided at the rear of the building along with an outdoor drying area. The building will have a border of grass and shrubs and much of the existing hedge along the edge of John Knox Street will be retained and trimmed. The development will therefore have an attractive green setting.

Impact on residential amenity

7.16 It is considered that the building will not have a detrimental impact on the amenity of surrounding residential properties. The newly-built flats to the north-west of the site will be over 28 metres away from the building and the existing tenements on the opposite side of John Knox Street will be over 19 metres away, which will minimise any impact that it will have in terms of overlooking or overbearing effect. The proposal is therefore considered acceptable as existing neighbouring amenity will be safeguarded.

7.17 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

7.18 An area of amenity open space for the development measuring 216 square metres will be provided in the north-western corner of the site. 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 £19,965 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 being approximately 350 metres walking distance to Whitecrook Park on the opposite side of the railway line.

- 7.19** The building will have a landscaped border consisting of grass and shrubs. The two wheelchair accessible flats will have their own private outdoor space to the front and side. The existing hedge along the southern edge of the site will be retained in parts and trimmed to provide a natural edge to the development and two trees will be planted on the area of open space.

Roads, Parking, Access and Permeability

- 7.20** Vehicular access into the site would be from John Knox Street and a 18-space car park, including 2 wheelchair accessible bays, would be formed along the western side of the site. The car park is around 4 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 bus stops within a few minutes walking distance. A cycle store capable of holding 20 bikes will be provided within the parking court 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.

Technical Matters

- 7.21** Phase 1 and Phase 2 contaminated land assessments have been submitted for the development, which found no significant contamination on the site. The Council's Environmental Health Service have recommended a number of conditions relating to the submission of a remediation strategy and mitigation measures. These matters alongside others regarding noise, dust mitigation and construction activity can be addressed as planning conditions.
- 7.22** Glasgow Airport has recommended conditions relating to the submission of details regarding landscaping and roof-mounted solar panels as these have the potential to affect aircraft safety. 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 provide much needed affordable housing within an existing residential area. Although the development would result in the loss of a bowling green, the proposal would allow investment in the bowling club and provide some financial security for the Club's future. 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.** Prior to the commencement of development on site, details of the design and location of bin stores 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.

- 06. 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.**
- 07. 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.**
- 08. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan J3222-C-02 Rev B. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.**
- 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 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 noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the Bowling Club and adjacent railway line. 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 occupied and shall thereafter be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.**

This area is subject to noise from aircraft and therefore the Noise Impact Assessment must also assess for mitigating this noise source. The development will require high specification acoustic roof insulation as a minimum and double/triple glazing.

- 17. No development shall take place on site until a vibration survey has been submitted to and approved in writing by the Planning Authority. The vibration survey shall determine the vibration dose value for properties within 30 metres of the railway track. Any mitigation measures recommended by the survey shall be implemented prior to the development being occupied and shall thereafter be retained in accordance with the approved scheme. The noise impact and/or vibration assessment and any recommendations in respect of mitigation measures shall be prepared by a suitable qualified person.**

18. 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.
19. 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.

20. 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.
21. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority, in consultation with Glasgow Airport, 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.

- 22. 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.**
- 23. All ground or vegetation clearance works, including any tree felling, shall take place outwith the main bird breeding season (i.e. outwith the period of March to September inclusive), and no 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.**
- 24. 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.**
- 25. 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.**
- 26. No development shall take place on site until full details of any solar panels to be installed within the development site have been submitted to and approved in writing by the Planning Authority, in consultation with Glasgow Airport. The submitted details shall include a glint and glare assessment. No subsequent alterations shall be made to the approved development unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.**

Peter Hessett
Chief Officer – Regulatory and Regeneration
Date: 2 June 2021

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Appendix: None.

Background Papers:

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

Wards affected: Ward 6 – Clydebank Waterfront