

Agenda



Local Review Body

Date: Wednesday, 8 November 2023

Time: 10:00

Venue: Brock Meeting Room, Council Offices, 16 Church Street, Dumbarton

Contact: Nicola.moorcroft@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Local Review Body** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSET

Chief Executive

Distribution:-

Councillor Lawrence O'Neill (Chair)
Councillor Gurpreet Singh Johal (Vice Chair)
Councillor Karen Murray Conaghan
Councillor Ian Dickson
Councillor Daniel Lennie
Provost Douglas McAllister
Councillor June McKay
Councillor Chris Pollock
Councillor Hazel Sorrell
Councillor Sophie Traynor

All other Councillors for information

Date of issue: 25 October 2023

LOCAL REVIEW BODY

WEDNESDAY, 8 NOVEMBER 2023

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 PROCEDURE 5 - 6

Submit copy of Procedure to be followed at the meeting.

4 MINUTES OF PREVIOUS MEETING 7- 9

Submit for approval as a correct record, the Minutes of Meeting of the Local Review Body held on 23 August 2023.

5 APPLICATIONS FOR REVIEW

Submit review papers, for the following planning applications:-

- | | | |
|-----|---|------------------|
| (a) | DC22/064/FUL – Installation and erection of an anemometer mast up to 100 metres in height, guyed with a lattice tower. Guy wires to be orientated at 45, 165 and 285 degrees at land at Merkins Farm, Auchincarroch Road, Jamestown, Alexandria - Flat area of rough grazing moorland at an elevation of 268m approximately 3.35km northeast of the settlement of Bonhill and 1.55km east of Pappert Hill. | 11 - 144 |
| (b) | DC23/015/FUL – Proposed coach house conversion to form new dwelling house at site at 61 Bonhill Road, Dumbarton, G82 2DR. | 145 - 203 |
| (c) | DC23/072/FUL – Change of use of the property from residential to short term let at Flat 1, 14 Cornock Street, Clydebank, G81 3BP. | 205 - 248 |

WEST DUNBARTONSHIRE COUNCIL

LOCAL REVIEW BODY

PROCEDURE TO BE FOLLOWED AT MEETING

1. The Chair will introduce himself and the Members of the Review Body.
2. The Planning Adviser will outline the details of the application.
3. The Members of the Local Review Body will then ask any appropriate questions to the officers present, i.e. Planning Adviser of the Local Review Body and Legal Adviser.
4. If the Local Review Body then considers that there is sufficient information from the material before it, including the notice of review, the decision notice, and report of handling, and any further representations from interested parties, it may proceed to determine the review.
5. The Chair and the other Members of the Review Body will consider the information before them in terms of the submission by the applicant, the interested parties including any statutory consultees or other parties who have made representations and the report of handling.
6. If the Local Review Body decides that it requires further information or representations before it can determine the review they should agree what form this information should take, i.e.
 - Site visit
 - Written submissions
 - The holding of one or more hearing sessions
- 6.1 **Written Submissions:** The Local Review Body can request written submissions from the applicant or appointed officer, any other body or person they wish to receive information from. The Local Review Body should decide the matters on which the written submissions should address.
- 6.2 **Hearings:** If the Local Review Body decides that it wishes to hold a hearing in respect of the case, it should determine what matters it would wish to be considered at the hearing. The hearing will comprise of the applicant, any interested party who made representations in relation to specified matters, the appointed officer and any other body or person from whom the Local Review Body wishes to receive further representations or to provide information on specified matters.

- 6.3 Site Inspection: If the Local Review Body decides to hold a site visit, it must decide if the site visit is to be unaccompanied or accompanied by the applicant and any other party the Local Review Body considers should attend.
7. The Local Review Body can also agree to appoint an assessor to advise on specific matters generally of a specialist or technical nature. Where an assessor is appointed, those entitled to a hearing will be advised of the name of the assessor and the matters which they are appointed to advise on. The assessor may make a written report to the review body after the close of the hearing, which will be made publicly available.
8. After the written submissions, hearing or site inspection, the Local Review Body will move to determine the review and will outline their reasons to approve or refuse the review case.

LOCAL REVIEW BODY

At a Meeting of the Local Review Body held in the Civic Space, 16 Church Street, Dumbarton, on Wednesday, 23 August 2023 at 2.00 p.m.

Present: Councillors Karen Murray Conaghan, Ian Dickson, Gurpreet Singh Johal, Daniel Lennie, June McKay, Lawrence O'Neill, Chris Pollock, Hazel Sorrell and Sophie Traynor.

Attending: Alan Williamson, Team Leader, Development Planning and Place (Planning Adviser); Nigel Ettles, Legal Adviser; and Nicola Moorcroft, Committee Officer.

Also attending: Mr J Bruce and Ms M Rodger (applicants)

Apology: Apologies were intimated on behalf of Provost Douglas McAllister.

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. Councillor Ian Dickson declared, for the purposes of transparency, that he been contacted, as Ward Councillor, regarding this Review.

PROCEDURE

A copy of Procedure to be followed at the meeting was submitted and noted

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Local Review Body (LRB), held on 27 June 2023 were submitted and approved as a correct record.

APPLICATION FOR REVIEW: DC22/214/FUL 8, BONHILL VIEW, BONHILL, G83 0SZ

Review papers were submitted for the above application.

Following discussion and having considered all of the information before them, the LRB agreed that it did not have enough information to make a decision, on this application, at this moment in time. The Local Review Body, accompanied by Planning Officers only, would undertake a site visit and would reconvene, to consider the Review of Planning Application Reference DC22/214/FUL.

ADJOURNMENT

The Committee agreed to adjourn the meeting in order to allow a site visit to take place to the site of the planning application for review at this meeting.

RECONVENED MEETING

The meeting of the Local Review Body reconvened in the Civic Space, 16 Church Street, Dumbarton, on Monday 11 September 2023 at 11.00 a.m.

Present: Councillors Karen Murray Conaghan, Ian Dickson, Gurpreet Singh Johal, Lawrence O'Neill, Chris Pollock, and Sophie Traynor.

Attending: Alan Williamson, Team Leader, Development Planning and Place (Planning Adviser); Nigel Ettles, Legal Adviser; and Nicola Moorcroft, Committee Officer.

Also attending: Mr J Bruce and Ms M Rodger (applicants) and Mr J Talbot (interested party).

Apologies: Apologies were intimated on behalf of Provost Douglas McAllister and Councillors Daniel Lennie, June McKay and Hazel Sorrell.

APPLICATION FOR REVIEW: DC22/214/FUL 8, BONHILL VIEW, BONHILL, G83 0SZ

Review papers were submitted for the above application.

Reference was made to the unaccompanied site inspection in this regard.

Mr Williamson, Planning Adviser, outlined the details of the application and following discussion, Members agreed that they now had sufficient information to enable them

to determine the review.

Having considered all of the information before them, the LRB agreed to overturn the determination of the Appointed Officer and that planning permission be granted, subject to conditions as shown in Appendix 1 to these Minutes.

The meeting closed at 11.10 a.m.

APPENDIX 1

DC22/214/FUL 8, Bonhill View, Bonhill, G83 0SZ – convert area of land into a garden plot and associated works.

CONDITIONS:

1. Notwithstanding the approved plans, the garden hereby approved shall only be used in association with 8 Bonhill View, Alexandria.

Reason: To safeguard the residential amenity of the area.

2. Prior to commencement, full details of the proposed boundary treatment including height, material and method of fixing shall be provided to, and approved in writing by the Planning Authority. Thereafter, the boundary treatment shall be implemented and maintained in accordance with the approved details, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the position, design and materials of the fence are appropriate to the character of the area.

3. Prior to commencement, full details of any proposed ancillary buildings shall be provided to, and approved in writing by the Planning Authority.

Reason: To ensure that the position, design and materials of any ancillary buildings are appropriate to the character of the area.

APPLICATION FOR REVIEW:

DC22/064/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100544209-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Coriolis Energy Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Neil	Building Name:	
Last Name: *	Thomson	Building Number:	106
Telephone Number: *	07827047656	Address 1 (Street): *	Hope Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G2 6PH
Email Address: *	neil.thomson@coriolis-energy.com		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="22"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="King Street"/>
Company/Organisation	<input type="text" value="Vale of Leven Wind Farm Limited"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Maidenhead"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text" value="07827047656"/>	Postcode: *	<input type="text" value="SL6 1EF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="neil.thomson@coriolis-energy.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="West Dunbartonshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

The proposed location lies on a relatively flat area of rough grazing moorland at an elevation of 268m approximately 3.35km northeast of the settlement of Bonhill and 1.55km east of Pappert Hill within the West Dunbartonshire Council area.

Northing	<input type="text" value="680102"/>	Easting	<input type="text" value="243906"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Installation and erection of an anemometer mast up to 100 metres in height, guyed with a lattice tower. Guy wires to be orientated at 45, 165 & 285 degrees.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Notice of Review Supporting Statement & Figures

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Notice of Review Supporting Statement and Figures, Site Location Plan, Preliminary Ecological Appraisal, Decision Notice

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

DC22/064/FUL

What date was the application submitted to the planning authority? *

05/04/2022

What date was the decision issued by the planning authority? *

27/06/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is located on remote, private land. With advanced notice, arrangements can be made for a site inspection.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Neil Thomson

Declaration Date: 24/08/2023

Notice of Review – Statement (DC22/064/FUL)

1. Introduction

This Statement has been prepared by Coriolis Energy Ltd on behalf of Vale of Leven Wind Farm Ltd (hereafter 'the Applicant') to be read as part of the Notice of Review submitted following the refusal of planning application DC22/064/FUL.

In March 2022, the Applicant submitted a planning application to West Dunbartonshire Council for the installation of a temporary anemometer mast up to 100 metres in height, guyed with a lattice tower and guy wires to be orientated at 45, 165 & 285 degrees for a maximum of 5 years located on land at Merkins Farm, Auchincarroch Road, Jamestown, Alexandria (hereafter 'The Proposal'). This application was refused on 27 June 2023 on the following grounds:

1. 'The proposed anemometer mast does not demonstrate an understanding of the local context as the proposed bird deflectors will have an unacceptable impact upon the visual amenity of Kilpatrick Hills. The proposal therefore does not accord with Policies 4 and 14 of the National Planning Framework 4, Policies CP1 and KH1 of the proposed West Dunbartonshire Local Development Plan 2 and Policy GD1 and RSA1 of the West Dunbartonshire Local Plan.'

2. 'The proposed anemometer mast is located within an area Blanket bog and also to the south of an expansive area of class 1 and class 2 peatland areas. The proposal indicates varied paths for access which have the potential to damage the priority habitat. The proposal therefore does not accord with Policy 2, 3 or 5 of the National Planning Framework 4 or Policy ENV1 and Policy ENV3 of the proposed West Dunbartonshire Local Development Plan 2.'

The following sections will address why this decision is flawed.

2. Reason For Refusal: Visual Amenity

Firstly, it is worth addressing the suggestion that The Proposal has an unacceptable visual impact due to "the proposed bird deflectors". Do note that 'bird deflectors' were not part of the Applicant's proposal. Black and white tape/flags along the guy wires were a recommended mitigation measure within the Preliminary Ecological Appraisal Report (dated 1st September 2022), prepared at the request of West Dunbartonshire Council:

'Furthermore, to minimize the risk of any birds colliding with the guy ropes of the mast, it is recommended that contrasting (black and white) tape or flags are attached at intervals of not more than 10m along the ropes.'

Arguably, this is a recommendation that could be used to inform planning conditions, should it be determined that mitigation is necessary.

In any event, it should still be considered that these do not have an unacceptable visual impact from any sufficient distance. Please see the images (supporting Figures 2.1-2.5) of such black and white flags/tape as part of a similar anemometer mast structure. As shown in the images, the black and white flags along the guy wires are hardly visible from distances beyond 200m.

Therefore, it is unjustified to suggest that the proposal does not accord with Policies 4 and 14 of the National Planning Framework 4, Policies CP1 and KH1 of the proposed West Dunbartonshire Local Development Plan 2 and Policy GD1 and RSA1 of the West Dunbartonshire Local Plan, based on this reason for refusal.

Moreover, it should be noted that a temporary anemometer mast application (DC10/112/FUL) was previously considered by the Council at this same location and was determined to be acceptable against Policies GD1 and RSA1 of the West Dunbartonshire Local Plan (2010). Condition 3 of the planning consent notice required bird flight diverters to be approved in advance by the Planning Authority.

The anemometer mast was subsequently installed with the inclusion of more perceptible orange disc bird flight diverters, as presumably agreed with the Council.

In its concluding remarks the planning officer states within the Decision Notice:

'Overall, it is considered that the development is of a type which is appropriate for the regional scenic area and which will not detract from the appearance or amenity of the countryside. The proposals are considered to comply with the adopted local plan and therefore acceptable.'

The relevant sections of this Decision Notice for the aforementioned planning application is included as Annex 2.

3. Reason For Refusal: Peatland & Priority Habitats

In addition to visual amenity, it is suggested that the proposal has the potential to damage priority habitat due to the 'varied paths' for access and proximity to class 1 and 2 peat as presented in NatureScot's Carbon and Peatland Map (2016). Note that there are no associated access paths which require to be prepared as part of this proposal. See Preliminary Ecological Appraisal Report (dated 1st September 2022):

'The mast would be accessed using tracked all-terrain vehicles (ATVs), with no track constructed for the purposes of reaching the mast location. It is expected that five return trips to the mast location would be required for the purposes of installation.'

For clarity, ATVs, such as Quad Bikes are currently used on a daily basis on this site and throughout the Kilpatrick Hills to assist with sheep farming.

The associated infrastructure lies within Class 3 soils and approximately 350m and 150m south from Class 1 and 2 peat respectively, with the closest point being the anchoring point of the northernmost guy wire. See Supporting Figure 3.1.

Class 3 soils are described as *'Dominant vegetation cover [which] is not priority peatland habitat but is associated with wet and acidic type. Occasional peatland habitats can be found. Most soils are carbon-rich soils, with some areas of deep peat'* (Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot)).

The habitat within the area is not considered to be Nationally or Regionally important due to its size and distribution. Therefore, assigning a Nature Conservation Value higher than Local is not deemed appropriate. Mire habitat of this quality (and greater) is relatively widespread across the local area as well as within West Dunbartonshire and beyond, which further reduces the relative value of this habitat.

Condition 4 of the previously consented mast at this site required the developer to submit details of site access during construction and maintenance. There is no reason why this couldn't also apply here.

Based on the above, it is unsubstantiated to suggest that the proposal does not accord with Policy 2, 3 or 5 of the National Planning Framework 4 or Policy ENV1 and Policy ENV3 of the proposed West Dunbartonshire Local Development Plan 2 as a result of its potential impact on priority habitats and peatland.

4. Summary & Conclusion

This statement has presented that the grounds for refusal of the Proposed Development are unjustified and outlined exactly why it does not have an unacceptable impact on both visual amenity and priority habitats.

In addition, the decision to refuse the application is not consistent with a previous decision to allow an anemometer mast with bird diverters at this same location and in the context of West Dunbartonshire Local Plan (2010).

In conclusion, it is therefore considered the Proposed Development is in accordance with the National Planning Framework 4, the proposed West Dunbartonshire Local Development Plan 2 and the West Dunbartonshire Local Plan.

It is considered that the matters raised as reasons for refusal can be dealt with by way of appropriate planning conditions, as has been done previously at this site and as set out in Appendix B.

Appendix A: Supporting Figures

Figure 2.1: Example Mast with Deflecting Flags



Figure 2.2: Example Mast with Deflecting Flags



Figure 2.3: Example Mast with Deflecting Flags



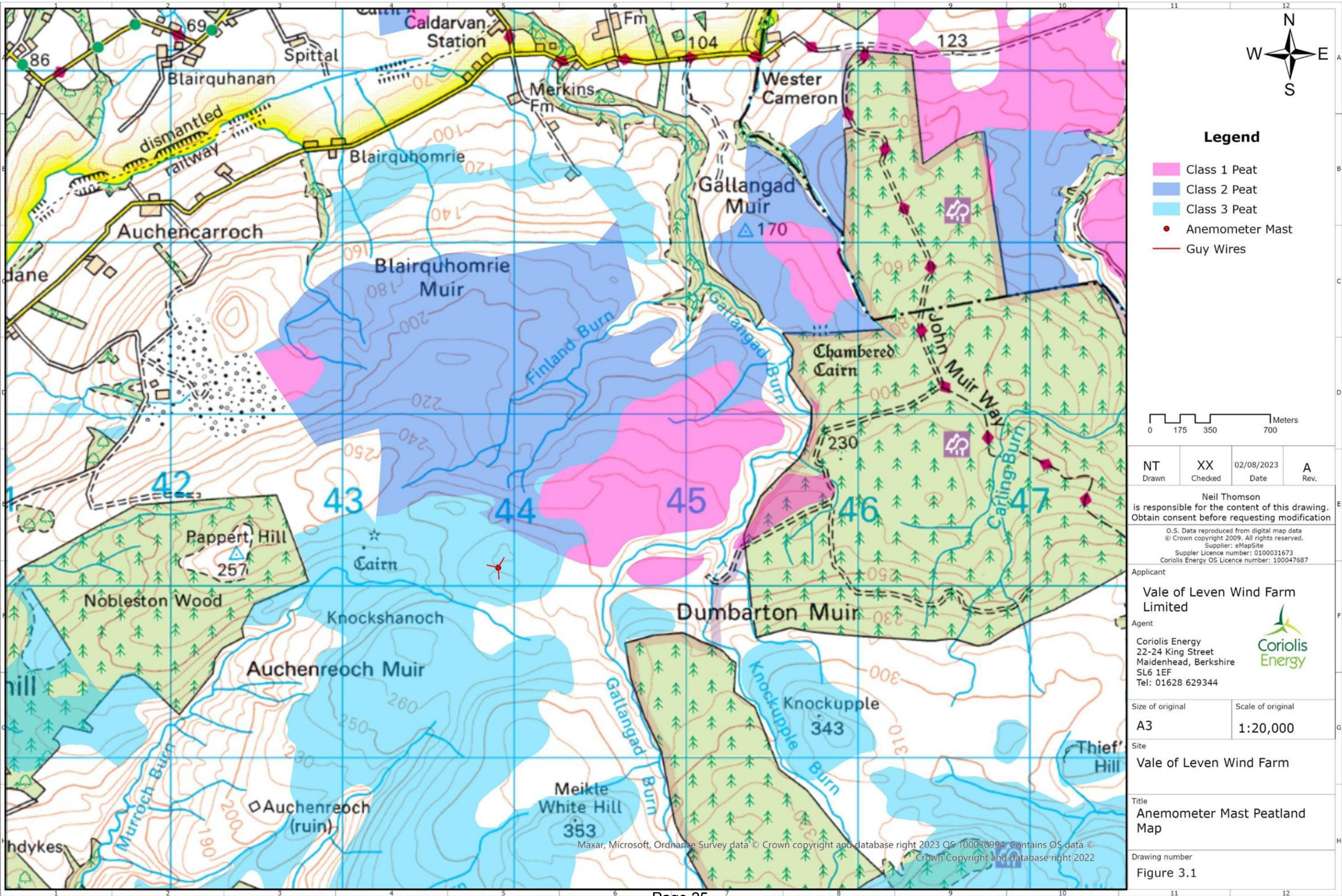
Figure 2.4: Example Mast with Deflecting Flags



Figure 2.5: Example Mast with Deflecting Flags



Figure 3.1: Peatland Map



Appendix B: Decision Notice (DC10/112/FUL)

Kilpatrick Hills. It will sit at a level of approximately 270aod, with nearby ridges reaching up to 374aod. Consequently it will not be visible from the south east. From the other viewpoints, the mast will occupy an area which acts almost as a plateau, thereby reducing the visibility of the mast from surrounding roads and settlements. From the majority of vantage points, the mast will at most, be partially visible. It is likely that the mast will be more noticeable at night due to the requirement for a red warning light to be sited at the top of the mast as a warning for aircraft. Since the purpose of the mast is to measure wind at this specific location in order to assess its suitability for a windfarm in the longterm, there is a case for a specific locational need.

In order to address the comments of SNH, a condition will be added which requires suitable bird protection measures to be incorporated into the design of the mast and supporting guys thus ensuring there is no impact on the nature conservation value of the area. In addition, further conditions relating to the access route and the addition of a red warning light will be attached to any consent. At the end of the 3 year period, if not before, the mast and all associated equipment will be removed from site.

Overall, it is considered that the development is of a type which is appropriate for the regional scenic area and which will not detract from the appearance or amenity of the countryside. The proposals are considered to comply with the adopted local plan and are therefore acceptable.

7. Added Value

None.

8. Recommendation

Grant planning permission.

9. Conditions

01. **The development hereby approved shall be for a period of 3 years from the date of this decision notice. At the end of the 3 years, the mast and associated equipment shall be dismantled and removed from site and the site returned to its former condition.**

Reason In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. **The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:**

a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);

b) A Notice of Completion of Development as soon as practicable once the development has been completed

Reason In accordance with the terms of Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

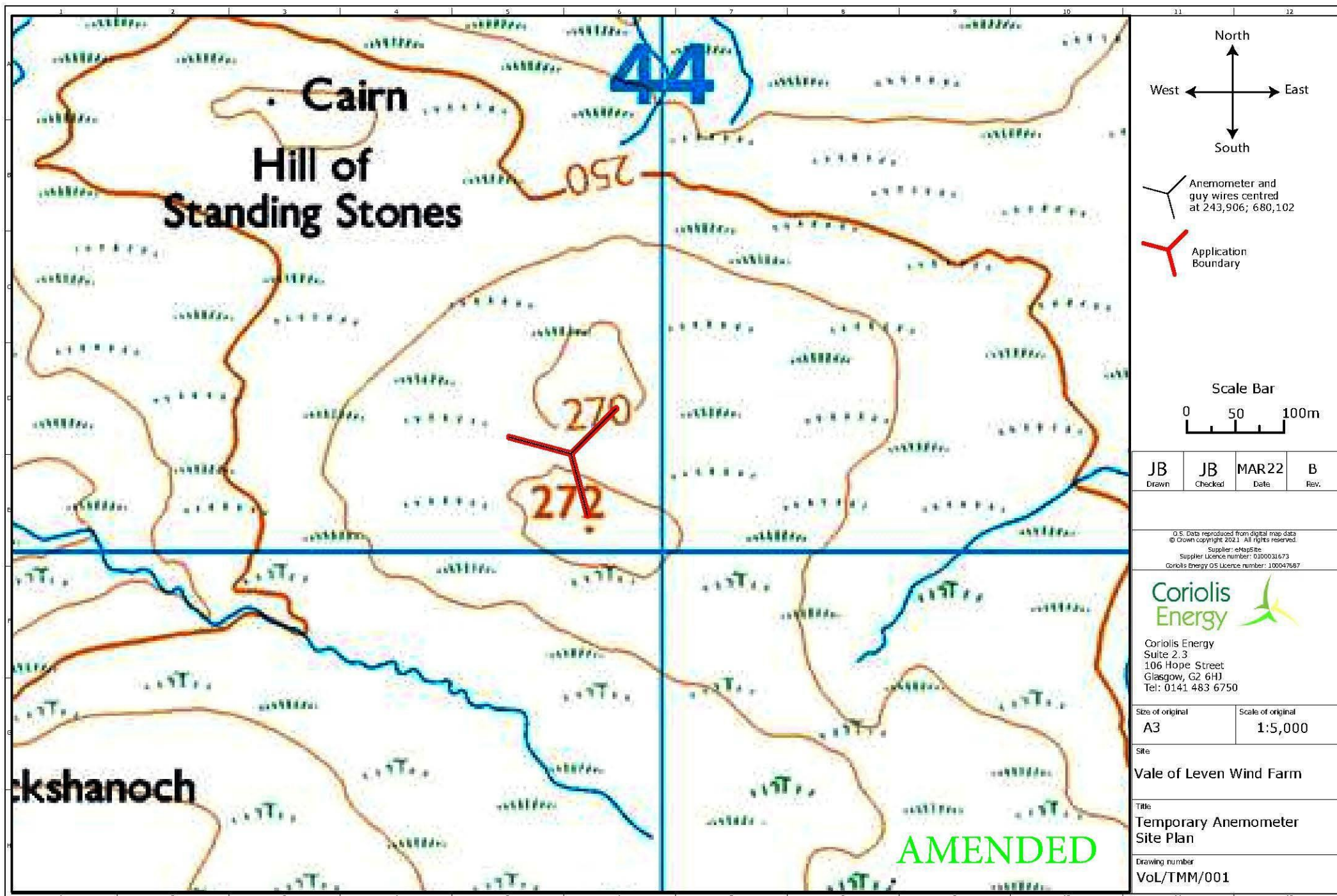
03. Prior to the commencement of development on site, details of bird diverters and their maintenance schedule shall be submitted for the further written approval of the Planning Authority and shall be erected at the same time the mast is erected.

Reason To ensure that appropriate measures are undertaken for the protection of birds.

04. Prior to the commencement of development on site, details of any vehicular access required during construction or for maintenance shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

Reason To ensure that there is no unacceptable or lasting damage done to the surrounding countryside.

05. At the same time as the erection of the meteorological mast, obstacle lights shall be placed on the mast. These obstacle lights shall be steady state red lights with a minimum intensity of 2000 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance shall all be in accordance with the requirements of 'CAP168 Licensing of Aerodromes' (available at www.caa.co.uk/srg/aerodrome).



REVIEW CORRESPONDENCE:

DC22/064/FUL

27.9.23 Biodiversity response to Notice of Review for application DC22/064/FUL

1. Visual Amenity

- 1.1 The bird deflectors would be required to provide mitigation against bird strike as a result of the mast installation should it proceed. A number of moorland birds as set out in my previous response could be impacted by this and additionally the proximity of the Black Cart SPA should also be considered with whooper swan as the qualifying interest.
- 1.2 The mitigation offered by the ecologist is unlikely to reach the standard as set out by NatureScot in the previous mast application at this site, and this would be required to satisfy any condition should the development proceed. This would consist of 14cm diameter bright orange disc deflectors positioned at 6m intervals along the guy ropes.
- 1.3 The steady red obstacle lights as required by the airport regulations had previously caused concern and complaints from residents when the previous mast was in place. This one will now stand 40m taller than the previous one at 100m and will likely be easier seen from other viewpoints in the Kilpatricks as well as other local hills such as Duncryne. Previous complaints made mention of the light being an overbearing feature in open countryside and a considerable visual intrusion (both on planning portal re development DC10/112/FUL dated 10.10.11 and 18.08.11)

2. Peatland and priority habitats

- 2.1 The proposed location for the mast and guy ropes is on an area of blanket bog. Blanket bog is a priority habitat for conservation and is listed as such in the UKBAP list as well as the previous LBAP priority habitat list. Furthermore, the ecologist has described the plant communities as NVC classification M19a and M17a – both sub communities of examples of what NatureScot describes as ‘likely to be considered priority peatland’. Whilst it is considered to be Class 3 peat, the peat depths described in the PEA say the range is from 0.2 to 0.8m. NatureScot and the IUCN consider peat at depths greater than 50cm as priority peatland. The proposed guy stakes are 2 m in length.
<https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>
- 2.2 It should be demonstrated that the amount of carbon release as part of this project (by degradation of carbon rich soils and peatland) is not in excess of what the project is trying to achieve in the long run as a precursor to a windfarm at this location. Blank bog with this type of plantlife community is actively producing more peat and storing carbon and will continue to do so without disruption to the habitat. It also contains an important food plant (cottongrass) for black grouse which are known on the site. Use of a carbon calculator model to demonstrate the carbon balance would be useful.

3. NPF4 Policy 3 requirements not addressed

- 3.1 NPF4 policy 3 has a requirement for local development to produce biodiversity enhancement. This is in addition to any mitigation which is required for the development to proceed. The disruption to the carbon rich soils, peatland and plant communities as well as potential for bird strike are clear examples of potential biodiversity detriment should this development proceed. No enhancements have been offered.

09.10.2023



Coriolis Energy Limited on behalf of Vale of Leven Wind Farm Limited (the Applicant) are grateful for the opportunity to respond to the Biodiversity response of 27.9.2023 in relation to the above review of the planning decision.

This response will address the points raised with reference to details previously submitted as part of this application and the notice of review supporting statement.

Visual Amenity

The Applicant agrees that bird flight diverters would be a positive feature for the proposed development, indeed this is standard practice for temporary anemometer masts supported by guy wires.

The bird diverters proposed within the *Vale of Leven Anemometer Mast Preliminary Ecological Appraisal Report (September 2022)* submitted as part of this application are consistent with existing NatureScot (2016) Guidance – *Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds* ([Guidance - Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds | NatureScot](#)). Therefore, it is not correct to refer back to the NatureScot (then SNH) response on the previous application (DC10/112/FUL) at this site, as guidance on appropriate bird flight diverters has moved on since that time and “bright orange disc deflectors” referred to in the Councils Biodiversity response are no longer considered to be the most effective. Contrast is now considered to be more important for birds in flight, than bright colour according to [Prinsen et al., 2011](#). Instead, section 6.1 of the NatureScot (2016) Guidance notes that “*markers should be installed as close together as possible (at least every 5-10 m on power lines), and in contrasting colours e.g. black and white for maximum visibility in different weather and light conditions*”.

As a result, the bird flight diverters proposed are currently the most effective for reducing potential bird collision, while also having the inadvertent benefit of not being visually prominent, as demonstrated in Appendix A of our Supporting Statement (September 2023).

In response to the Councils additional point in relation to potential impacts on whooper swan, the aforementioned NatureScot (2016) Guidance specifically notes in section 6.1 that “*Line marking remains the most common and practical form of wire collision mitigation worldwide, and research shows that it can reduce bird collisions for some species by 50-94% (evidence reviewed in [Prinsen et al., 2011](#)). In the UK, there is evidence that marking is effective in reducing wildfowl mortality, particularly for swans* [emphasis added]”.

In addition, and while it is appreciated that this is an entirely separate application, a concerted ornithological survey campaign in consultation with NatureScot has been carried out at this site in relation to the forthcoming wind farm application and during that time only a single flock of whooper swans was recorded passing over this site, which has resulted in the species being scoped out for further Environmental Impact Assessment. It is anticipated that the wind farm application will be submitted later this month (October 2023), however the Applicant would be willing to share any information on birds in advance, if required.

As regards the concerns being raised in relation to the proposed aviation light. This does not appear to form part of the Council's initial refusal of the application and therefore we do not intend to address this in any detail other than to say that it is a condition required by Glasgow Airport.

Peatland and Priority Habitats

The *Vale of Leven Anemometer Mast Preliminary Ecological Appraisal Report (September 2022)* prepared by ecologists MacArthur Green following site visits, is clear in its recommendations at section 7 that *"The planned access does not pass through any areas of deep peat, and the mast and ground anchor locations are not within deep peat. 100m to the east of the mast location there is an isolated area of deep peat (up to 1.4m). Tracking over this area should be avoided."*

Moreover, there is an error in the Council's Biodiversity response, specifying that peat depths greater than 50cm indicate *priority peatland habitat*, however this is not entirely accurate. What it actually says is that *"Peat soils in Scotland are defined as soil with a surface peat layer with more than 60% organic matter and of at least 50cm thickness. Peaty soils have a shallower peat layer (<50cm) at the surface"*. [Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot.](#)

In any event, the deepest pocket of peat found within the planning application boundary is 0.8m and is affected by only one of the anchors.

In response to the request within the Council's Biodiversity response to *"demonstrate that the amount of carbon release as part of this project (by degradation of carbon rich soils and peatland) is not in excess of what the project is trying to achieve in the long run as a precursor to a windfarm at this location"*. It should firstly be stressed that the application in question here is for a temporary anemometer mast and not a wind farm. That said, in the spirit of transparency the carbon balance report required to be submitted as part of the (separate) application for a wind farm in this area indicates that the emissions associated with the construction of the proposed wind farm would be repaid after an estimated 1.5 years of operation (proposed to be 40 years) assuming a baseline fossil fuel-mix of electricity generation.

Therefore, while no carbon balance calculations have been carried out for the application in question (DC22/064/FUL), considering the comparatively insignificant disturbance associated with the installation of the proposed mast, it can be said with some degree of certainty that any *carbon release as part of this project* i.e. the mast, *is not in excess of what the project is trying to achieve in the long run* and by quite some margin.

NPF4 Policy 3 requirements not addressed

The Council's Biodiversity response makes specific reference to NPF4 policy 3, stating *"that it has a requirement for local development to produce biodiversity enhancement."* However, NPF4 policy 3 c) which is being referred to actually states that *"Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development"*.

From the outset, measures have been taken to conserve biodiversity by avoiding the most sensitive habitats on site and locating the mast and anchors on a location devoid of deep peat.

It is neither *appropriate* nor *proportionate* to require an application for a temporary anemometer mast, utilising 0.1 hectares to provide biodiversity enhancement measures.

The Vale of Leven Anemometer Mast Preliminary Ecological Appraisal Report (September 2022) previously referred to sets out various measures to conserve biodiversity including;

- ensuring that the ATV route to site is varied in order to avoid damage to any sensitive peatland habitats crossed.
- works to install the anemometer mast are undertaken between 1st September and 15th March (the non-breeding season for birds) in order to avoid any impacts on breeding birds that may be present. If installation can only happen outwith these dates, a walkover survey to identify any ground-nesting or other breeding birds that may be impacted should be conducted prior to installation or tracking with ATVs takes place.
- If installation of the mast is required to take place between March and May (inclusive), targeted black grouse surveys would be needed ahead of installation, in addition to the walkover surveys for breeding birds.
- to minimise the risk of any birds colliding with the guy ropes of the mast, it is recommended that contrasting (black and white) tape or flags are attached at intervals of not more than 10m along the guy ropes.

It is within the Councils gift to impose these planning conditions, as appropriate.

PLANNING APPLICATION:

DC22/064/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100544209-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Installation and erection of an anemometer mast up to 100 metres in height, guyed with a lattice tower. Guy wires to be orientated at 45, 165 & 285 degrees.

Is this a temporary permission? *

☒ Yes ☐ No

Description of Proposal Cont.

Please state how long permission is required for and why: * (Max 500 characters)

For a maximum of 5 years to monitor wind speeds.

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Coriolis Energy		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Baird	Building Number:	106
Telephone Number: *	+447768141923	Address 1 (Street): *	Suite 2.3
Extension Number:		Address 2:	Hope Street
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 6PH
Email Address: *	james.baird@coriolis-energy.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	22
Last Name: *	Baird	Address 1 (Street): *	King Street
Company/Organisation	Vale of Leven Wind Farm Limited	Address 2:	Coriolis Energy Ltd
Telephone Number: *		Town/City: *	Maidenhead, Berkshire
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	SL6 1EF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

The proposed location lies on a relatively flat area of rough grazing moorland at an elevation of 268m approximately 3.35km northeast of the settlement of Bonhill and 1.55km east of Pappert Hill within the West Dunbartonshire Council area.

Northing

680102

Easting

243906

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.10

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

The proposed location lies on a relatively flat area of rough grazing moorland at an elevation of 268m, approximately 3.35km northeast of the settlement of Bonhill and 1.55km east of Pappert Hill within the West Dunbartonshire Council area.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<input style="width: 100%;" type="text" value="0"/>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<input style="width: 100%;" type="text" value="0"/>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input checked="" type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

No waste will be accumulated as a result of this proposal.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☒ Yes ☐ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☐ Yes ☒ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr John William Bennie

Address:

Merkins Farm, Auchincarroch Road, Jamestown, Alexandria, G83 9LX

Date of Service of Notice: *

15/03/2022

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: James Baird

On behalf of: Vale of Leven Wind Farm Limited

Date: 22/03/2022

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

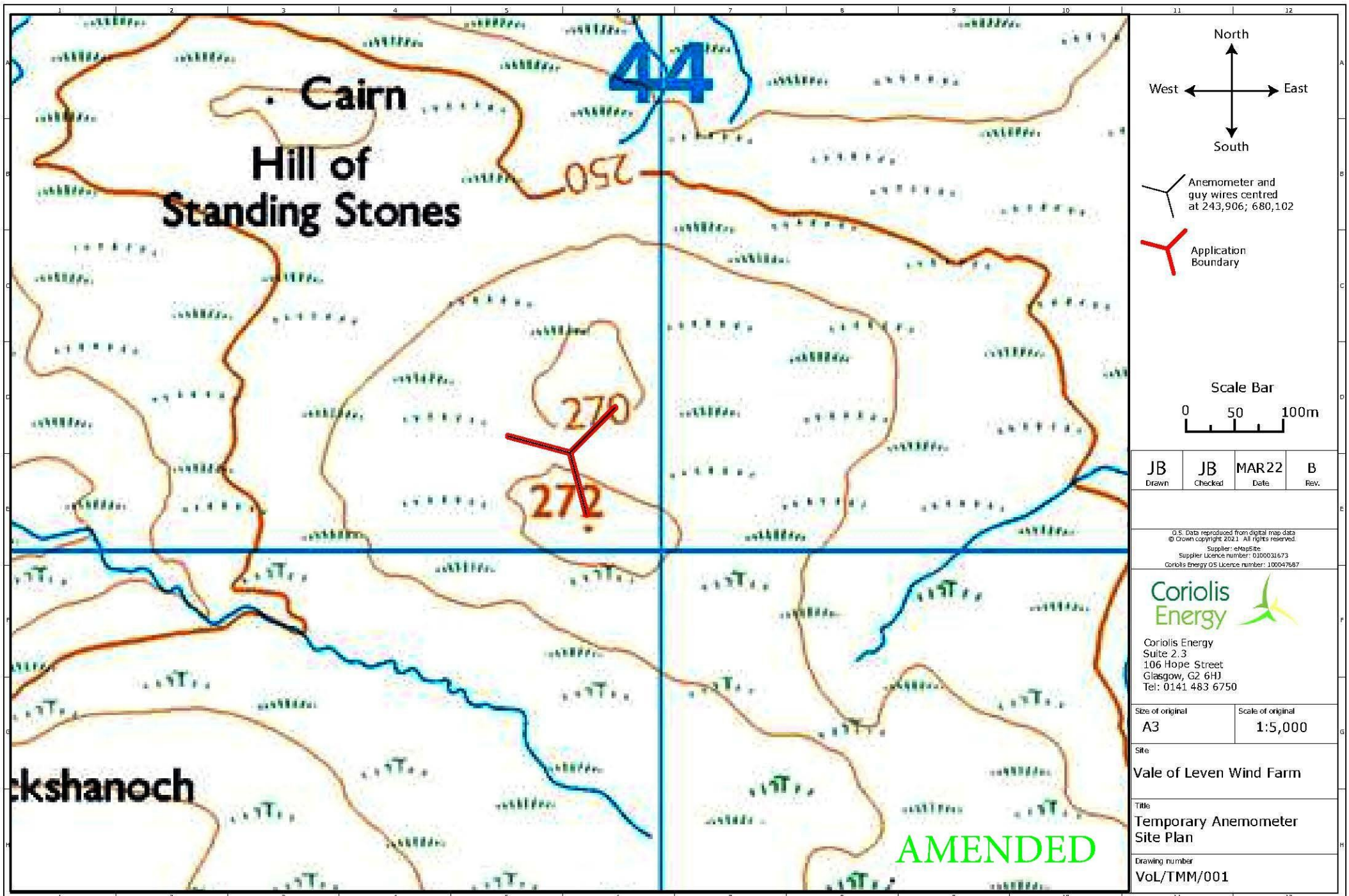
Declaration Name: Mr James Baird

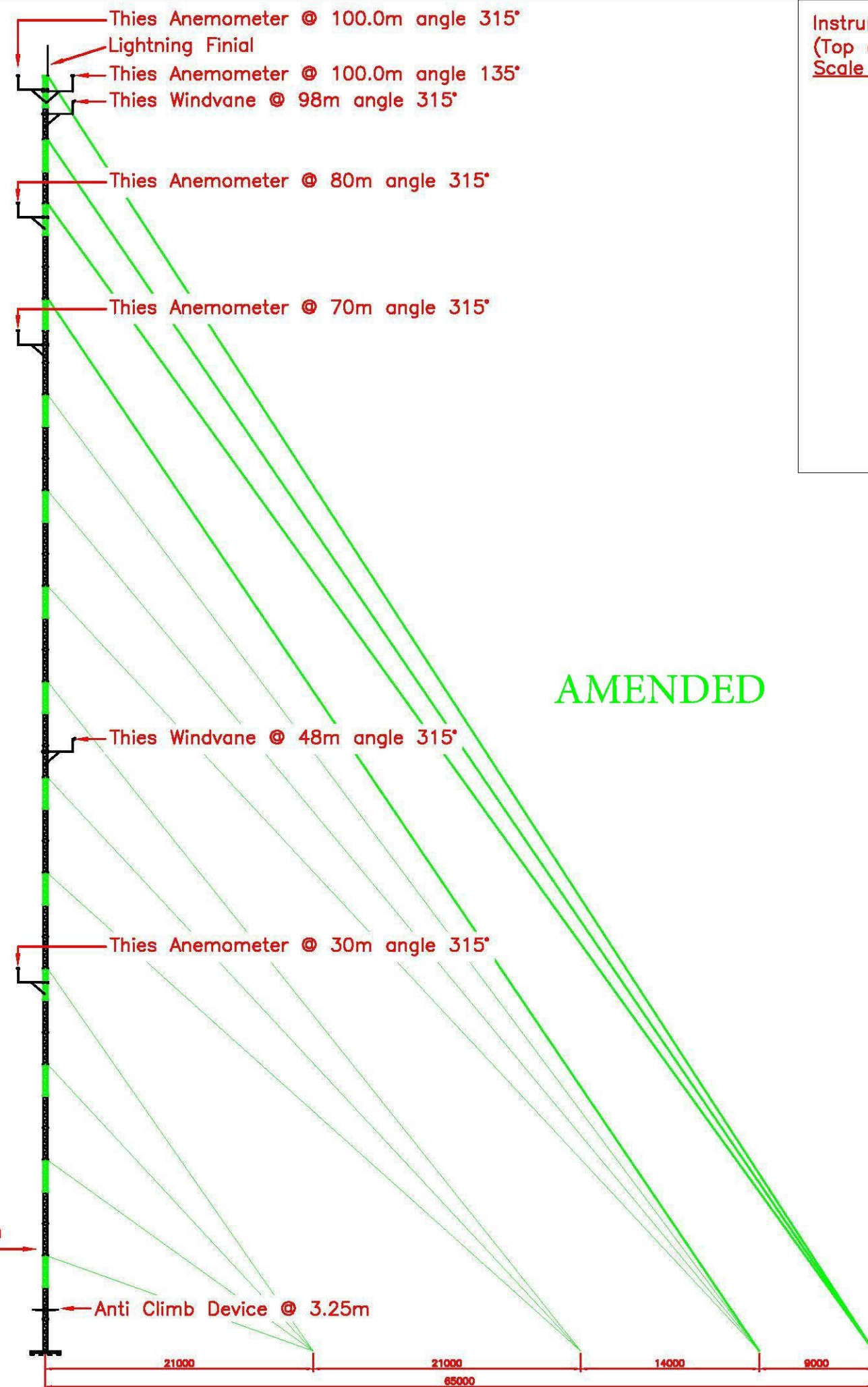
Declaration Date: 22/03/2022

Payment Details

Pay Direct

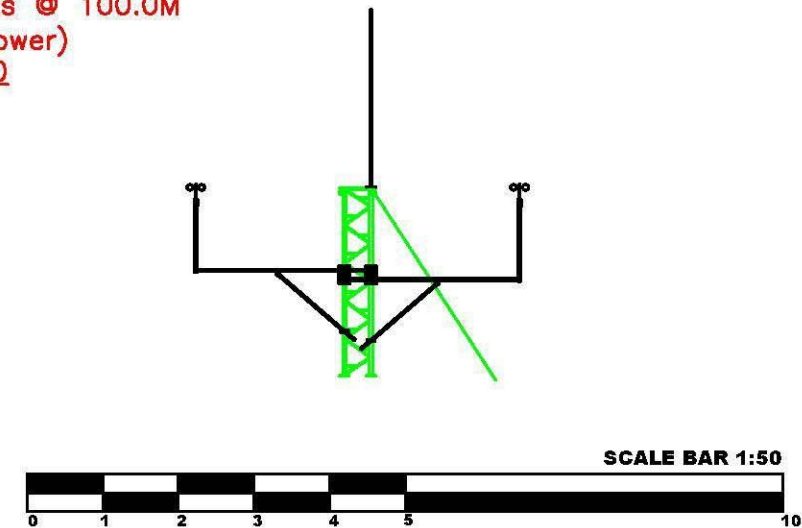
Created: 22/03/2022 15:32





AMENDED

Instruments @ 100.0M
(Top of Tower)
Scale 1:50

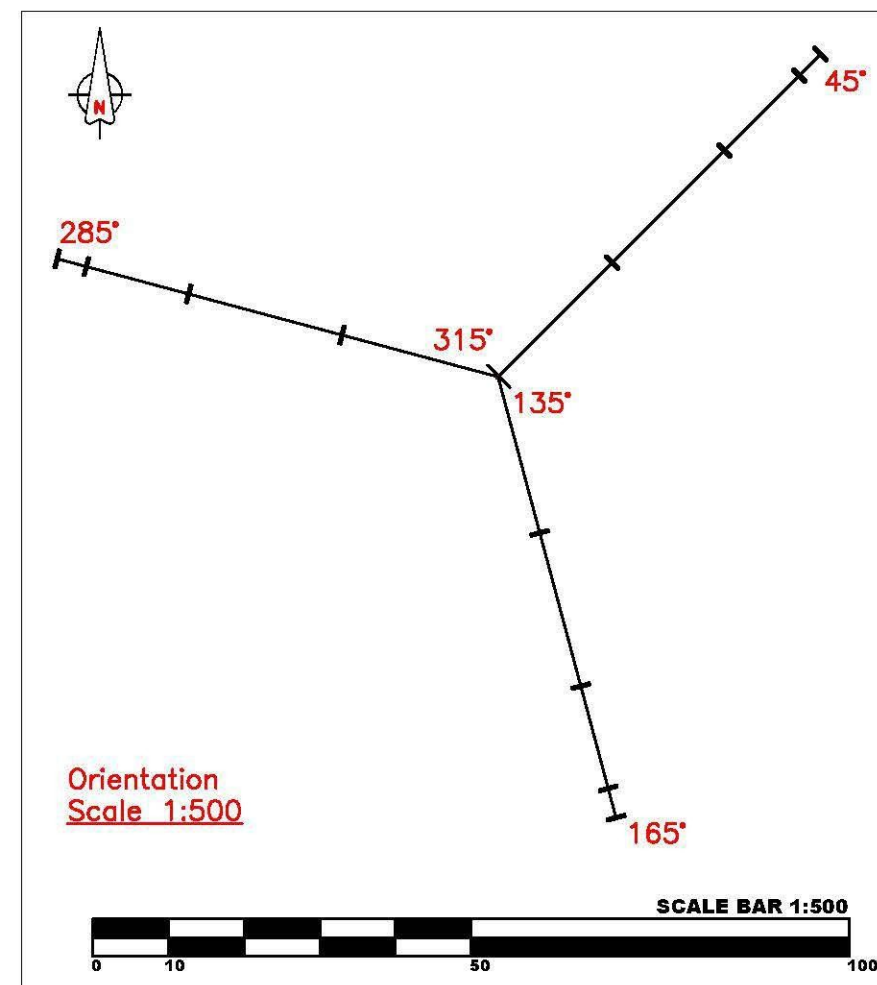


TYPE 3 HD MET MAST - 100m

NOTES

1. The mast is triangular guyed construction with climbing steps incorporated into one face.
2. The mast solidity ratio = 0.28
3. Mast and support booms to BS EN 61400-12-1.
4. All steelwork is hot dip galvanised after fabrication to BS EN ISO 1461.
5. Guywires are pre-stretched, cut to length and are c/w talurit splices, tensioner, shackles and clamps.
6. All bolts and nuts to BS 3692, grade 8.8, spun galvanised.
7. A full range of site specific accessories and upgrades are available
8. Anti Climbing Device will be fitted at 3.25m level
9. Fabrication complies with the CE requirement to EXC2 level and all certificates with CE marking will be provided.

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Orientation
Scale 1:500

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A	INITIAL ISSUE	09.02.19	GJR	JS
Ckd	JS	Date 09.02.19	App	JS
		Date 09.02.19		

Obelisk

Title
DETAIL DESIGN
100M GUYED LATTICE
METMAST

Designed JS	Drawn GJR	Date 09.02.19	Scale NTS
Dwg No. GS1903D003	Rev.	A	

GENERAL ARRANGEMENT
LATTICE
SCALE 1:200



Vale of Leven Anemometer Mast

Preliminary Ecological Appraisal Report

Date: 1st September 2022

Tel: 0141 342 5404

Web: www.macarthurgreen.com

Address: 93 South Woodside Road | Glasgow | G20 6NT

Document Quality Record

Version	Status	Person Responsible	Date
0.1	Draft	E. Stacey	25/08/2022
0.2	Reviewed	D. H MacArthur	25/08/2022
0.3	Updated	E. Stacey	01/09/2022
1	Internal Approval	D H. MacArthur	01/09/2022

MacArthur Green is helping to combat the climate crisis through working within a carbon negative business model. Read more at www.macarthurgreen.com.



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1 INTRODUCTION

MacArthur Green was commissioned by Coriolis Energy to carry out a Preliminary Ecological Appraisal (PEA) in support of an application to erect an anemometer mast within the site boundary for the proposed Vale of Leven wind farm.

This PEA has been informed by a desk study and a suite of field surveys, and considers the habitats present in addition to the ecological and ornithological interests. All surveys detailed in this PEA were undertaken by MacArthur Green, unless stated otherwise.

2 THE SITE

The proposed anemometer mast location lies approximately 5km north-east of Dumbarton on an area of open moorland 268m above sea level. The mast would be accessed using tracked all-terrain vehicles (ATVs), with no track constructed for the purposes of reaching the mast location. It is expected that five return trips to the mast location would be required for the purposes of installation.

The mast will be secured using ground anchors aligned on bearings of 35, 165 and 285°, with four anchors per channel at 16m spacing.

For the purposes of this PEA, the Site is the red line boundary for the proposed Vale of Leven Wind Farm, within which the anemometer mast is proposed to be located.

3 LEGAL PROTECTION

Details of the legal protection of the protected species surveyed for are given in **Annex A** of this report.

4 LEGISLATION & GUIDANCE

The PEA takes into consideration the following legislation and guidance documents.

- Directive 92/43/EEC on Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (the Habitats Directive);
- Environmental Impact Assessment Directive 2014/52/EU (the EIA Directive);
- Directive 2009/147/EC on the Conservation of Wild Birds ('Birds Directive');
- The Wildlife and Countryside Act 1981 (as amended);
- The Nature Conservation (Scotland) Act 2004 (as amended);
- The Wildlife and Natural Environment (Scotland) Act 2011;
- The Conservation (Natural Habitats &c.) Regulations 1994 (as amended) (The Habitats Regulations);
- Circular 1/2017; The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017;
- Scottish Government (2000). Planning Advice Note 60: Planning for Natural Heritage;

- Planning Advice Note (PAN) 1/2013 – Environmental Impact Assessment, Revision 1.0 (Scottish Government 2017);
- Scotland 2045 – fourth National Planning Framework – draft consultation (November 2021); and
- The Protection of Badgers Act 1992.

Guidance:

- CIEEM (2018) Guidelines for Ecological Impact Assessment;
- Dunbartonshire Local Biodiversity Action Plan (2010-2013);
- The Scottish Biodiversity List;
- SERAD (2001) European Protected Species, Development Sites, and the Planning Systems: Interim guidance for local authorities on licensing arrangements;
- Wind Energy Developments and Natura 2000;
- JNCC (2010) Guidelines for selection of biological Sites of Special Scientific Interest (SSSI);
- NatureScot Guidance (SNH 2015, 2016a, 2016b, 2018a, 2018b; NatureScot 2021)
- Collins (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition);
- SEPA (2017) Land Use Planning System Guidance Note 31;
- Scottish Badgers (2018) Surveying for Badgers: Good Practice Guidelines; and
- NatureScot et al. (2019) Bats and Onshore Wind Turbines – Survey, Assessment and Mitigation.
- NatureScot (2020a). General pre-application and scoping advice for onshore wind farms. Guidance;
- NatureScot (2020b). The Effect of Aviation Obstruction Lighting on Birds at Wind Turbines, Communication Towers and Other Structures. NatureScot Information Note;
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5 METHODS

5.1 Desk Study

A desk-based study was undertaken to inform the field surveys and assessment with regards to the presence of designated sites and species of interest within the Site.

This study consisted of the consultation of various online resources such as the NBN Atlas¹, NatureScot Sitelink² and the Carbon and Peatland Map 2016³. The desk-study also reviewed the Environmental Statement (ES) for a previous planning application, Merkins Wind Farm⁴, which covered the area in which the mast is proposed to be installed.

5.2 Field Surveys

Field survey methods are detailed in **ANNEX B**, and followed standard guidance. An overview of the survey types carried out is detailed in the sections below.

5.2.1 Habitats

NVC and Phase 1 habitat surveys were carried out in July 2020.

Peat depth surveys were carried out by SLR Consulting in June 2022.

¹ NBN Atlas. Available at: <https://nbnatlas.org/>. Accessed: August 2022.

² NatureScot Sitelink. Available at: <https://sitelink.nature.scot/home>. Accessed: August 2022.

³ Carbon and peatland 2016 map. Available at: <https://soils.environment.gov.scot/maps/thematic-maps/carbon-and-peatland-2016-map/>. Accessed August 2022.

⁴ Lomond Energy Ltd. (2011). Merkins Windfarm Environmental Statement.

5.2.2 Protected Species

Surveys to record the presence or likely absence of otter, water vole, badger, red squirrel and pine marten were undertaken in July 2020, with all habitats suitable for protected species surveyed within the Site. For the purposes of this PEA, the respective study areas include the anemometer mast infrastructure footprint and buffers as follows: 30m (water vole, potential bat roost and red squirrel), 100m (badger and pine marten) and 250m (otter).

A watching brief for any protected species signs was also undertaken during other survey visits (e.g. ornithology/vegetation/other ecology surveys) throughout the year.

The signs found indicate type and intensity of activity and consequently help in the assessment of the importance of a particular area for the protected species. The survey methods used are described in Annex B.

5.2.3 Birds

Flight activity, breeding bird, scarce breeding bird and black grouse surveys were carried out in the 2019 and 2022 breeding seasons. Flight activity and winter walkover surveys were carried out in the 2019/2020 non-breeding season.

6 RESULTS

6.1 Desk Study Results

6.1.1 Ecologically Designated Sites

There are two ecologically designated sites within the Site boundary. **Table 6-2** below details the designated sites within 5km of the Site.

Table 6-1 Ecologically designated sites within 5km of the Site

Designated site	Distance from site (km)	Qualifying interests
Endrick Water SAC (underpinned by Endrick Water SSSI)	4.95	Atlantic salmon (<i>Salmo salar</i>) (SAC), brook lamprey (<i>Lampetra planeri</i>) (SAC,SSSI), River lamprey (<i>Lampetra fluviatilis</i>) (SAC, SSSI) and Scottish dock (<i>Rumex aquaticus</i>) (SSSI).
Dumbarton Muir SSSI	0.00	Blanket bog and raised bog.
Auchenreoch Glen SSSI	0.00	Lowland calcareous grassland and Springs (including flushes).
Lang Craigs SSSI	0.26	Tall herb ledge.
Blairbeich Bog SSSI	0.94	Raised bog.
Caldarvan Loch SSSI	1.57	Eutrophic loch.
Haw Craig – Glenarbuck SSSI	1.88	Rocky slopes (includes inland cliff, rocky outcrops, chasmophytic vegetation) and Upland mixed ash woodland.
Inner Clyde SSSI	2.53	Saltmarsh.

Designated site	Distance from site (km)	Qualifying interests
Endrick Mouth and Islands SSSI	4.64	Beetle assemblage, Bryophyte assemblage, Hydromorphological mire range, Upland oak woodland and Vascular plant assemblage.
Boturich Woodlands SSSI	4.66	Upland mixed ash woodland and Wet woodland.

6.1.2 Ornithologically Designated Sites

There are no ornithologically designated sites within the Site boundary. **Table 6-2** below details the designated sites within 20km of the site.

Table 6-2 Ornithologically designated sites within 5km of the Site

Designated site	Distance from site (km)	Qualifying interests
Inner Clyde SPA (underpinned by Inner Clyde SSSI, Ramsar)	4.2	Redshank (<i>Tringa totanus</i>), non-breeding (SPA, SSSI, Ramsar), Cormorant (<i>Phalacrocorax carbo</i>), non-breeding (SSSI), Eider (<i>Somateria mollissima</i>), non-breeding (SSSI), Goldeneye (<i>Bucephala clangula</i>), non-breeding (SSSI), Oystercatcher (<i>Haematopus ostralegus</i>), non-breeding (SSSI), Red-breasted merganser (<i>Mergus serrator</i>), non-breeding (SSSI) and Red-throated diver (<i>Cavia stellata</i>), non-breeding (SSSI).
Loch Lomond SPA (underpinned by Endrick Mouth and Islands SSSI, Inchcruin SSSI, Inchtavannach and Inchconnachan SSSI and Loch Lomond Ramsar)	5.7	Capercaillie (<i>Tetrao urogallus</i>), breeding (SPA, Inchcruin SSSI, Inchtavannach and Inchconnachan SSSI), Greenland white-fronted goose (<i>Anser albifrons flavirostris</i>), non-breeding (SPA, Endrick Mouth and Islands SSSI, Ramsar), Breeding bird assemblage (Endrick Mouth and Islands SSSI) and Greylag goose (<i>Anser anser</i>), non-breeding (Endrick Mouth and Islands SSSI).
Black Cart SPA (underpinned by Black Cart SSSI)	10.8	Whooper swan (<i>Cygnus cygnus</i>), non-breeding (SPA, SSSI).
Renfrewshire Heights SPA (underpinned by Renfrewshire Heights SSSI)	14.8	Hen harrier (<i>Circus cyaneus</i>), breeding (SPA, SSSI).
Castle Semple and Barr Lochs SSSI	18.9	Breeding bird assemblage.

6.1.3 Online Resources/Data Searches

6.1.3.1 Ancient Woodland

Numerous areas of Ancient Woodland are listed within 5km of the Site. No areas are within 1.5km of the proposed mast location.

6.1.3.2 NBN Atlas

The NBN Atlas returned records of the following species within 5km of the Site in the last 15 years:

- Adder (*Vipera berus*);
- Brown hare (*Lepus europaeus*);
- Common lizard (*Zootoca vivipara*);
- Daubenton's bat (*Myotis daubentonii*);
- Badger;
- Otter;
- Water vole;
- Palmate newt (*Lissotriton helveticus*);
- Pine marten;
- Pipistrelle bat species (*Pipistrellus* spp.);
- Red deer (*Cervus elaphus*);
- Roe deer (*Capreolus capreolus*);
- Smooth newt (*Lissotriton vulgaris*); and
- Soprano pipistrelle (*Pipistrellus pygmaeus*).

The NBN Atlas search also returned records of invasive non-native species (INNS) within 5km of the Site; Himalayan balsam (*Impatiens glandulifera*), Japanese knotweed (*Fallopia japonica*) and rhododendron (*Rhododendron ponticum*).

6.1.3.3 Carbon and Peatland Map

The Carbon and Peatland Map indicates that the northern part of the Site is made up of areas of Class 1⁵ and Class 2⁶ peatland, with the remainder of the Site comprising mineral soils, Class 3⁷ and Class 5⁸ soils.

6.1.3.4 Merkins Wind Farm Application

The ES submitted as part of the Merkins Wind Farm application recorded otter, common and soprano pipistrelles, adder and common lizard on site.

No Annex I or Schedule I listed raptors or owls were recorded breeding within 2km of the Site, although suitable habitat for hen harrier and merlin breeding was present. A black grouse lek was

⁵ Nationally important carbon-rich soils, deep peat, and priority peatland habitat. Areas likely to be of high conservation value (Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot) (Accessed 24/08/2022)

⁶ Nationally important carbon-rich soils, deep peat, and priority peatland habitat. Areas of potentially high conservation value and restoration potential (Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot) (Accessed 24/08/2022)

⁷ Dominant vegetation cover is not priority peatland habitat but is associated with wet and acidic type. Occasional peatland habitats can be found. Most soils are carbon-rich soils, with some areas of deep peat (Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot) (Accessed 24/08/2022)

⁸ Soil information takes precedence over vegetation data. No peatland habitat recorded. May also include areas of bare soil. Soils are carbon-rich and deep peat (Carbon and peatland 2016 map | Scotland's soils (environment.gov.scot) (Accessed 24/08/2022)

noted within 1km of the proposed layout (of the Merkins Wind Farm). The mast is approximately 1.4km from the edge of the 500m buffer around this historic lek (Figure 3b). The proposed access route to the mast would pass through the 500m buffer.

6.2 Field Survey Results

6.2.1 Protected Species Surveys

No protected features or protected species sightings were recorded within 250m of the proposed mast location (Figure 1).

There are no protected features located along the proposed route that would be taken by ATVs to get to the mast location.

6.2.2 Habitat Surveys

The mast and guy ropes are located in an area of blanket bog (M19a/M17a mosaic), with some areas of unimproved acid grassland within 30m (Figure 2).

The proposed route for ATV access passes through areas of marshy grassland and blanket bog. On approach to the mast location from the south, there is an area of acid neutral flush.

The peat depths in the vicinity of the mast and associated guy ropes are shallow and range from approximately 0.2 to 0.8m.

6.2.3 Ornithological Surveys

Flights of black grouse, golden plover, goshawk, hen harrier, herring gull, osprey, pink-footed goose were recorded in the vicinity of the mast location (Figure 3a – 3c).

Some records of moorland breeding birds, including curlew, snipe and lapwing, were recorded along the proposed ATV access route to the mast location (Figure 3b).

7 RECOMMENDATIONS

7.1 Habitats

When using ATVs to access the mast location, it is recommended that the route is varied in order to avoid damage to any sensitive peatland habitats crossed. Particularly sensitive habitats which are likely to be crossed by ATVs accessing the Site include blanket bog, wet modified bog, acid neutral flush and wet heath. A mosaic of these sensitive habitats is located immediately to the south-west of the proposed mast location (Figure 2). Within these habitats, tracking over the same area twice should be avoided in order to avoid damage.

Areas of deep peat (>1m depth) should be avoided when choosing an access route. The planned access does not pass through any areas of deep peat, and the mast and ground anchor locations are not within deep peat. 100m to the east of the mast location there is an isolated area of deep peat (up to 1.4m). Tracking over this area should be avoided.

7.2 Birds

It is recommended that works to install the anemometer mast are undertaken between 1st September and 15th March (the non-breeding season for birds) in order to avoid any impacts on breeding birds that may be present. If installation can only happen outwith these dates, a walkover survey to identify any ground-nesting or other breeding birds that may be impacted should be conducted prior to installation or tracking with ATVs takes place.

The proposed access route passes through the 500m buffer around a historic black grouse lek location (Figure 3b). If installation of the mast is required to take place between March and May (inclusive), targeted black grouse surveys would be needed ahead of installation, in addition to the walkover surveys for breeding birds.

Furthermore, to minimise the risk of any birds colliding with the guy ropes of the mast, it is recommended that contrasting (black and white) tape or flags are attached at intervals of not more than 10m⁹ along the guy ropes.

7.3 General

When accessing the mast location with the ATV, a distance of at least 10m should be kept from all watercourses, except where a minimum number of water crossings are required.

Appropriate pollution prevention measures should be in place at all times, with all ATVs carrying spill kits.

⁹ NatureScot (2016). Guidance – Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds. Available at: <https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds>. Accessed: August 2022

ANNEX A. LEGAL PROTECTION

Otter and bats receive protection under the Conservation Regulations (1994) (as amended) only¹⁰.

Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

Under Regulation 39 (1) it is an offence to:

- a) deliberately or recklessly to capture, injure or kill a wild animal of a European protected species;
- b) deliberately or recklessly:
 - i. to harass a wild animal or group of wild animals of a European protected species;
 - ii. to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - iii. to disturb such an animal while it is rearing or otherwise caring for its young;
 - iv. to obstruct access to a breeding site or resting place of such an animal, or otherwise to deny the animal use of the breeding site or resting place;
 - v. to disturb such an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs; or
 - vi. to disturb such an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young;
- c) deliberately or recklessly to take or destroy the eggs of such an animal; or
- d) to damage or destroy a breeding site or resting place of such an animal.

Regulation 44 (2e) allows a licence to be granted for the activities noted in Regulation 39 such that:

Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Otter is also listed on Appendix I of CITES, Appendix II of the Bern Convention and Annexes II and IV of the Habitats Directive (1994). It is also listed as globally threatened on the IUCN/WCMC Red Data List.

Wildcat is listed on Annexes II and V of the Habitats Directive (1994).

¹⁰ The Conservation Amendment (Scotland) Regulations (2007) removed EPS from Schedule 5 and 8 of the Wildlife and Countryside Act 1981.

Water vole is not protected by Section 9, subsection 1 of the Wildlife and Countryside Act but is covered by Section 9, subsection 4 and Section 10¹¹.

Wildlife and Countryside Act (1981), Nature Conservation (Scotland) Act 2004

Under Section 9, Subsection 4, Paragraphs (a) and (b)⁴, it is an offence to:

- Intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- Intentionally or recklessly disturb any such animal while it is occupying a structure or place which it uses for that purpose.

Under Section 10, Subsection 3, Paragraph (c)⁴, any person shall not be guilty of an offence by reason of:

- Any act made unlawful by that section if he shows:
 - a) That each of the conditions specified in subsection (3A) was satisfied in relation to the carrying out of the unlawful act; or
 - b) That the unlawful act was carried out in relation to an animal bred and, at the time the act was carried out, lawfully held in captivity.
- Section 3A states those conditions referred to in Subsection 3c are:
 - a) That the unlawful act was the incidental result of a lawful operation or other activity;
 - b) That the person who carried out the lawful operation or other activity:
 - i. took reasonable precautions for the purpose of avoiding carrying out the unlawful act; or
 - ii. did not foresee, and could not reasonably have foreseen, that the unlawful act would be an incidental result of the carrying out of the lawful operation or other activity; and
 - 3) That the person who carried out the unlawful act took, immediately upon the consequence of that act becoming apparent to the person, such steps as were reasonably practicable in the circumstances to minimise the damage or disturbance to the wild animal, or the damage or obstruction to the structure or place, in relation to which the unlawful act was carried out.

¹¹ as amended by the Nature Conservation (Scotland) Act 2004.

Badger are protected under the Protection of Badgers Act 1992 (as amended by the Nature Conservation (Scotland) Act 2004 (as amended)).

The following applies under this legislation:

Part 1. – A person is guilty of an offence if, except as permitted by or under this Act, he wilfully kills, injures or takes, or attempts to kill, injure or take, a badger.

1. If, in any proceedings for an offence under subsection (1) above consisting of attempting to kill, injure or take a badger, there is evidence from which it could reasonably be concluded that at the material time the accused was attempting to kill, injure or take a badger, he shall be presumed to have been attempting to kill, injure or take a badger unless the contrary is shown.
2. A person is guilty of an offence if, except as permitted by or under this Act, he has in his possession or under his control any dead badger or any part of, or anything derived from, a dead badger.

Part 3. –

1. A person is guilty of an offence if, except as permitted by or under this Act, he interferes with a badger sett by doing any of the following things–
 - a. damaging a badger sett or any part of it;
 - b. destroying a badger sett;
 - c. obstructing access to, or any entrance of, a badger sett;
 - d. causing a dog to enter a badger sett; or
 - e. disturbing a badger when it is occupying a badger sett,
 - f. intending to do any of those things or being reckless as to whether his actions would have any of those consequences.
2. A person is guilty of an offence if, except as permitted by or under this Act, he knowingly causes or permits to be done an act which is made unlawful by subsection (1) above.

Note: A badger sett is defined in law as any structure or place which displays signs of current use by a badger.

Red squirrel and **pine marten** are protected by the following legislation:

Wildlife and Countryside Act (1981), Nature Conservation (Scotland) Act 2004

Under Section 9, Subsection 1, it is an offence to:

Intentionally or recklessly:

- Kill, injure or take any wild animal listed on Schedule 5;
- Damages or destroys or obstructs access to, any structure or place that any animal listed on Schedule 5 uses for shelter or protection;
- Disturbs any such animal while it is occupying a structure or place which is used for that purpose
- Sell, offer or expose for sale, or possess or transport for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal.
- Publish or cause to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.

Freshwater pearl mussels are listed on Annexes II and V of the Habitats Directive and is fully protected under the Wildlife and Countryside Act 1981 (as amended). It is also listed as endangered on the IUCN/WCMC Red Data List.

Adder, slow worm and **viviparous lizard** are protected by the following legislation:

These three species of reptile are noted within Schedule 5 of the Wildlife and Countryside Act (1981). However, Schedule 5 of the 1981 act notes that these species are protected 'in respect of section 9(5) only'.

Section 9(5) states:

- Subject to the provisions of this part, if any person
 - a) Sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal; or
 - b) Publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.
- he shall be guilty of an offence

An amendment was made to Schedule 5 on 18 March 1988 relating to slow worm and viviparous lizard to give them protection under Section 9(1). A further amendment was made to Schedule 5 on 27 March 1991 relating to adders which afford them protection under Section 9(1).

Section 9(1) (as amended by the Nature Conservation (Scotland) Act 2004) states:

'Subject to the provisions of this Part, if any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5, he shall be guilty of an offence.'

ANNEX B. FIELD SURVEY METHODOLOGY

Protected Species Surveys

Otter

All accessible watercourses within the survey area were surveyed for otter field signs. Otter field signs and survey methods are described in Bang & Dahlstrøm (2001)¹², Sargent & Morris (2003)¹³ and Chanin (2003)¹⁴, and include:

- **Holts:** underground features where otters live. They can be tunnels within bank sides, underneath root-plates or boulder piles, and even man-made structures such as disused drains. Holts are used by otters to rest up during the day and are the usual location of natal or breeding sites. Otters may use holts permanently or temporarily;
- **Couches:** these are above ground resting-up sites. They may be partially sheltered, or fully exposed. Couches may be regularly used, especially in reed beds and on in-stream islands. They have been known to be used as natal and breeding sites. Couches can be very difficult to identify and may consist of an area of flattened grass or earth. Where rocks or rock armour are used as couches, these can be almost impossible to identify without observing the otter *in situ*;
- **Prints:** otters have characteristic footprints that can be found in soft ground and muddy areas;
- **Spraints:** otter faeces may be used to mark territories, often on in-stream boulders. They can be present within or outside the entrances of holts and couches. Spraints have a characteristic smell and often contain fish remains;
- **Feeding signs:** the remains of prey items may be found at preferred feeding stations. Remains of fish, crabs or skinned amphibians can indicate the presence of otter;
- **Paths:** these are terrestrial routes that otters take when moving between resting-up sites and watercourses, or at high flow conditions when they will travel along bank sides in preference to swimming; and

¹² Bang, P., and Dahlstrøm, P. (2001). *Animal Tracks and Signs*. Oxford University Press, Oxford.

¹³ Sargent, G., and Morris, P. (2003). *How to Find and Identify Mammals*. The Mammal Society, London.

¹⁴ Chanin, P. (2003). *Monitoring the Otter (Lutra lutra)*. Conserving Natura 2000 Rivers Monitoring Series No.10 English Nature, Peterborough.

- **Slides and play areas:** slides are typically worn areas on steep slopes where otters slide on their bellies, often found between holts or couches and watercourses. Play areas are used by juvenile otters in play and are often evident by trampled vegetation and the presence of slides. These are often positioned in sheltered areas adjacent to the natal holt.

Any of the above signs (apart from paths) are diagnostic of the presence of otter. However, it is often not possible to identify couches with confidence unless other field signs are also present. Spraints are the most reliably identifiable evidence of the presence of this species.

Water Vole

All watercourses within the survey area were surveyed for water vole field signs following the methodology prescribed in Dean *et al.* (2016)¹⁵. This involved searching for the following field signs:

- **Faeces:** recognisable by their size, shape, and content. If not too dried-out these are also distinguishable from rat droppings by their smell;
- **Latrines:** faeces, often deposited at discrete locations;
- **Feeding stations:** food items are often brought to feeding stations along pathways and hauled onto platforms. Recognisable as neat piles of chewed vegetation up to 10cm long;
- **Burrows:** appear as a series of holes along the water's edge distinguishable from rat burrows by size and position;
- **Lawns:** may appear as grazed areas around land holes;
- **Nests:** where the water table is high above ground woven nests may be found;
- **Footprints:** tracks may occur at the water's edge and lead into bank side vegetation. May be distinguishable from rat footprints by size; and
- **Runways in vegetation:** low tunnels pushed through vegetation near the water's edge; these are less obvious than rat runs.

¹⁵ Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016). The Water Vole Mitigation Handbook (The Mammal Society Mitigation Guidance Series). Eds. Fiona Mathews and Paul Chanin. The Mammal Society, London.

Dean *et al.* (2016) states that water vole droppings are the only field sign that can be used to determine water vole presence reliably on their own. Experience is required to distinguish feeding signs, burrows and footprints of water voles from those of other species. A collection of these field signs found in close proximity can indicate water vole presence.

Badger

Land with the potential to support badger within the survey area was searched for field signs with particular attention given to areas around woodland and areas underlain by mineral soils. Field signs of badger are described in Neal and Cheeseman (1996)¹⁶, Bang and Dahlstrøm (2001), and Scottish Badgers (2018)¹⁷. Field evidence searched for included:

- **Setts:** single and/or groups of holes;
- **Prints:** badgers have characteristic footprints that can be found in soft ground and muddy areas;
- **Latrines and dung pits:** these are small excavated pits in which droppings are deposited. Latrines are a collection of dung pits used as territorial markers;
- **Hairs:** tufts of hair can often be found on fences, or in the entrances to setts;
- **Feeding signs:** small scrapes, also known as snuffle holes, where badgers have searched for insects and plant tubers. Feeding signs can also include dug up wasp or bee nests and ripped up dung of other species including cattle;
- **Scratching posts:** marks on trees (including fallen trees) where badgers have scratched leaving claw marks or ripped at areas of rotten bark to search for food; and
- **Paths:** these are routes that badgers take when moving between setts and foraging areas.

Where setts were recorded their sett entrance classification and sett type were noted, in line with the definitions outlined in Scottish Badgers (2018), which are reproduced below in **Table B.1** and **Table B.2** below.

¹⁶ Neal, E., and Cheeseman, C.L. (1996). *Badgers*. Poyser Natural History, London.

¹⁷ Scottish Badgers (2018). *Surveying for Badgers: Good Practice Guidelines*. Version 1.

Table B-1 Sett entrance classifications and associated descriptions¹⁸

Classification	Description
Well Used	Are clear of debris and vegetation, sides worn smooth but not necessarily excavated recently.
Partially Used	Are not in regular use and have debris e.g. twigs and leaves in the entrance. They could be used after only a minimal amount of clearance.
Disused	Not in use for some time, are partially blocked and could not be used without considerable effort. Rabbits and foxes may take over part of a sett and keep disused entrances open.
Collapses	Where a tunnel has collapsed.
Air Holes	Where badgers have made a small hole in a tunnel roof from below.

Table B-2 Categories of sett and associated descriptions¹⁹

Category	Description
Main	Main setts usually have several holes with large spoil heaps, and the sett generally looks well used. There are obvious paths to and from the sett and between sett entrances. In the British National Badger Survey the average number of holes for a main sett was twelve, although main setts may be much smaller, even a single hole in exceptional circumstances. Although normally the breeding sett and in continuous use, it is possible to find a main sett that has some disused or dormant entrances.
Annexe	These are often close to a main sett, normally less than 150m away, and are connected to the main sett by one or more well-worn paths. Usually there are several holes but the sett may not be in use all the time, even if the main sett is very active. The average number of holes per annexe sett in the British survey was eight.
Subsidiary	These are usually at least 50m from a main sett, and do not have an obvious path connecting with another sett. They are not continuously active. The average number of holes per subsidiary sett in the British survey was four.
Outlier	These often have little spoil outside the holes, have no obvious path connecting them with another sett, and are only used sporadically. When not in use by badgers, they are often taken over by foxes or even rabbits. However, they can still be recognised as badger setts by the shape of the tunnel (not the actual entrance hole), which is at least 25cm in diameter, and rounded or a flattened oval shape (i.e. broader than high). Fox and rabbit tunnels are smaller and often taller than they are broad. The average number of holes per outlying sett in the British survey was two.
Other	In some cases, it can be difficult to assess the status of a sett, and it is open to interpretation. It is therefore recommended that if there is uncertainty as to the type of sett present, setts should be referred to as 'Other'.

¹⁸ From Scottish Badgers (2018).¹⁹ From Scottish Badgers (2018).

Pine Marten

Signs of pine marten were searched for within the survey area following guidance from O'Mahony *et al.* (2006). Survey methods included:

- **Scats:** searches for pine marten scats were made along linear features such as fence lines, stone walls or forestry tracks/rides. Also searches for scats on prominent features such as tree stumps, dead logs or stones, and around rock piles and dense scrub where the species could establish a den.
- **Dens:** identification of features which could be used as a den. Dens can include the utilisation of upturned trees, tree cavities, rocks or manmade structures such as log piles or large bird boxes.

Red squirrel

Areas of woodland that have the potential to support red squirrel were surveyed for squirrels, following guidance from Gurnell *et al.* (2009). Survey methods included:

- **Sightings:** visual sightings of red squirrels;
- **Dreys:** dreys are usually built close to the main stem of a tree, over 3m from ground level and over 50x30cm in size; and
- **Feeding signs:** predated cone (cone cores) searches in areas of woodland.

Bats

In accordance with relevant guidance (Collins, 2016) a ground level preliminary roost assessment (PRA) of trees and any structures present within the survey area was carried out. Trees and structures were searched for potential roost features (PRFs) from the ground and these PRFs were categorised in accordance of their suitability (likelihood of bats being present) and given a category of low, moderate or high, based on their roosting, commuting and foraging habitats as described in **Table B.3**. In some sections where potential bat trees were in close proximity with each other, they were recorded as a group of trees. In addition, some areas of woodland were given a collective percentage of potential bat trees present, after surveyors walked the woodland and surveyed for PRFs.

PRFs on trees are generally damage and decay features such as knot holes, tear outs, cracks/splits, unions etc. which can often lead to cavity features which are used by bats. It is often unclear from a PRA if a PRF at height has a suitable cavity or not for bats unless a closer inspection is carried out such as an endoscope survey or an aerial inspection. Ground level surveys therefore can only indicate the potential suitability of a PRF and highlight the requirement for further surveys if required.

Table B-3 Guidelines for assessing the potential suitability of roost features²⁰

Suitability	Description of roosting habitats	Commuting and foraging habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitats feature on site likely to be used by commuting or foraging bats.
Low	<p>A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitats to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).</p> <p>A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only limited roosting potential.</p>	<p>Habitats that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream but isolated i.e. not very well connected to the surrounding landscape by other habitat.</p> <p>Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch or scrub</p>
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessment in this table are made irrespective of species conservation status, which is established after presence is confirmed).	<p>Continuous habitat that could be used by bats for commuting such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p>
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	<p>Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree lined watercourses and grazed parkland. Site is close to and connected to known roosts.</p>

Reptiles

²⁰ Taken from Collins (2016).

Targeted reptile surveys were not undertaken, however, incidental records of reptile sightings, or signs such as shed skins, and features of particular importance (i.e. potential hibernacula) were recorded.

Other Species

A watching brief was maintained for all other protected, notable, and/or invasive species during surveys and presence or field signs recorded as appropriate (e.g. smooth newt (*Lissotriton vulgaris*), palmate newt (*Lissotriton helveticus*), hares (*Lepus* spp.), and American mink (*Neovison vison*)).

Species Scoped Out

Surveys for beaver (*Castor fiber*), wildcat and GCN were scoped out of field surveys due to the absence of suitable habitat or the survey area being located outwith the known range or distribution.

National Vegetation Classification (NVC)

The vegetation was surveyed by suitably qualified and experienced botanical surveyors using the NVC scheme (Rodwell, 1991-2000; 5 volumes)²¹ and in accordance with NVC survey guidelines (Rodwell, 2006)²². The NVC scheme provides a standardised system for classifying and mapping semi-natural habitats and ensures that surveys are carried out to a consistent level of detail and accuracy.

Homogeneous stands and mosaics of vegetation were identified and mapped by eye and drawn as polygons on high resolution aerial imagery field maps. These polygons were surveyed qualitatively to record dominant and constant species, sub-dominant species and other notable species present. The surveyors worked progressively across the study area to ensure that no areas were missed, and that mapping was accurate. NVC communities were attributed to the mapped polygons using surveyor experience and matching field data against published floristic tables (Rodwell, 1991-2000). Stands were classified to sub-community level where possible, although in many cases the vegetation was mapped to community level only because the vegetation was too species-poor or patches were too small to allow meaningful sub-community determination; or because some areas exhibited features or fine-scale patterns of two or more sub-communities.

Quadrat sampling was not used in this survey because experienced NVC surveyors do not necessarily need to record quadrats in order to reliably identify NVC communities and sub-communities (Rodwell, 2006). Notes were made about the structure and flora of larger areas of vegetation in many places (such

²¹ Rodwell, J.S. (Ed), et al. (1991 – 2000). British Plant Communities (5 volumes). Cambridge University Press, Cambridge.

²² Rodwell, J.S. (2006). NVC Users' Handbook. ISBN 978 1 86107 574 1.

as the abundance and frequency of species, and in some cases condition and evident anthropogenic impacts). It can be better to record several larger scale qualitative samples than one or two smaller quantitative samples; furthermore, qualitative information from several sample locations can be vital for understanding the dynamics and trends in local (study area) vegetation patterns (Rodwell, 2006).

Due to small scale vegetation and habitat variability and numerous zones of habitat transitional between similar NVC communities, many polygons can represent complex mosaics of two or more NVC communities. Where polygons have been mapped as mosaics an approximate percentage cover of each NVC community within the polygon is given so that the dominant community and character of the vegetation could still be ascertained.

Phase 1 Habitat Characterisation

The NVC and mapping data was also correlated to their equivalent habitats according to the Phase 1 habitat classification (JNCC, 2010)²³, considering the species composition and habitat quality. The Phase 1 characterisation has been utilised to allow a broader visual representation of the habitats within the study area. Polygons or areas where there are mosaic NVC communities have generally been assigned a single Phase 1 classification based on the dominant NVC type (despite some polygons containing multiple Phase 1 types, often in low percentages). Therefore, the Phase 1 characterisation is generally a broader overview, and the NVC data should be referred to for further detail in any specific area.

Botanical nomenclature in this report follows that of Stace (2019)²⁴ for vascular plants, Atherton *et al.* (2010)²⁵ for bryophytes and Purvis *et al.* (1992)²⁶ for lichens.

Flight Activity Surveys

The aims of the flight activity (vantage point) surveys are: (1) to record flight activity within the vicinity of the site in order to identify areas of importance to birds; and (2) to quantify flight activity within 500 m of proposed turbine locations in order to estimate the likelihood of collision (SNH, 2017²⁷ P.14-19). Collision with moving parts is not a risk factor for the proposed anemometer mast, and the results of the Flight Activity surveys are considered only for informing on the presence of species.

Timing

²³ Joint Nature Conservancy Council (JNCC). (2010). Handbook for phase 1 habitat survey – a technique for environmental audit. JNCC, Peterborough.

²⁴ Stace, C.A. (2019). New Flora of the British Isles. 4th Edition. Cambridge University Press.

²⁵ Atherton, I., Bosanquet, S. & Lawley, M. (2010). Mosses and Liverworts of Britain and Ireland: a field guide. British Bryological Society.

²⁶ Purvis, O. W., Coppins, B.J., Hawksworth, D. L. H., James, P.W. and Moore, D.M. (1992). The Lichen Flora of Great Britain and Ireland. Natural History Museum, London.

²⁷ Scottish Natural Heritage (2017) Recommended bird survey methods to inform impact assessment of onshore windfarms.

- A survey period of 36 hours is recommended as the minimum level of sampling intensity at each VP for each season (breeding, non-breeding, migratory) (SNH, 2017**Error! Bookmark not defined.** P.17);
- Watches were spread as evenly throughout the year as possible to ensure that temporally representative data are collected. Specific consideration was given to the period around dawn and twilight for breeding waders and to changing raptor behaviour across seasons (SNH, 2017**Error! Bookmark not defined.** P.17);
- Watches were suspended and resumed to take account of changes in visibility (e.g. fluctuations in cloud base). Watches were undertaken in conditions of good ground visibility when the cloud base was higher than the most elevated ground being observed; and
- Watches were conducted in a range of weather conditions and were spread throughout the day.

Field Methods

- Viewshed analysis was conducted using Arc GIS to confirm suitable Vantage Point (VP) locations and their associated visible areas at 20m above ground level²⁸;
- Reconnaissance surveys were undertaken to refine VP locations;
- Care was taken to maximize the area visible whilst minimising disturbance to birds;
- The final VP locations were selected with the aim of achieving coverage of all the proposed turbine locations such that no turbine was more than 2 km from a VP.
- A maximum 180° view arc was scanned by surveyors. This rule did not however apply when tracking migratory waterfowl, raptors or divers across the Site;
- Each watch lasted a maximum of three hours but was suspended and then resumed to take account of changes in visibility (e.g. fluctuations in the cloud base).

For each target and secondary species the following data were recorded (SNH, 2017**Error! Bookmark not defined.** P.17-18):

- The flightlines by individuals or flocks of birds;

²⁸ The viewsheds are based on a 5m DTM to provide a representation of visibility from the observer locations; this is confirmed and refined through field site visits.

- The time the target bird was detected and the duration (seconds) spent flying over a defined survey area (the viewshed);
- The birds' flight heights, defined into five prescribed height bands (0-20 m, 21-40 m, 41-100 m, 101-150 m and >151 m⁴) were recorded at the point of detection and at 15 second intervals thereafter. From this the proportion of time spent flying below, within (referred to as Potential Collision Height (PCH)) and above approximate rotor height could be estimated;
- The route followed was plotted in the field onto 1:25,000 scale maps;
- Observations of target species took priority over recording secondary species if both species were present simultaneously;
- The number of birds recorded were the minimum number of individuals that could account for the activity observed; and
- Observers only recorded perched birds and birds on waterbodies once only on arrival at the VP. Thereafter only flying birds and newly noticed perched/swimming birds were included in the activity summaries.

Commented [SS1]: These are MacArthur Green standards but occasionally other height bands are used (check with PM if unsure).

Moorland Breeding Bird Survey

Upland breeding bird survey methodology was employed as detailed within SNH Guidance (SNH, 2017**Error! Bookmark not defined.** P.11). In summary, surveys involved the following:

- Open upland (including hedgerows, scrub, isolated trees and copses) was surveyed using an intensive version of the Brown and Shepherd (1993)²⁹ method for upland bird survey;
- The objectives were to map the distribution of breeding bird territories within 500 m of the site and estimate the approximate size of breeding bird populations;
- After each survey visit one overview map was then produced showing all target species. The maps from all four survey visits from that year were then compared, enabling the estimation of numbers of breeding territories. This was done by grouping the observations into territories using the methodology described by Bibby *et al.* (2000)³⁰. Due to the cryptic nature of many breeding birds and the necessary assumptions made when plotting territories, a minimum and maximum number of territories was identified for each target species;
- The survey covered all areas within 500 m of the site; and

²⁹ Brown, A. F. and Shepherd, K. B. (1993) A method for censusing upland breeding waders. *Bird Study*, 40: 189-195.

³⁰ Bibby, C. J., Neil D. Burgess, David A. Hill and Simon H. Mustoe (2000) *Bird Census Techniques*, 2nd Edition, London, Academic Press.

- All upland wader species were recorded during the breeding bird survey.

Timing

- As recommended in Calladine *et al.* (2009)³¹, four survey visits were undertaken between April and July;
- Fieldwork was undertaken between sunrise and 1800hrs; and
- Fieldwork was not undertaken in conditions considered likely to affect bird detection rates, for example in winds greater than Beaufort Scale Force 4, persistent precipitation, poor visibility (less than 300 m), or in unusually hot weather.

Field Methods

- Walk-routes which optimised ground visibility were used;
- Surveyors paused at appropriate vantage and listening points;
- Isolated trees, copses and patches of scrub were approached and examined;
- Streams, ditches and hedgerows were walked;
- All other areas were approached to within 100 m; and
- Registrations were mapped at the first location that behaviour indicative of breeding was observed; and
- Standard British Trust for Ornithology (BTO) activity codes were used.

Scarce Breeding Bird Survey

The aim of the scarce breeding bird surveys was to determine the distribution of occupied nests/territories for target raptor, owl and diver species within 2 km of the site and record breeding success. Secondary species such as buzzard, sparrowhawk and kestrel were also noted but location of their nests was not the key focus of the surveys.

³¹ Calladine, J., Garner, G., Wernham, C., & Thiel, A. (2009) The influence of survey frequency on population estimates of moorland breeding birds. *Bird Study*, 56: 3, 381-388.

Surveys were undertaken by experienced and licensed³² field ornithologists. Extreme care was taken to avoid unnecessary disturbance to breeding birds.

Guidance from SNH (SNH, 2017^{Error! Bookmark not defined.} P.11-14), 'Bird Monitoring Methods' (Gilbert et al. 1998)³³ and 'Raptors: a field guide to survey and monitoring' (Hardey et al. 2013)³⁴ were all consulted to inform survey methodology and are referenced where appropriate in the species methodologies below.

Commented [PN2]: Check style guide for italicisation

Commented [SS3]: NB for surveys pre 2013 there is the 2009 version

Barn Owl

- The surveys followed methodology outlined in Gilbert et al. (1998), as mentioned in SNH Guidance (SNH, 2017^{Error! Bookmark not defined.} P.12-13);
- Surveys were undertaken within 1 km of the site; and
- Surveyors checked for signs of occupation (moulted feathers, pellets) in all suitable buildings within this 1 km buffer.

Black-Throated Diver

Methodology outlined in Gilbert et al. (1998), as mentioned in SNH Guidance (SNH, 2017^{Error! Bookmark not defined.} P.12), was used as guidance. Extreme care was taken not to disturb potential nests especially around the time of year when females were likely to be laying or incubating.

- All suitable habitats within 1 km of the site boundary were searched, including areas of water, lochs and/or any shorelines where present;
- Searches carried out between April and July were focussed on locating summer territories and sitting, brooding or prospecting/nest-building birds as well as numbers of non-breeding adults;
- By observing from a distance, disturbance to nesting or incubating birds was kept to a minimum;
- Where pairs without eggs or young were present, a subsequent visit was made to confirm nest occupancy;
- Where breeding was confirmed, no subsequent visits were made (Gilbert et al. 1998); and
- Where present, numbers of non-breeding divers were also assessed (SNH, 2017^{Error! Bookmark not defined.} P.34).

³² All surveyors hold SNH Schedule 1 Licences.

³³ Gilbert, G., Gibbons, D. W. and Evans, J. (1998) Bird Monitoring Methods. RSPB, Sandy.

³⁴ Hardey, J., Crick, H., Wernham, C., Riley, H., Etheridge, B. and Thompson, D. (2013) Raptors: a field guide for surveys and monitoring (3rd edition). The Stationery Office, Edinburgh.

Golden Eagle

Methodology outlined in Hardey *et al.* (2013) was used as guidance. Extreme care was taken not to disturb potential nests, especially where nesting was confirmed or during periods of extremely wet, hot or cold conditions (Hardey *et al.* 2013).

- All habitats within 2 km of the site boundary with the potential to accommodate golden eagle were searched including; Caledonian pine woodland, montane areas, heather moorland, open and unimproved habitat, and where present, seacliffs;
- Searches carried out between January and March focussed on watching for territorial displays and nest building activities. Occupancy of the home range was confirmed by seeing two adult birds together, or by seeing one bird incubating in the later months (Hardey *et al.* 2013);
- When searches of a nesting site were carried out, they were done so from a distance, so as to not cause disturbance to any displaying, nesting or incubating birds; and
- Where breeding was confirmed, scans of the nests were carried out in June, to check for the presence of young. Further scans were carried out in late July to search for fledged young.

Goshawk

Methodology outlined in Hardey *et al.* (2013) was used as guidance for the surveying of areas for potential goshawk breeding. Extreme care was taken not to disturb potential nests especially around the time of year when females were likely to be laying or incubating.

- Areas of suitable woodland were observed for the presence of nests. Searches for goshawk nests were focused on mature forestry blocks, although their presence was not ruled out of other wooded areas;
- Searches carried out between March and April focussed on observing territorial and nest building behaviours;
- Where nests were known to be present, scans were carried out between mid-March and May to confirm breeding. Scans were kept brief – carried out for between 5-10 minutes and from a distance; and
- When breeding was confirmed, searches for further nests were deferred until such a time as the young had hatched. Searches were then undertaken between late May and late June for evidence of provisioning young and then between late July and early August to watch for fledgling activity, this included listening for the begging calls of newly fledged young.

Hen Harrier

Methodology outlined in Hardey *et al.* (2013) was used as guidance for the surveying of areas for potential hen harrier breeding. Extreme care was taken not to disturb potential nests especially around the time of year when females were likely to be laying or in cold/wet weather when females were likely to be incubating or brooding. Areas of suitable habitat³⁵ were visited during four time periods across the breeding season to:

- Check for territory occupancy (between March and mid-April) – this consisted of watching over suitable habitat from a good vantage point for displaying males (and females) and checking all areas of suitable habitat to within 250 m (watching out for signs of kills);
- Locate incubating females (between mid-April and late May) by listening for female begging calls and watching for food passes between the male and female – surveyors watched for at least four hours as Hardey *et al.* (2013) notes that when the female is incubating it can be up to six hours between feeding visits from the male, but on average it is less than every four hours. Surveys were undertaken between 06:00 to 12:00 or 16:00 to 20:00;
- Check for young or breeding evidence (between late May and late June) again by listening for female begging calls and watching for food passes between male and female when the female is brooding and watching for the male and female provisioning the nest with food once brooding has ended– surveyors should watch for at least two hours as Hardey *et al.* (2013) notes that an adult bird will visit the nest every 1-2 hours. Surveyors should also watch for display behaviour which could indicate a failed breeding attempt; and
- Check for fledged young (between late June and late August).

Merlin

Methodology outlined in Hardey *et al.* (2013) was used as guidance for the surveying of areas for potential merlin breeding.

- Areas of suitable nesting habitat (including forest edge where trees are >5 m high) were closely observed between 20th March and 30th April;
- Boulders, fence lines, isolated posts, stone dykes, grouse butts, hummocks, stream banks, crags, trees and recently burnt areas of heather were checked for signs of occupation (e.g. plucked prey, moulted feathers, pellets and faeces);
- If merlin were observed, or signs found, areas were visited at least twice to verify occupation of the territory; and
- Potential nest areas were watched for 4-6 hours if necessary.

³⁵ Unsuitable habitat areas include: land above 600 m; improved pasture and arable land; extensive areas of degraded land with no heather cover and low vegetation; the vicinity of cliffs, rocky outcrops, boulder fields and scree; areas within 100 m of hill farms and occupied dwellings.

Osprey

Methodology outlined in Hardey *et al.* (2013) and Gilbert *et al.* (1998) was used as guidance for the surveying of areas for potential osprey breeding. Care was taken when carrying out the searches so as not to disturb any displaying or nesting birds, with nests checked from a distance.

- All wooded areas within the study area were searched for the possible presence of nests, especially those located close to freshwater lochs and rivers that could provide feeding sites. Artificial platforms were also checked;
- If breeding was suspected within the study area, the location was visited between April and May until nesting was confirmed;
- In line with the methods suggested by Gilbert *et al.* (1998) and Hardey *et al.* (2013), proof of occupancy was determined by:
 - Two ospreys seen on the same eyrie on more than one occasion (with a week separating observations);
 - Incubation; or
 - Feeding of chicks.
- Further scans were undertaken between late May and early July to try and observe any young in the nests.

Peregrine Falcon

- Potential nest sites were visited and checked for evidence of occupation between March and April;
- Sites checked included crags and steep banks identified from OS maps and searches of the survey area;
- Surveyors checked for signs of occupation (e.g. faecal splash, fresh plucked prey);
- If occupied sites were found they were re-visited to verify incubation; and
- Searches were made for eyries. Where this was not possible sites were watched from a suitable vantage point for 3-4 hours or until a nest was located.

Red-Throated Diver

Methodology outlined in Gilbert *et al.* (1998), as mentioned in SNH Guidance (SNH, 2017**Error! Bookmark not defined.** P.12), was used as guidance for the surveying of areas for potential red-throated diver breeding. Extreme care was taken not to disturb potential nests especially around the time of year when females were likely to be laying or incubating and by observing from a distance, disturbance to nesting or incubating birds was kept to a minimum.

- All suitable habitats within 1 km of the site boundary were searched, including all areas of standing water (small pools and lochans in open moorland and forested areas) and shorelines where present;
- Searches carried out between late May and July focussed on locating breeding pairs, incubating adult birds and non-breeding adults; and
- Surveyors recorded the number of breeding pairs (including incubating birds seen or young, eggshell fragments or dead chicks) and the maximum number of non-breeding adults.

Red Kite

Care was taken not to disturb any birds, especially between mid-March and mid-April when disturbance to displaying red kites can cause them to move to another area (Hardey *et al.* 2013).

- Wooded areas were scanned from outside for the presence of nests, with signs occupation searched for between February and March;
- Potential territories were watched for 1-2 hours between March and April to observe any breeding or nest-building behaviour; and
- Where breeding was confirmed, nests were scanned to determine the breeding success between late April and late June/early July.

Short-Eared Owl

- At least two visits between early April and the end of May were carried out;
- Suitable habitat was visited and checked for evidence of hunting males, territorial activity and other signs of presence; and
- If breeding was confirmed, a further visit was be made in June to watch birds, locate nest-sites and confirm breeding behaviour wherever possible.

White-Tailed Eagle

Methodology outlined in Hardey *et al.* (2013), as mentioned in SNH Guidance (SNH, 2017**Error! Bookmark not defined.** P.12) was used as guidance for the surveying of areas for potential white-tailed eagle breeding. Active nests were observed from a distance so as to minimise disturbance.

- All suitable habitats (including open coastal or fresh water, large and small crags and suitable trees) within a 6 km radius were checked for signs of nest sites, breeding territories or communal roosts;
- Surveys within nesting ranges were carried out between November and mid-February, focussing on locating refurbished nest sites;
- Surveys between mid-March and August focussed on locating active nests and young; and
- All suitable crags and trees within nesting ranges were checked for signs of roosts. These include droppings, down, feathers and pellets.

Black Grouse Survey

The survey methodology used is detailed in SNH Guidance (SNH, 2007³⁶ and SNH, 2017^{Error! Bookmark not defined.} P.12). A summary is provided below. Breeding black grouse were surveyed within 1.5 km of the site boundary by counting total numbers of males and females at leks, most lekking activity taking place at or soon after dawn in spring.

- Known lek sites and other areas of suitable habitat which can host leks were identified and visited during April and May within 2 hours of dawn on calm dry days with good visibility;
- Visits involved listening and scanning for lekking black grouse from strategic locations (avoiding disturbance of leks) and during walks between these locations ensuring that all potential habitat was covered;
- The maximum count of males in the 2 hours around dawn gives the standard count estimate but the maximum number of females seen was also presented; and
- Leks that were at least 200 m apart within the same year were treated as separate leks.


Winter Walkover Survey

Winter walkovers were performed in the non-breeding seasons to map wintering populations of birds within 500 m of the site.

- The area was surveyed three times during each non-breeding season;
- These surveys involved following a route that optimised ground coverage, such that observers walked within 250 m of every point; and

³⁶ Scottish Natural Heritage (2007) Black grouse survey methodology.

- Observers periodically stopped at appropriate viewing and listening points along the route and longer vantage point watches were included within the walkover to allow potentially important areas to be monitored in greater detail.

	Type of Document CMS		
		Supersedes	-
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Type	Risk Assessment & Method Statement	Issue Date	10/05/2016


TITLE
OPS-MM-RAMS-0009 Temporary Mast Erection

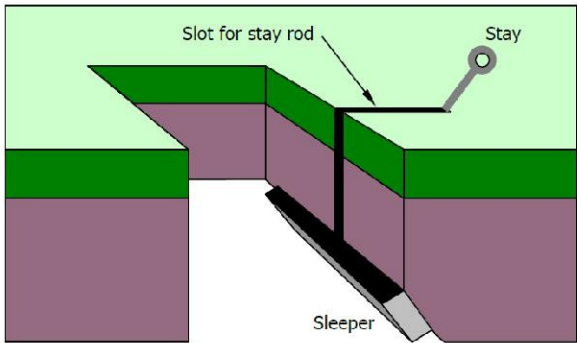
PROJECT NAME & ADDRESS
XXXXXX

DISTRIBUTION (name & company)	
1. XXXXX	XXXXX

Name	Designation	Signature	Date
Originated By	Garry Smith	Project Manager	
Reviewed by	Denise Walsh	EHS Manager	

REVISIONS, APPROVALS & DISTRIBUTION					
REV NO.	DATE	DESCRIPTION	ORIGINATOR	APPROVED	ISSUED TO
					See Distribution List
					See Distribution List
					See Distribution List

1.	<u>PARTIES TO THE CONTRACT</u>			
	Client:	XXXXXX		
	PC/PSCS:	XXXXXX		
	Sub-Contractor:	Obelisk Power Systems Ltd.		
2.	<u>LOCATION OF WORK</u> Met Mast Location			
3.	<u>SITE MANAGEMENT</u>			
	NAME	COMPANY	TITLE	NUMBER CONTACT
	John Byrne	Obelisk Power Systems Ltd	Construction Director	+353 86 0275635 jbyrne@obelisk.com
	Denise Walsh	Obelisk Power System Ltd	EHS Manager First Aider	+353 86 8354505 dwalsh@obelisk.com
	Garry Smith	Obelisk Power System Ltd	Project Manager First Aider	+353 (0)87 669 1905 gsmith@obelisk.com
4.	<u>EMERGENCY ARRANGEMENTS:</u>			
		First Aider		
		XXXXXX		
		Location of First Aid Box:		
		XXXXXX		
		Location of Nearest Hospital		
		XXXXXX		
		XXXXXX		
	<u>Emergency Site Evacuation:</u>			
	In the event of a fire/site evacuation, all persons are to stop work immediately and assemble at the assembly point located on site.			
	Trapped by an Object:			
	1. Person who raises the alarm is to contact the Site Manager or a member of OPS Ltd staff who will contact the site office immediately.			
	2. A member of OPS Ltd Staff will call the Site Supervisor.			
	3. Activities on site shall be overseen by the Site Manager and a Site Supervisor.			
	4. The OPS Ltd Site Manager will evacuate all unnecessary personnel and plant from the area to allow a safe and clear path of access.			
	5. If the person trapped underneath the object is not in any more danger, no attempt will be made by site personnel to remove the victim until the emergency response team arrives on site.			
	6. If however there is severe danger that the situation might become worse before the emergency services arrive, the object will be secured by whatever means required e.g. lifting gear and plant, etc. Once the object is secure, a trained first aider can administer first aid to the casualty.			
	7. The Site Manager will appoint a person to wait at the site entrance to escort the Emergency Services to the injured person			
	8. Contact client / OPS Ltd EHS Advisors and inform them of the accident / incident so that an accident / incident investigation can commence.			
	9. Provide any help necessary as requested in the accident investigation.			
	10. The Site Manager will contact the next of kin.			
	11. The Site Manager will inform EHSM of the incident and if the casualty is to be kept in hospital overnight			
	12. The Site Manager is to cordon off the site of the incident until the investigation has been completed.			
5.	<u>DURATION OF TASK: (in days/weeks)</u> TBA			
6.	<u>DATE OF COMMENCEMENT:</u> TBA			


















7.	<p style="text-align: center;"><u>DATE OF COMPLETION:</u></p> <p style="text-align: center;">TBA</p>
8.	<p style="text-align: center;"><u>METHOD STATEMENT: (sequence)</u></p>
9.	<p>Method:</p> <ol style="list-style-type: none"> 1. Toolbox Talk to be carried out on site prior to the task commencing. 2. Before work commences, approved method statement will be communicated to all site personnel involved in this task by Site Supervisor / Manager. 3. Inspection to be carried out on work area before work commences. 4. On arrival at the workplace, a JSRA should be completed taking account of additional activity specific hazards or changes to the work environment, methodology, materials and tools etc. 5. Only those involved in the task are allowed in the task area. 6. OPS Ltd. Site Supervisor to assign specific duties ensuring roles and responsibilities of individuals are clear for the duration of the work activity. <p>Ground Works:</p> <ol style="list-style-type: none"> 1. Ensure site is safe and secured before commencing installation. Land owner/site office notified of arrival and planned departure. 2. Mast location identified using GPS unit and marked. 3. Using sighting compass, dumpy level and measure, mark out the ground anchor points using ground spray. 4. Anchor points dug at 56m 42m and 21m. All anchor points tested to the required loading. 5. All attachment points/rods/slides to have an swl equal to or greater than the required s.w.l. shown on the anchor layout sketch for the relevant pull test. 6. Using an excavator, excavate trenches approximately 3 m long, 1 m wide and 2 m deep for each ground anchor. Excavate a similar trench for the winch anchor when not using a capstan winch attached to a suitable vehicle. Top soil to be kept separate. If deeper holes are required to obtain ground loadings, additional excavations must be carried out to ensure that maximum vertical wall height is not exceeded. Personnel are not permitted to enter the excavation at any time. 7. Excavation will be backfilled in less than 30 mins so dewatering will not be required. At times of heavy rain, no excavations will take place. 8. All excavations will be inspected by a competent person on a daily basis or after exposure to adverse weather with the inspection documented on the AF3 Form. The contractor completing the excavation work will complete all initial inspection verifying that it is appropriately sloped or shored for a person to safely access. A copy of this form must be given to the Project Manager to retain on file. 9. From the base of each trench, (See fig. 1) using the Machine, create a slot in which the stay rod/sling will lie. An angle of 45 degrees from base to top in the direction of the expected pull. 10. Anchors are to be slung into the excavations on loops of 20mm polypropylene rope, hung on the digger bucket. The rope is left at such a length so as to be able to be tipped off the bucket and left in the excavation with the anchor. Rods on the deadmen are 3m long. <div data-bbox="630 1570 1209 1912" data-label="Image">  <p>The diagram illustrates the ground anchor installation process. It shows a cross-section of a trench. A 'Slot for stay rod' is cut into the side of the trench. A 'Stay' rod is inserted into this slot. A 'Sleeper' is placed at the bottom of the trench, supporting the stay rod. The diagram is labeled with 'Slot for stay rod', 'Stay', and 'Sleeper'.</p> </div> <p style="text-align: center;"><i>Figure 1 Ground anchor installation</i></p> <ol style="list-style-type: none"> 11. Holes are then backfilled ASAP and regularly compacted, with top soil placed back on top. 12. The anchors will be pull tested with the strain being created by a Tifir, anchored to the excavator. The bucket and dipper arm of the excavator will be bedded in the ground so as to create as stable a base as possible. A sling rated at 10 tonnes will be placed close to the main jib/dipper arm hinge, in a position ensuring no slippage in any direction. Hydraulic pipework on the excavator will be protected by way of a spacing timber placed so

- as to deflect the sling away from the pipework. When the correct loading is observed in the digital load cell, it is photographed and the loading is immediately removed.
13. Base plate position, sleeper raft base or concrete base foundation to be finalized by aligning with anchor points. Raft base is to consist of 6 sleepers minimum.
14. Bird deflectors to be installed on each guy lane at agreed heights.
15. The first 2 Lower sections of mast are fitted to base plate and bolts tightened. These are secured with 3 temporary guy ropes to the inner anchor points.
16. If mast base is sleepers, then lower mast section to be further secured with 6 No. Coach bolts
17. The Anti Climb device will now be installed.
18. Clear site, ensuring that all tools have been collected and, where possible, the site is left in same condition it was found.

Erection of a Temporary Met Mast:

1. The gin pole brackets (2 off) are then u bolted to the top of section 2
2. The gin pole is lifted into position and secured to the mast section top with 1t swl slings. These are wrapped around the leg section of the mast and secured with 1t s.w.l. shackles. The gin pole is held in position centrally on its brackets by u-bolts. Dependant on mast type, it may be secured to the climbing face steps.
3. The winch is secured to a mounting bracket which is in turn secured to the inner anchor point. If a capstan winch is used, this may be connected to a vehicle equipped with a suitable welded attachment point
4. All lifting/slinging to be carried out by a certified slinger/signaller if a mechanical lifting appliance, e.g. crane, is used on site OGRA 01 Lifting Operations Rev 0 must be followed.
5. A lifting bond rope exceeding 2 times the mast height plus 50m is then run from the winch, through a horizontal block, equal or greater than 30kn swl, at mast base, up the mast to a block, equal or greater than 30kn swl, secured to the gin pole. This is then attached to the next mast section to be lifted. See attached layout sheet. A second lifting bond is attached to the section as a safety line. This is directed via blocks to a rope brake.
6. A 120m tag line/rope is attached to the section to be lifted to hold out and prevent snagging/clashing with the structure
7. The tag line is to be held by one operative, outside the fall zone.
8. A third gin pole bracket is attached to the top of the section to be lifted
9. The free end of the winch bond is then attached to the top of the third section of mast via 2 x 1t swl slings and initial weight taken. The lift is then halted.
10. Carry out a final visual check of the winch, lifting bond and rigging blocks by both the ground crew and the erection crew.
11. With the agreement of both parties the lift may commence. At all times the lift is to be controlled by the senior rigger on the mast.
12. Lift the third section into place and secure.
13. Repeat for the fourth section.
14. Using the tag line, pull 2 No. guys into position and attach to the guy attachment points. Pull the third guy into position and attach to the guy attachment point.
15. The rigging crew then climb down to the last secured section
16. Ground crew then secure and tension guys to the inner anchor point.
17. When secure, the temp guys may be removed.
18. Rigging crew then ascend the mast.
19. Lift the gin pole into place on this section and secure with 1t swl slings. Detach the now free lower gin pole bracket and secure to the lifting bond.
20. The lifting bond is then detached from the mast section, attached to the tag line and pulled back to the ground position. The winch bond is then attached to the fourth mast section and the tag line secured to this section also.
21. Attach the gin pole holding bracket to the top of the fourth section.
22. All connection bolts in each of the faces should be checked and torqued to 160Nm.
23. At all times, all ground staff are to remain outside the fall zone unless given permission by the senior rigger on the mast and all lifting operations are halted. Fall Exclusion Zones must be delineated visually e.g. bunting ribbons tied to anchor points being used as the limits.
24. The winch operator must ensure a smooth lift. In addition the winch operator has 2 main roles:
 - a) Maintain check on lifting weight and tag line operator. Notify site manager of any irregularities.
 - b) Maintain a check on erection crew, notifying site manager of any irregularities
 - c) The site manager must ensure that all the above responsibilities are clearly delegated and each operator signs to say that they have understood their role.
 - d) On securing a guy attachment section, the crew must retreat down the mast to a lower secured guy point whilst the ground crew attach and tension the guys.

	<p>25. These steps are repeated until the total mast height is reached. Temporary guys must be attached to the top of each second panel in between permanent guy levels. i.e. At the top of the second panel, at the top of the sixth panel, at the top of the 10th panel, 14th, 18th, 22nd, 26th and 30th panel.</p> <p>26. Panels 2, 6, 10, 14 to be secured to the inner anchor, 20, 24, 26 and 30 to be attached to the outer anchor.</p> <p>27. At all stages communication is maintained by walkie-talkie and visual hand signals (see section 8)</p> <p>28. When all mast sections are attached and all guys secured the top boom section is lifted into place and secured.</p> <p>29. Lightning finial can now be installed.</p> <p>30. The mast should now be adjusted for shape.</p> <p>31. This is achieved by adjusting and pulling on the relevant guys. At no time are the guys to be restrained by hand. Slack can be added by loosening the top crosbie, pulling through slack, retightening the crosbie then repeating for each subsequent crosbie.</p> <p>32. Correct guy wire tension and torque settings on all rope grips are checked. Loose wires trimmed, coiled and secured with cable ties. 8mm guy @ 450kgf tension Rope grips for 8mm guys torque to 6Nm.</p> <p>33. Fit fall arrest system if specified by the Client</p> <p>34. Fit anti climb device to mast via U-bolts.</p> <p>35. Site to be reinstated and where possible, the site is left in same condition found.</p> <p>36. Clear site, ensuring that all tools have been collected and, where possible, the site is left in same condition it was found.</p>
10.	<p style="text-align: center;"><u>SAFETY PLAN</u></p> <ol style="list-style-type: none"> On approval of RAMS from OPS Ltd and before work commences, method statement will be delivered to all personnel involved in this task by Site Supervisor. Operatives involved in the Task must have completed the appropriate OPS Ltd and PC/PSCS Site Inductions prior to commencement of work activities. All emergency procedures and emergency response arrangements for OPS Ltd will be strictly adhered to. All site requirements of OPS Ltd to be adhered to. Only those involved in the Task are allowed in the Task Area All personnel to possess and utilise the stated level of Personal Protective Equipment. Operatives should minimise where possible tools and equipment within the immediate work area to avoid congesting the work area. Designated Laydown areas to be identified where possible to store additional equipment. All Leadership Actions and Safety Observations to be logged by all employees upon observation and correction of unsafe acts. Any Accidents, Incidents etc. will be reported immediately as per the Obelisk Incident Management Procedure. All Emergency Evacuation Procedures will be strictly adhered as detailed within the site Emergency Response Plan. All work areas will be left in a clean tidy & safe condition at the end of the task prior to de-mobilisation. All tools & equipment will be removed from the task area on completion of the task.
11.	<p style="text-align: center;"><u>TRAINING AND COMPETENCY</u></p> <p>All employees:</p> <ul style="list-style-type: none"> OPS Ltd Inducted PC/PSCS Inducted Safe Manual handling in the workplace First Aid Slinger Signaller CPCS/CSCS Telescopic Handler CPCS/CSCS All employees competent Safe Pass/CSR/CSCS/CCNSG Tower Rescue Training Tower Climber Training Fitness for Work <p>**Refer to Lift Plan and Lift RAMS for training and competencies applicable to contract lift</p>
12.	<p style="text-align: center;"><u>EQUIPMENT AND MACHINERY TO BE USED FOR TASK</u></p> <ul style="list-style-type: none"> Signage & Barriers/Blue Rope Hand/Battery tools, torque wrench, socket sets, drills Slings Nuts and bolts Telehandler Telehandler forks Crane Jokari knife Anemometer

13.	<u>MATERIALS</u>									
	<ul style="list-style-type: none"> Met Mast components 									
14.	<u>ENVIRONMENTAL</u>									
	Spill Controls – Spill kit to be on site Waste Minimisation – Order correct quantities, reuse surplus Waste Segregation – Packaging Waste Collection – Approved Waste Contractor via PC/PSCS Dust Controls – N/A Air/Noise Monitoring – N/A Limits to working hours – N/A									
15.	<u>COSHH/SDS</u>									
	List SDS: Diesel									
	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Flammable	Toxic	Harmful	Irritant	Corrosive	Oxidising	Environment			
										
16.	<u>PPE REQUIRED – MANDATORY</u>									
	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
										
	Additional PPE: Rescue kit									
17.	<u>SERVICE IMPACT (i.e. any power/ventilation etc. outage)</u>									
	N/A									
18.	<u>PERMITS REQUIRED (Hot Works, Working at Height, Loto etc.)</u>									
	JSRA completed prior to task commencing									
19.	<u>PEDESTRIAN/TRAFFIC RE-ROUTING ARRANGEMENTS:</u>									
	Exclusion Zone, barriers and signage erected at met mast area									
20.	<u>FIRE SAFETY ARRANGEMENTS:</u>									
	N/A									
21.	<u>SECURITY ARRANGEMENTS:</u>									
	N/A									
22.	<u>EMPLOYEES AND TITLE INVOLVED IN TASK</u>									
	OPS Ltd Employees/Labour, Sub-contractor Operatives									

23.	Risk Assessments: (Hazards may include, but not be limited to: Chemicals, Dust, Electricity, Ergonomics, Fire, Hand Tools, Housekeeping, Machinery, Manual Handling, Noise, Sharp edges, Slips Trips & Falls, Working at Heights, etc.)			
	IF THE RISK RATING (RR) IS ABOVE 6 WORK WILL NOT BE ALLOWED TO PROCEED			
	Risk Rating (RR.) = Severity (S) X Probability (P)		Low Risk = 1 to 6 Medium Risk = 7 to 11 High Risk = 12 to 20	
	SEVERITY:	Fatalities = 4	Major Injury /Disability = 3	Minor Injury = 2 No injury= 1
	PROBABILITY:	Likely/Frequent = 5	Probable = 4 Possible= 3	Remotely Possible = 2 Improbable = 1

IF THE RISK RATING (RR) IS ABOVE 6 WORKS WILL NOT BE ALLOWED TO PROCEED

Risk Rating (RR.) = Severity (S) X Probability (P)

SEVERITY: Fatalities = 4 Major Injury/Disability= 3 Minor Injury= 2 No injury = 1

PROBABILITY: Likely/Frequent = 5 Probable = 4 Possible = 3 Remotely Possible= 2 Improbable= 1

Brief description of work or Method Statement Title	Temporary Mast Erection						Risk Assessment Ref. N° & Issue	OPS-MM-RAMS-0009
Site and Location of work:	XXXXX						Project No:	XXXXX
Number of Persons at Risk (anticipated in each category)	EMP	CON	PUB	VIS	PW	YP	Assessed By:	XXXXX
	TBA	-	-	-	-	-	Date of Assessment:	XXXXX
							Assessed On Site By:	XXXXX
							Date of Site Assessment	XXXXX
							Duration of Task	TBA
							Review Cycle	By site author before issue

Code: EMP – Employee CON – Contractor PUB – Public VIS – Visitor PW – Pregnant Woman YP – Young Person

Hazard Ref. N°	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
1	Access/egress	<ul style="list-style-type: none"> Housekeeping: Slips, trips and falls. People falling and objects falling. Fire. Injury to pedestrians and members of the public. Remote site. Bog land. Narrow roads/overturning. 	3	3	9	<ul style="list-style-type: none"> Access and egress site using walkways as outlined in OPS Ltd site induction. Ensure that works area is clearly segregated with appropriate warning signage and barriers. Ensure passageways are kept clean and clear. Never block access and egress routes with materials and equipment Site tidiness maintained by cleaning up during work, at end of day to avoid slips and trips – Clean as you go. Everyone is responsible for keeping their working area clean and tidy at all times. Tidy up work area as work is ongoing, after each task and at regularly intervals throughout the day. Suitable transport to be used to access remote/peat/bog locations. Survey to be carried out to assess suitable access and egress. Traffic Management Plan to be compiled and issued to all stakeholders involved. 	Checks by Site Management	3	1	3

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
2	Interface with other contractors	<ul style="list-style-type: none"> Potential interaction with other Contractor Plant / Machinery resulting in hand/eye injuries. Serious bodily injury. Traffic incidents. 	3	3	9	<ul style="list-style-type: none"> Ensure OPS work are is clearly designated with appropriate signage. Review TMP to ensure that access / egress is maintained where there may be an interface with other Contractor (s). OPS Ltd personnel not to interfere with other contractors work or enter other contractor's exclusion zones. Report any faults/ defect or observations to supervisor using the Safety Observation Reporting Process. All interfaces to be co-ordinated on site. 	Checks by Supervisor/s	3	1	3

SAMPLE

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
3	Vehicle Movement on Site	<ul style="list-style-type: none"> Collision with personnel, other vehicles, and or structures 	3	3	9	<ul style="list-style-type: none"> Vehicles routes will be planned to avoid danger to pedestrians, contact structures or overhead power lines and to be clear of all excavations. Suitable fencing/signage should be provided around excavations; where necessary exclusion zones may be necessary to prevent the excavation collapsing. Drive in the centre of the road and only use designated passing bays for overtaking. Keep your eyes on the path at all times. Vehicles intended for use on the public road will comply with the current licensing requirements. Signs requesting vehicle drivers to report to site office will be displayed. Speed restrictions to be adhered to as per Construction Plan. Seat belts to be worn at all times. Beacons or hazard lights and dipped headlights to be switched on at all times whilst vehicle is in operation. All vehicles and plant to have both visible and audible devices for reversing No smoking in vehicles No use of mobile phone whilst driving Banksman to be used to manage vehicle movements on site specifically reversing vehicles. Segregation of plant and machinery from ground workers/pedestrians. 	Checks by Supervisor	3	1	3

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
4	Adverse Weather Conditions	<ul style="list-style-type: none"> Unsuitable road conditions to travel. Unsuitable access to site. High winds. Falling from height. Falling objects. Unsuitable ground conditions- vehicle/plant overturning. 	2	2	4	<ul style="list-style-type: none"> Weather forecast to be obtained at start of the day and continually monitored. PM/SM to confirm if site is suitable for working. Safe working speed limits to be adhered to. PM/SM to verify load bearing test results after adverse weather. Suitable PPE to be worn. Dry room for drying out work clothes Ensure operatives have warm workwear in the event that the temperature drops significantly. Regular rest breaks to be taken by operatives to avoid excessive exposure to the elements. 	Consultation with weather forecasts by supervisor	2	1	2
5	Land Conditions	<ul style="list-style-type: none"> Slips Falls Damage to land Subsidence Peat Bog Unexploded Ordnance Striking of overhead or underground services 	2	3	6	<ul style="list-style-type: none"> Inspect land conditions before entering any fields or off site locations visually. Ensure specific project information is received. Ensure when carrying equipment that eye contact is kept with the ground especially around heavy and dense grass. Make sure when driving stakes into the ground area is checked for any underground services. Take note of the location of any overhead lines. No vehicles are to be driven through any land without the permission of the landowner, due to the possibility of unearthed or disturbing land conditions. If items are found do not disturb just leave them and report to site management immediately. 	Periodic Checks	2	1	2

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
6	Slips, Trips & Falls	<ul style="list-style-type: none"> Cuts and bruises Laceration Serious bodily injury 	3	3	9	<ul style="list-style-type: none"> Workplace tidiness maintained by cleaning up during work, at end of day to avoid slips and trips – Clean as you go. Designated laydown areas to be utilized where possible. Ensure walkways / pedestrian routes are well maintained to avoid obstruction or uneven ground conditions. Vigilance from employees as to the dangers from slips trips and falls. Hazard observation cards are to be filled up and returned to OPS Ltd upon correction of unsafe acts. Method of working clearly outlined including scope, routes and housekeeping. 	Checks by competent persons and site supervisor Walking routes set up and kept clear	3	1	3
7	Manual Handling Lifting	<ul style="list-style-type: none"> Back Injury-Ligament strains, Muscle strains, Fatigue, Abdominal hernia, Prolapsed/herniated discs, Paralysis Disease – Leptospirosis Personal injury to third parties Personal injury, injury to third parties 	3	2	6	<ul style="list-style-type: none"> Avoid over straining when carrying materials to/from work area. Where possible use mechanical means for moving materials within work area. Ensure correct manual handling technique is adopted as per manual handling training. Site management to provide adequate resources and personnel to reduce manual handling where possible. Ensure that all materials are protected from the elements including animals to avoid potential contamination. 	Operatives Site Supervision	3	1	3

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
8	Hand Tools / Use of Knives	<ul style="list-style-type: none"> Cuts / Lacerations to body Unsecure structure Crushed fingers 	3	2	6	<ul style="list-style-type: none"> Select the right tool for the job (safety knife), inspect and reject if damaged. Calibrated torque wrenches. Only use tools for their intended purpose. Appropriate PPE to be worn at all times. Always cut away from the body. All knives must have a retractable blade and they must be closed when not in use. Identify pinch points when using torque wrench. 	Operatives Checks by Site Management	3	1	3
9	Telehandler usage	<ul style="list-style-type: none"> Collisions, Overturning Overhead Power lines Unsteady load, uneven ground 	4	3	12	<ul style="list-style-type: none"> Operatives must have an up to date training card. Operatives to have received familiarisation training in the use of attachments. 12 monthly cert to be obtained and also daily check list to be complete on site. The operator must ensure that the machine is in a stable position on firm and level ground and that stabilizers are used (where fitted). All lifting zones to be cordoned off, signage installed and supervised. Drive slowly to set down area. Good housekeeping to be maintained throughout installation. Clean as you as per project policy and OPS policy. SWL to be adhered to and delivery lift schedule in place. 	Checks by Site Management/Tele handler operator	2	2	4

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
10	Lifting Equipment	<ul style="list-style-type: none"> Unplanned release or dropping of load Striking by falling objects Trapping between fixture and load Damage to equipment or property 	3	2	6	<ul style="list-style-type: none"> 6 monthly certificates to be obtained for all lifting gear. Weekly check to be carried out. Slinger only person allowed to attached and sling loads. Correct equipment to be used per size and weight of components. After lift re-inspect equipment and store in appropriate manner. 	Slinger signaller to ensure all equipment is certified and in good order	2	2	4
11	Lifting a Load	<ul style="list-style-type: none"> Overturning Collision with pedestrians Collision with structures Collision with other vehicles Dropping components Crushing 	3	3	9	<ul style="list-style-type: none"> All certificates will be verified before start, copies to be kept in site safety working file. All training details to be inspected before commencement of work. Safety devices to be in place on telehandler. Exclusion zone to be installed. Nobody to walk under a suspended load. Ensure loads are always secured ie; with ratchet straps on forks and/or correct slinging arrangement. Outriggers will be used. Extension forks to be used with telehandler where deemed applicable. Delivery Lift Schedule used to identify weights of components. SWL to be adhered to (telehandler Charts to be in Operator Cab). Lifting never to exceed the SWL of Telehandler. 	Telehandler driver and site supervisor to ensure all equipment is visually inspected	3	1	3

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR SxP			S	P	RR SxP
12	Work at Height – Personal Fall Protection Equipment	<ul style="list-style-type: none"> Persons falling Objects falling Death, Bodily injuries, Ill-Health Failure of Equipment Unsound structure Rigger unable to descend tower Crane installing section of tower Struck by moving section of tower 	3	2	6	<ul style="list-style-type: none"> Set up drop exclusion zone, safety signage and barriers around the base prior to climbing. Instruction and training must be given to all employees required to work at height in the correct selection, fitting, adjustment, use, attachment, pre-use inspections, storage and maintenance of fall arrest equipment. Tower Climbing and Tower Rescue training. Employees must report any defects immediately to the site foreperson. Double lanyard with scaffold hook and pole rope must be used in conjunction with the Safety Harness. 6 monthly cert for all fall arrest equipment, daily visual checks prior to use and weekly checks as per site folder. Where possible, always use the latchway system (if certified). Where this is not possible, ensure the structure is suitable for safe climbing. No free climbing to take place at any time on the structure. Buddy system must be operated, never work alone in a harness. Rescue kit available for emergency rescue. Rescue procedure in place. Riggers to keep clear of moving load on the tower until advised by slinger signaller / AP. Structure not to be bolted in place until instructed by slinger signaller / AP. 	Site Supervisor	3	1	3

Hazard Ref. No.	Task	Hazard Identification & Foreseeable Risks	Without Controls			Control Measure	Methods of monitoring control measure	With Controls		
			S	P	RR S x P			S	P	RR S x P
13	Track Dumper	<ul style="list-style-type: none"> Collisions, Overtuning Overhead Power lines Unsteady load, uneven ground 	4	3	12	<ul style="list-style-type: none"> Drivers must have an up to date training card. The operator must ensure that the machine is in a stable position on firm and level ground and that stabilisers are used (where fitted) Good housekeeping to be maintained throughout installation. Clean as you as per project policy & OPSL policy. 	Track Dumper driver to be fully trained Area corned off	2	2	4
14.	Hagglund	<ul style="list-style-type: none"> Collisions, Overtuning Overhead Power lines Unsteady load, uneven ground 	4	3	12	<ul style="list-style-type: none"> Drivers must have an up to date training card. The operator must ensure that the machine is in a stable position on firm and level ground. Good housekeeping to be maintained throughout installation. Clean as you as per project policy & OPSL policy. 	Track Dumper driver to be fully trained Area cordoned off	2	2	4

IF THE RISK RATING (RR) IS ABOVE 6 WORK WILL NOT BE ALLOWED TO PROCEED

Risk Rating (RR.) = Severity (S) X Probability (P)

SEVERITY: Fatalities = 4 Major Injury/Disability = 3 Minor Injury = 2 No injury = 1
PROBABILITY: Likely/Frequent = 5 Probable = 4 Possible = 3 Remotely Possible = 2 Improbable = 1

Low Risk = 1 to 6
Medium Risk = 7 to 11
High Risk = 12 to 20

24.	<u>FOR SITE SUPERVISOR</u> Please discuss method of task to be carried out and safety precautions to be taken with all OPS Ltd Employees.		
	<u>FOR EMPLOYEES</u> I have read and understand the information (including method statement safety plan, risk assessment and the proposed PPE requirements) given at this toolbox talk and agree to abide by all site project rules and legislation. I am aware that I am responsible for my own safety and for taking due care at all times to protect myself and other persons working around me. I have read and understood this method statement, if there is something that I do not understand it is my duty to clarify.		
	<u>Date</u>	<u>Print Name</u>	<u>Signature</u>

**PLANNING APPLICATION CONSULTATION
RESPONSES**

DC22/064/FUL

Biodiversity consultation response re DC22/064/FUL

With regards to the above application I can see no ecological appraisal attached to the proposal in the documents provided. I am therefore not able to provide further comment on the detail of this proposal until such information is available.

There are a number of environmental constraints on the proposed land and surrounding land including the Kilpatrick's Local Landscape Area, a Local Nature Conservation Site designation as well as numerous priority habitats for conservation such as native woodland, raised and blanket bog and wet heath as well as areas of peat or carbon rich soils. These types of habitats are likely to host several protected species which could be impacted by the development but no appraisal of this has been submitted along with the application.

Further information on the construction phase of the development is also required such as impact of installation of an access track,(how will this be built (floating track / dug in) and what is the impact on the habitat of this) as well as any direct impact the structure and guy ropes may have to the ground.

Given the variety of environmental sensitivities on this site I would expect the application to provide further supporting documentation to encompass these concerns and offer mitigation. As such I request an ecological report to assist in the decision making process. A Preliminary Ecological Appraisal report will highlight all priority habitats and species and recommend further species specific surveys necessary. These may include, but are not limited to, breeding bird surveys, bat surveys and reptile surveys given the habitat suitability for these groups.

Additionally, there are a number of archaeological features near this proposal that should also be given consideration and reported on appropriately.

Regards

Gillian Neil

Biodiversity Officer

Gillian.neil@west-dunbarton.gov.uk

07909595283

From: [Amy Melkevik](#)
To: [planning scanindex](#)
Subject: FW: DC22/064/FUL
Date: 25 October 2022 15:59:40
Attachments: [2nd Biodiversity consultation response re DC22-064-FUL Vol. windfarm.pdf](#)

Hiya,

Can this please be uploaded to application DC22/064/FUL as the biodiversity officer consultation response?

Thanks
Amy

From: Gillian Neil <Gillian.Neil@west-dunbarton.gov.uk>
Sent: 25 October 2022 15:55
To: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: DC22/064/FUL

Hi Amy

Please find attached my updated consultation response regarding the anemometer mast proposal.

Kind regards

Gillian

Gillian Neil
Biodiversity Officer
Greenspace

Courtyard
Balloch Castle Country Park
Balloch
G838LX



Biodiversity consultation response 2 re: DC22/064/FUL 25.10.2022

The ecological appraisal was uploaded to the planning portal on the 12th September as part of the application and I now provide a full response regarding the proposed installation of the 100m tall anemometer.

The Preliminary Ecological Appraisal Report (PEAR) has highlighted a number of ecological sensitivities which give cause for concern regarding the proposal. A detailed account of habitat types as well as individual species recorded that could be impacted by this development have been detailed by the ecologist.

Habitats

A number of protected and sensitive habitats have been recorded on site. The location for the installation of the mast and guy ropes is on an area of Blanket Bog which is a priority habitat for conservation on the Scottish Biodiversity List which advises to 'avoid negative impacts', and is also a UK Biodiversity Action Plan (UKBAP) priority habitat for conservation, especially noted for its role in supporting a range of species. Blanket bog vegetation coverage is essential for the peat development underneath. Blanket bog is particularly susceptible to changes in hydrology and any impact for foundations and taking access should be approached cautiously, in particular given the adjacent SSSI sites.

The mast location lies just south of an expansive area of class 1 and 2 peatland areas. Class 1 is regarded as nationally important carbon-rich soils, deep peat and priority peatland habitat, likely to be an area of high conservation value. Class 2 is regarded as a nationally important carbon rich soil, deep peat and priority peatland habitat which is an area of potentially high conservation value and has **restoration potential**.

Individual Species

The survey work in the PEAR focusses heavily on ornithology and the various surveys highlight the wealth of the species found within the Kilpatrick hills and demonstrate the importance of the vast open habitat that the species recorded require to support them.

The PEAR reports that there were, "flights of black grouse, golden plover, goshawk, hen harrier, herring gull, osprey, pink footed goose" recorded in the vicinity of the mast. Additionally, "records of moorland breeding birds, including curlew, snipe and lapwing, were recorded along the proposed ATV access route to the mast location".

Goshawk, hen harrier, osprey and merlin have full protection under the Wildlife and Countryside Act 1981 and are schedule 1 birds which are protected by special penalties. Hen harrier, merlin, curlew, black grouse and lapwing are all Red List species of priority for conservation concern on the most recent (2021) Birds of Conservation Concern partnership. Amber list species include pink-footed goose, common snipe, and osprey.

Breeding ground habitat suitability for merlin and hen harrier were also identified.

The following species were all found within the vicinity of the mast over recorded over the past 15 years:

- Adder (*Vipera berus*);
- Brown hare (*Lepus europaeus*);
- Common lizard (*Zootoca vivipara*);
- Daubenton's bat (*Myotis daubentonii*);
- Badger;
- Otter;
- Water vole;
- Palmate newt (*Lissotriton helveticus*);
- Pine marten;
- Pipistrelle bat species (*Pipistrellus* spp.);
- Red deer (*Cervus elaphus*);
- Roe deer (*Capreolus capreolus*);
- Smooth newt (*Lissotriton vulgaris*); and
- Soprano pipistrelle (*Pipistrellus pygmaeus*).

Proposed mitigation

The main species threat with regards to the installation of the anemometer is the potential for bird and bat collision. The proposed mitigation is to have black and white flags or similar attached to the mast at 10m intervals to deter birds and bats from flying into it. Given that landscape and visibility impact will be the primary consideration for this proposal, a one hundred meter mast covered in black and white flags will certainly detract from the landscape character of this area and would be visible from all the high level walking routes within the Kilpatrick Hills, if not beyond. This would not be in line with the criteria for development within the LLA designation. The location is also very close to the archaeological features around the Hill of Standing Stones.

Secondly, the mitigation to cause less impact for taking access for installation and servicing of the structure, is that the ATV would not be able to continually use the same route as it passes over to reach the mast area. These areas are made up of blanket bog, wet modified bog, acid neutral flush and wet heath –all sensitive habitat. There is also an area of deep peat within 10 meters of the mast location that is highlighted that should not be crossed in an ATV but no specific measures are given in how this could be marked out and protected on site. Also the approach means that more area of the sensitive habitats will be disturbed by ATV if the access route is to take a varied approach each time access is required.

The suite of upland habitat types found in the Kilpatrick Hills and the habitat connectivity to the wider landscape is the reason for the wealth of species found here. Although much of the area has

previously been modified for agriculture and forestry, there are still large swathes of natural priority habitat types that are untouched and these must be protected from inappropriate development. It is the value of the habitat and the vast open space of the Kilpatrick Hills that allows it to host such valuable species, many of which are of conservation concern and in need of positive habitat management.

From a biodiversity perspective this development, as a precursor to the wider wind farm proposal, is not congruent with current policy on protected habitats and species. Additionally, a peatland restoration programme on the vast swathes of class 2 peatlands would be more impactful in terms of the net zero commitments and would provide an abundance of biodiversity benefit whilst keeping the landscape character of the Kilpatrick Hills intact.

Regards

Gillian Neil

Biodiversity Officer

Gillian.neil@west-dunbarton.gov.uk



FAO Amy Melkevik
West Dunbartonshire Council
By Email

17th June 2022

Dear Amy

Re: DC22/064/FUL Installation of an anemometer mast up to 100 metres in height, guyed with a lattice tower and guy wires to be orientated for a maximum of 5 years at Land At Merkins Farm Auchincarroch Road Jamestown Alexandria
Our reference: GLA4153

I refer to your consultation request received in this office on 30th May 2022.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria. Accordingly, a more detailed assessment requires to be undertaken regarding the potential impact on Glasgow Airport.

Whilst every effort will be made to reply as soon as possible, we may not be able to reply within 21 days of receipt of your consultation request. We, therefore, submit a holding objection until we are able to advise you of the results of our investigations.

You should note that where a Planning Authority proposes to grant permission against the advice of Glasgow Airport, it shall notify Glasgow Airport, the Civil Aviation Authority and the Scottish Ministers as per Circular 2/2003: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003.

Yours sincerely



Kirsteen MacDonald

Safeguarding Manager
Glasgow Airport



Kirsteen.MacDonald@glasgowairport.com

From: [Amy Melkevik](#)
To: [planning scanindex](#)
Subject: FW: DC22/064
Date: 09 December 2022 15:47:04
Attachments: [image693751.png](#)
[image017188.png](#)
[image839316.png](#)
[image829622.png](#)
[image291232.png](#)
[image872495.png](#)
[image143245.png](#)
[image005729.png](#)
[GLA4153_FR_NOWC_09122022.pdf](#)
[image001.png](#)

From: #GLA Safeguarding <GLASafeguard@glasgowairport.com>
Sent: 09 December 2022 10:46
To: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: DC22/064

Dear Amy

Please see attached

Kind regards

Kirsteen



#GLA Safeguarding
#GLA Safeguarding

☎ 07808 115 881
✉ glasafeguard@glasgowairport.com
🌐 www.glasgowairport.com

📍 Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

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Amy Melkevik
West Dunbartonshire Council

9th December 2022

Dear Amy,

DC22/064/FUL Installation of an anemometer mast up to 100 metres in height, guyed with a lattice tower and guy wires to be orientated for a maximum of 5 years at Land At Merkins Farm Auchincarroch Road Jamestown Alexandria
Our reference: GLA4153

I refer to your consultation request received in this office on 30th May 2022.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

1. Obstacle lights shall be placed on the mast. These obstacle lights must be steady state red lights with a minimum intensity of 2000 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of 'CAP168 Licensing of Aerodromes' (available at www.caa.co.uk/srg/aerodrome).

Reason: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Glasgow Airport.

We would also make the following observations:

Acceptance of this proposal does not however imply acceptance of a wind farm at this location as such a development on this site could potentially interfere with the aerodrome radar and is therefore of considerable concern. We would wish to have the opportunity to comment on any proposals for a wind farm at this location.

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>)

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Glasgow Airport, or not to attach conditions which Glasgow Airport has advised, it shall notify Glasgow Airport, the Civil Aviation Authority and the Scottish Ministers as per Circular 2/2003: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003.

Yours sincerely



Kirsteen MacDonald
Safeguarding Manager
Glasgow Airport



Kirsteen.MacDonald@glasgowairport.com

From: [Amy Melkevik](#)
To: [planning scanindex](#)
Subject: FW: DC22/064/FUL - Planning Consultation
Date: 04 August 2022 14:08:07

Hiya,

Can this be uploaded to the above file as a consultation response from Loch Lomond and the Trossachs National Park.

Thanks

From: Derek Manson
Sent: 09 June 2022 10:42
To: Amy.Melkevik@west-dunbarton.gov.uk
Subject: DC22/064/FUL - Planning Consultation

Dear Amy

Thank you for consulting the National Park Authority on the above planning application. We have considered the planning application and have no comment to make. We would like to emphasise that this advice is only in relation to the temporary Anemometer and does not prejudice any future response we make on the associated wind farm.

Kind Regards

Derek

Derek Manson
Development Planner
Loch Lomond & The Trossachs National Park
Direct Dial: 01389 727705

www.lochlomond-trossachs.com/livepark | www.twitter.com/ourlivepark | www.facebook.com/ourlivepark

From: [Development Management](#)
To: [planning_scanindex](#)
Subject: FW: Planning Application DC22/064/FUL (OFFICIAL)
Date: 10 June 2022 09:22:51

From: O'Hare, Martin (NRS) <Martin.OHare@glasgow.gov.uk>
Sent: 10 June 2022 08:35
To: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>; Development Management <Development.Management@west-dunbarton.gov.uk>
Subject: Planning Application DC22/064/FUL (OFFICIAL)

OFFICIAL

Dear Amy / e-Planning,

I refer to the above application for the installation of an anemometer mast of up to 100m in height at Merkins Farm, Auchincarroch Road, Jamestown, which appeared on a recent weekly list of applications registered with the Council. I have downloaded details of the proposal from the Council's online planning system, and having compared these against information contained in the Historic Environment Record, I would like to make the following comments.

This proposal was identified as requiring more detailed assessment when it appeared on the weekly list because the proposed mast would be located in an area of some archaeological sensitivity. Nineteen sites are recorded in the HER database from within 1km of the proposed mast, representing a number of different types of activity and periods of use. These include a cairn and cist shown on OS maps around 750m to the north-west, and a cairn that occupies the summit of the 'Hill of the Standing Stones', which lies 460m to the NNW, as well as two possible shieling huts, a lime kiln, a drove road, a cattle trysting site, and several enclosures. The abundance and density of sites present in the surrounding area indicates that the mast would be erected within a relic landscape containing features representing a number of different periods, and suggests that there is likely to be the potential for ground disturbance in this area to encounter and remove sub-surface deposits, features and artefacts.

However, the supplied plans suggest that the amount of ground disturbance required for erection of the anemometer may be fairly limited. Although it is unclear what type of foundations would be needed for the mast itself (i.e., whether it would require a large concrete base or if it would be pinned into the ground in some way), its footprint would be fairly small, suggesting that the amount of excavation required for it would be limited. The supplied plans also indicate that the mast would be held in place by three sets of guy wires, each of which would be anchored at four separate points. Again, it is unclear from the supplied information how these anchor points would be attached to the ground. If they would be attached to pins driven into the ground, then the total amount of ground disturbance required for their installation would be minimal. However, if it would be necessary to install a large buried concrete foundation at each of the anchor points, the amount of ground disturbance associated with the proposal would obviously be greater, meaning that there would be an increased potential for it to encounter significant sub-surface archaeological material. I would therefore advise that the applicant should be asked to provide additional information on the foundations of the mast and guy wires, to allow a more accurate assessment to be made of its potential impact on the historic environment.

Regards,

Martin O'Hare

Martin O'Hare
Historic Environment Records Officer
West of Scotland Archaeology Service
231 George Street, Glasgow, G1 1RX
Tel: 0141 287 8333
email: Martin.O'Hare@wosas.glasgow.gov.uk

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From: [Amy Melkevik](#)
To: [planning.scanindex](#)
Subject: FW: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)
Date: 22 February 2023 10:52:56

WoSAS consultation response for application DC22/064/FUL.

Thanks
Amy

From: O'Hare, Martin (NRS) <Martin.OHare@glasgow.gov.uk>
Sent: 02 August 2022 15:27
To: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: RE: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)

OFFICIAL

Sorry Amy, I thought I'd replied to you about this, but I obviously didn't. I did have a look at the supporting document when it came through, and it appears to suggest that fairly substantial excavations would be needed to support the mast – it says that trenches 3m long, 1m wide and 2m deep would be needed at each of the anchor points, and the original plans suggest that 12 anchor points would be needed, so it's towards the high end of what I'd have expected in terms of the amount of ground disturbance required.

I also discussed the case with Hugh, as he used to go hillwalking in that area fairly regularly when he lived in Dumbarton. He said that he's aware that there are various features on Auchenreoch Muir that are not recorded in the HER, beyond the relatively high density mentioned in my original email. He suggested that a condition on any consent issued by the Council would be worthwhile, both to ensure that there was a record of any feature (either upstanding or below-ground) that was directly affected by the excavation of the foundation trenches, and to provide an indication of soil conditions in advance of any subsequent application for construction of a wind farm at this location. I'd therefore recommend that the following condition should be attached to any consent issued in relation to this application:

"The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences."

Regards,

Martin

[Redacted Signature]

Martin O'Hare
Historic Environment Records Officer

West of Scotland Archaeology Service
231 George Street, Glasgow, G1 1RX
Tel: 0141 287 8333
email: Martin.O'Hare@wosas.glasgow.gov.uk

From: Amy Melkevik [<mailto:Amy.Melkevik@west-dunbarton.gov.uk>]
Sent: 02 August 2022 11:57
To: O'Hare, Martin (NRS) <Martin.OHare@glasgow.gov.uk>
Subject: FW: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)

Hi Martin,

Did you see the foundation details within this application? Do you have any further comments to make?

Thanks
Amy Melkevik
Lead Planning Officer

From: Amy Melkevik
Sent: 15 July 2022 10:29
To: 'Martin.OHare@glasgow.gov.uk' <Martin.OHare@glasgow.gov.uk>
Subject: RE: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)

Hi Martin,

You are right, we had already consulted but the agent submitted a "Sample Risk Assessment" which included further details on the type of foundations which you had queried so I had asked for you to be reconsulted on this new information.

Kind regards
Amy Melkevik

Lead Planning Officer
Development Management
West Dunbartonshire Council

From: Development Management <Development.Management@west-dunbarton.gov.uk>
Sent: 06 July 2022 17:15
To: planning scanindex <planning.scanindex@west-dunbarton.gov.uk>; Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: FW: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)

From: O'Hare, Martin (NRS) <Martin.OHare@glasgow.gov.uk> **On Behalf Of** Wosas Enquiries (DRS)
Sent: 06 July 2022 11:39
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Subject: RE: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service (OFFICIAL)

OFFICIAL

Dear Sir or Madam,

I refer to the above consultation request, which was sent through to us earlier today. According to our casework log, I provided comments in relation to this application on the 10th of June. I've attached a PDF copy of this response email for information, and would be grateful if you could confirm whether any further comments are required.

Thanks,

Martin O'Hare

[REDACTED]

Martin O'Hare

Historic Environment Records Officer
West of Scotland Archaeology Service
231 George Street, Glasgow, G1 1RX
Tel: 0141 287 8333
email: Martin.O'Hare@wosas.glasgow.gov.uk

From: Development Management [<mailto:Development.Management@west-dunbarton.gov.uk>]
Sent: 06 July 2022 11:23
To: Wosas Enquiries (DRS) <WosasEnquiries@glasgow.gov.uk>
Subject: DC22/064/FUL - Consultation Request Notification - West of Scotland Archaeology Service

Consultation Request Notification

To: West Of Scotland Archaeology Service

Planning Authority Name	West Dunbartonshire Council
Response Date	20 July 2022
Planning Authority Reference	DC22/064/FUL
Nature of Proposal (Description)	Installation of an anemometer mast up to 100 metres in height, guyed with a lattice tower and guy wires to be orientated for a maximum of 5 years
Site	Land At Merkins Farm Auchincarroch Road Jamestown Alexandria
Site Postcode	N/A
Site Gazetteer UPRN	000129052939
Proposal Location Easting	243885

Proposal Location Northing	680114
Area of application site (Ha)	15350
Clarification of Specific Reasons for Consultation	
Development Hierarchy Level	Local Development
Supporting Documentation URL	<p>NB COPY the link below into a browser window to access application details:</p> <p>http://www.west-dunbarton.gov.uk/uniform/dedisplayfull.asp?vUPRN=DC22/064/FUL&vPassword=&View1=View</p>
List of Available Supporting Documentation	As above
Offline Documents available?	N/A
Date of Validation by Planning Authority	5th April 2022
Date of Consultation	6th July 2022
Governing Legislation	Town and Country Planning (Scotland) Act 1997
Consultation Type	Full Application
Consultation Stage	N/A
Is this a re-consultation of an existing application?	
EIA Required	No
EIA Regulations	N/A
Use Class (Current)	
Use Class (Proposed)	
Distance from Trunk Road Centre Line	
New/Amended Vehicle Access to/from Public Road	
Does the application conform with the Structure Plan / Local Plan Land Use	
Additional Comments relating to Structure Plan / Local Plan Use	N/A
Transport Assessment or Travel Plan	N/A
Applicant Name	Vale Of Leven Wind Farm Limited
Applicant Organisation Name	Vale of Leven Wind Farm Limited
Applicant Address	Vale of Leven Wind Farm Limited
Agent Name	Coriolis Energy
Agent Organisation Name	Coriolis Energy
Agent Address	106 Suite 2.3 Hope Street Glasgow G2 6PH F.A.O James Baird
Agent Phone Number	N/A
Agent Email Address	N/A
PA Office	
Case Officer	Ms Amy Melkevik

Case Officer Phone number

Case Officer email address

Amy.Melkevik@west-dunbarton.gov.uk

PA Response To

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PLANNING APPLICATION REPRESENTATIONS

DC22/064/FUL

No representation received

APPOINTED OFFICER'S DECISION:

DC22/064/FUL

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC22/064/FUL

CASE OFFICER: Amy Melkevik

ADDRESS/SITE: Land at Merkins Farm, Auchincarroch Road, Jamestown, Alexandria

PROPOSAL: Installation of an anemometer mast up to 100 metres in height, guyed with a lattice tower and guy wires to be orientated for a maximum of 5 years

1. Site Description/Development Details

Planning permission is sought for the temporary siting of an anemometer mast on land at Merkins Farm, Auchincarroch Road, Jamestown, Alexandria. The site is located between three sections of commercial woodlands and forms part of the Kilpatrick Hills. There has been a 60m meteorological mast (DC10/112/FUL) previously approved on the site. The site of the proposed mast would be on land which sits higher than the nearest settlements and is approximately 5km south of Croftamie and 6km east of Bonhill.

The proposed anemometer mast would be up to 100m in height and be secured with guy wires. The guy wires are secured along three lines radiating from the mast and extend a maximum of 65m. Each anchor point is to be 2m in depth. It is not anticipated that any new access tracks will be required to permit the installation of the mast or to allow for maintenance of the mast.

2. Consultations

Glasgow Airport

The proposed development could conflict with safeguarding criteria unless any permission is subject to a condition relating to obstacle lights.

Biodiversity Officer

From a biodiversity perspective, the proposal is not congruent with current policy.

Loch Lomond & The Trossachs National Park Authority

No comments

West of Scotland Archaeology Service

Recommend a condition relating to an archaeological watching brief.

3. Application Publicity

Dated
14 June 2022

Publication
Dumbarton and Vale Of
Leven Reporter

Reason for Advertisement
Publicity for Applications
Neighbour Notification

4. Representations

None.

5. Relevant Policy

National Planning Framework 4

- Policy 1 - Tackling the climate and nature crises
- Policy 2 - Climate mitigation and adaptation
- Policy 3 – Biodiversity
- Policy 4 - Natural places
- Policy 5 – Soils
- Policy 7 - Historic assets and places
- Policy 14 - Design, quality and place

West Dunbartonshire Local Plan

- Policy WC 1 - Wider Countryside
- Policy RSA 1 - Regional Scenic Area
- Policy GD 1 - Development Control
- Policy E 3A - Local Nature Conservation Sites
- Policy BE 5 - Scheduled Ancient Monuments and other Archaeological Sites
- Policy DC 3 - Aircraft Noise and Safeguarding Zone

West Dunbartonshire Local Development Plan Proposed Plan

On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.

- Policy GB1 Greenbelt and Countryside
- Policy KH1 Kilpatrick Hills
- Policy CP1 Creating Places
- Policy E7 Glasgow Airport and Aircraft Noise
- Policy BE1 Scheduled Monuments and Archaeological Sites
- Policy ENV1 Nature Conservation
- Policy ENV3 Carbon Rich Soils

6. Appraisal

Policy RSA 1 of the Local Plan (LP) and Policy KH1 of the LDP2 relate to development the Kilpatrick Hills. The proposal is located within the Kilpatrick Hills Local Landscape Area. Policy KH1 states that any development proposed within the Kilpatrick Hills Local Landscape Area must: protect and enhance the landscape character and protect and enhance the integrated network of habitats and important geological features. The development is temporary in nature and will have a small footprint with no new access proposed. Due to the slim nature of the mast and the remote location, it would not create a significant unacceptable visual impact or detract from the appearance of the Kilpatrick Hills. However, as part of the mitigation for bird

and bat collision black and white flags or similar have been proposed to be attached at 10m intervals along the guy ropes. There are 12 sets of guy ropes, and the proposed mast is 100m in height. The purpose of these flags is to ensure that the ropes are visible. As such the mast will be more visible within the landscape, from all high level walking routes within the Kilpatrick Hills, if not beyond and as such not an enhancement. The application assessment is informed by the consultation response from the Council's Biodiversity Officer who raises concerns in respect of the impact upon protected habitats and species. The location for the installation of the mast and guy ropes is on an area of Blanket Bog which is a priority habitat for conservation on the Scottish Biodiversity List which advises to "avoid negative impacts", and is also a UK Biodiversity Action Plan (UKBAP) priority habitat for conservation, especially noted for its role in supporting a range of species. Blanket bog vegetation coverage is essential for the peat development underneath. Blanket bog is particularly susceptible to changes in hydrology and any impact for foundations and taking access could have a negative impact upon the bog and the adjacent Site of Special Scientific Interest (SSSI). As such it is considered that the proposal does not protect and enhance the integrated network of habitats and is not supported by Policy KH1.

Policy WC1 of the Local Plan (LP) and policy GB1 of the Local Development Plan 2 (LDP2) centre on development in the countryside. The site is located within the countryside as designated in both plans. Policy GB1 states that development outwith the urban area, identified on the Proposals Map, will be restricted to the certain uses including infrastructure with a specific locational need. Policy 4 of NPF4 states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported. The development has a specific locational need in that the wind measurements are required for this specific site. Proposals which are within the allowed uses must also ensure that they are fully compatible with surrounding established countryside character and have no unacceptable impacts on the environmental quality of the countryside. The suite of upland habitat types found in the Kilpatrick Hills as identified in the Preliminary Ecological Appraisal Report and the connectivity to the wider landscape is the reason for the wealth of species found there. Although much of the area has been previously modified for agricultural and forestry, there are still large swathes of natural priority habitat types that are untouched and these must be protected from inappropriate development. As such it is considered that the mast will have an unacceptable impact upon the environmental quality of the countryside and therefore not supported by the policy.

Policy E3A of the LP and ENV1 of the LDP2 relate to nature conservation. Policy ENV1 states that development proposals should conserve and enhance onsite biodiversity and habitat networks within and adjacent to sites of special designation. Policy 3 of NPF4 relates to Biodiversity and part c states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Also applicable is Policy 5 – Soils. Part c of policy 5 states that development proposals on peatland, carbonrich soils and priority peatland habitat will only be supported in certain circumstances, including for essential infrastructure and for the generation of energy from renewable sources.

As stated above the site is within an area of Blanket bog and also to the south of an expansive area of class 1 and class 2 peatland areas. Class 1 is regarded as nationally important carbon rich spoils, deep peat and priority peatland habitat, likely to be an area of high conservation value. The Preliminary Ecological Appraisal Report states that the mitigation to cause less impact for taking access for installation and servicing of the structure, is that the ATV would not be able to continually use the same route as it passes over to reach the mast area. These are made up of blanket bog, wet modified bog, acid neutral flush and wet heath, all sensitive habitat. There is also an area of deep peat within 10m of the mast location that is highlighted that should not be crossed in an ATV but no specific measures are given in how this could be marked out and protected on site. This approach means that more area of the sensitive

habitats will be disturbed by ATV if the access route is to take a varied approach each time access is required. The infrastructure which is proposed for the carbon rich soil area does not fall into the definition of essential infrastructure as stated in the glossary of NPF4 in that the mast itself, whilst associated to a future application for electricity generation, does not generate electricity in its own right. As such the development does not protect or enhance biodiversity or carbon rich soils in accordance with the policies above.

Policy ENV3 of the LPD3 states that the Council will not be supportive of proposals which result in the disturbance, drainage or excavation of peat and carbon rich soils which result in the release of CO₂ into the atmosphere. However, development may be permitted for renewable energy generating developments on carbon rich soils where it can be demonstrated (in accordance with the Scottish Government's 'carbon calculator' or other equivalent evidence) that the balance of advantage in terms of climate change mitigation lies with the energy generation proposal, and that any significant effects on these areas can be substantially overcome by siting, design or other mitigation. Whilst the proposal is precursor to a proposed wind farm, the proposal itself is not energy generating. As such the proposal would not be supported by the policy.

Policy DC 3 of the LP and Policy E7 of the LDP2 relate to Glasgow Airport and its safeguarding zone. Policy E7 states that development that would adversely impact on the operations of Glasgow Airport will not be permitted. Glasgow Airport were consulted on the application and noted that any granting of permission would require a condition ensuring that a steady red light is installed at the top of the mast due to its height. Subject to this condition the proposal would be in accordance with policy E7.

Policy BE 5 of the LP and Policy BE1 of the LDP2 relate to archaeological sites. Policy BE1 states that archaeological sites should be preserved insitu where possible and where not possible, provision should be made by the developer to undertake the excavation, recording analysis, publication and archiving of the archaeological remains. The Council's archaeological advisor commented due to the amount of ground disturbance required for the anchor points and the number (12) and the relatively high density of unrecorded sites that a condition relating to archaeological watching brief should be added to any granting of permission. Policy 7 of NPF4 reflects policy BE1 in that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. As such the conditioning of any granting of permission would ensure that the proposal is in accordance with Policy 7.

Policy CP1 of the LPD2 states that new development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. Policy 14 of NPF14 also relates to the six qualities of successful places. The proposal has not demonstrated an understanding of the local context of West Dunbartonshire or its natural features due to its location within the Kilpatrick Hills.

Policy 1 of NPF4 relates to tackling the climate and nature crises and Policy 2 relates to climate mitigation and adaptation. Whilst it is acknowledged that renewable energy has an important part to play in tackling the climate and nature crises Policy 2 also states that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. The disruption to carbon rich soils and peatland should be avoided in order to retain their sequestered carbon.

In conclusion, whilst the proposal is the pre-cursor to an electricity generating proposal which have the ability to be acceptable on carbon rich soils, this application in itself does not generate electricity. As such the site is not considered to be acceptable. This, combined with the impact the bird deflectors would have upon the visual amenity of the Kilpatrick hills is not supported

by National Planning Framework 4 policies together with adopted West Dunbartonshire Local Plan the West Dunbartonshire Local Development Plan 2 policies.

7. Recommendation

Planning permission be refused for the following reasons:

1. The proposed anemometer mast does not demonstrate an understanding of the local context as the proposed bird deflectors will have an unacceptable impact upon the visual amenity of the Kilpatrick Hills. The proposal therefore does not accord with Policies 4 and 14 of the National Planning Framework 4, Policies CP1 and KH1 of the proposed West Dunbartonshire Local Development Plan 2 and Policy GD1 and RSA1 of the West Dunbartonshire Local Plan.
2. The proposed anemometer mast is located within an area Blanket bog and also to the south of an expansive area of class 1 and class 2 peatland areas. The proposal indicates varied paths for access which have the potential to damage the priority habitat. The proposal therefore does not accord with Policy 2, 3 or 5 of the National Planning Framework 4 or Policy ENV1 and Policy ENV3 of the proposed West Dunbartonshire Local Development Plan 2.

FOR NOTING

Informatives

1. The plans referred to as part of this decision are:
 - VoL/TMM/002 - Temporary Anemometer Site Plan
 - VoL/TMM/001 - Temporary Anemometer Site Plan - amended
 - GS1903D003 - Rev A - Detail Design - 100M Guyed Lattice - Metmast – amended
 - Preliminary Ecological Appraisal Report
 - Sample Risk Assessment & Method Statement

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal Installation of an anemometer mast up to 100 metres in height,
guyed with a lattice tower and guy wires to be orientated for a
maximum of 5 years

Site Land At Merkins Farm
Auchincarroch Road
Jamestown
Alexandria

Applicant Vale Of Leven Wind Farm Limited

Agent Coriolis Energy
106 Suite 2.3
Hope Street
Glasgow
G2 6PH
F.A.O James Baird

Class of Development Local Development

Decision Type Delegated

*WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR
POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED
YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND
THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-*

**DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S)
CONTAINED IN THE ACCOMPANYING PAPER(S) APART.**

DATED THIS: 27th day of June 2023

Signed 
For West Dunbartonshire Council

Planning, Building Standards and Environmental Health Manager
16 Church Street
Dumbarton
G82 1QL

Reason for Refusal

1. The proposed anemometer mast does not demonstrate an understanding of the local context as the proposed bird deflectors will have an unacceptable impact upon the visual amenity of the Kilpatrick Hills. The proposal therefore does not accord with Policies 4 and 14 of the National Planning Framework 4, Policies CP1 and KH1 of the proposed West Dunbartonshire Local Development Plan 2 and Policy GD1 and RSA1 of the West Dunbartonshire Local Plan.
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FOR NOTING

Informatives

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 - VoL/TMM/002 - Temporary Anemometer Site Plan
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 - GS1903D003 - Rev A - Detail Design - 100M Guyed Lattice - Metmast – amended
 - Preliminary Ecological Appraisal Report
 - Sample Risk Assessment & Method Statement

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

Notice of Review forms and guidance can be obtained and submitted to us via the Scottish Government [ePlanning portal](#)

Alternatively the review forms may be submitted in writing* to:

West Dunbartonshire Council
Planning Local Review Body
16 Church Street
Dumbarton G82 1QL
0141 951 7930

*Please note that due to the Government guidance regarding Covid-19, all staff are working remotely therefore there will be delays in receiving any paper submissions. We would therefore encourage electronic submissions via the e-planning portal. If you require any assistance please contact us using the above contact telephone number or alternatively e-mail us – development.management@west-dunbarton.gov.uk

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

RELEVANT POLICIES:

DC22/064/FUL

National Planning Framework 4

Policy 1 – Tackling the climate and nature crisis

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 – Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 3 – Biodiversity

- a. Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b. Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
 - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
 - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
 - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
 - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks,

linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and

- v. local community benefits of the biodiversity and/or nature networks have been considered.
- c. Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d. Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 4 – Natural Places

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an “appropriate assessment” of the implications for the conservation objectives.
- c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
 - i. The objectives of designation and the overall integrity of the areas will not be compromised; or
 - ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.

- d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:
 - i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
 - ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.
- e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.
- g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:
 - i. will support meeting renewable energy targets; or,
 - ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

Policy 5 – Soils

- a) Development proposals will only be supported if they are designed and constructed:

- i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
 - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
- b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
 - i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
 - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
 - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and

In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

- c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
 - i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
 - iii. Small-scale development directly linked to a rural business, farm or croft;
 - iv. Supporting a fragile community in a rural or island area; or
 - v. Restoration of peatland habitats.

- d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
 - i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
 - ii. the likely effects of the development on peatland, including on soil disturbance; and
 - iii. the likely net effects of the development on climate emissions and loss of carbon.
- e) This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.
- f) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
 - i. the extracted peat is supporting the Scottish whisky industry;
 - ii. there is no reasonable substitute;
 - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of peat of at least 1 metre across the whole site, including drainage features;
 - iv. the time period for extraction is the minimum necessary; and
 - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

Policy 7 – Historic Assets and Places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

- b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:
 - i. building is no longer of special interest;
 - ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
 - iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
 - iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
 - i. architectural and historic character of the area;
 - ii. existing density, built form and layout; and
 - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
 - i. reasonable efforts have been made to retain, repair and reuse the building;
 - ii. the building is of little townscape value;
 - iii. the structural condition of the building prevents its retention at a reasonable cost; or
 - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
 - i. direct impacts on the scheduled monument are avoided;
 - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
 - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.

- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.
- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
 - i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
 - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

- o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

Policy 14 – Design Quality and Place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

West Dunbartonshire Local plan

Policy WC 1 – Wider Countryside

Development in the wider countryside as designated on the Proposals Map will not be supported unless:

- it is required for the purposes of agriculture, equiculture or forestry; or
- it is a recreation, leisure or tourism proposal which is appropriate for the countryside; or
- there is a specific locational need; or
- it entails the reuse of vacant or derelict buildings which it would be desirable to retain
- for their local significance, historic or architectural character; and
- it does not have an adverse impact on the landscape character or natural heritage resource.

Policy RSA1 – Regional Scenic Area

The Council will conserve the high quality landscape of the Kilpatrick Hills as indicated on the Key Policies Map as an important Scenic Area. There will be a general presumption against proposals for development that would have an adverse impact on the landscape quality and character, visual amenity, or nature conservation value of the area.

Policy GD 1 – Development Control

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale,
- density, massing, height, aspect, effect on daylighting, crime prevention measures and
- privacy); developers will be required to submit design statements where appropriate;
- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape
- features and valuable species and habitats are conserved and where possible
- enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised,
- and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or
- environmental pollution, provide drainage consistent with Sustainable Urban
- Drainage Systems design guidance and ensure that suitable remediation measures are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are
- avoided or minimised by including provision for public transport, pedestrian and
- cycling access, and considering the need for a Green Travel Plan;

- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable
- and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies

Policy E 3A - Local Nature Conservation Sites

The Council will seek to maintain and enhance the environmental resources of the Plan area by the protection of habitats, species and natural features which are vulnerable and/or specifically protected. This includes natural heritage sites and features important to local biodiversity and/or geodiversity including the following:

- Local Nature Conservation Sites (LNCS) shown on the Proposals Map;
- wildlife corridors defined in the Technical Supplement; and
- ancient and semi-natural and long established woodlands.

Proposals should not have an adverse effect on the integrity or character of a local nature conservation site. Satisfactory arrangements for habitat creation/site enhancement elsewhere should be made to compensate where development would cause the total or partial loss of a local nature conservation site. The creation of new habitats will also be encouraged. In considering proposals for development of other sites which may be of importance for nature conservation but which are not identified by this Plan, regard will be had to any available survey material.

Policy BE 5 - Scheduled Ancient Monuments and other Archaeological Sites

The Council will resist any development proposals that would have an adverse impact on or affect the setting of a Scheduled Ancient Monument, or upon other nationally or locally important archaeological sites. Development which would affect features of archaeological importance or their setting will be considered against the following:

- that the benefits of the development outweigh the archaeological interest;
- where the preservation of archaeological interest is not possible or feasible, approval of development will be conditional upon provision being made for the recording of the features prior to and during development; and
- where the presence of archaeology becomes apparent once development has commenced, adequate opportunity must be afforded by the developer for an archaeological investigation.

Policy DC 3 - Aircraft Noise and Safeguarding Zone

Proposals for noise sensitive development, in particular residential development, within the areas covered by the Equivalent Continuous Sound Level Contours (LEQs) as shown on the Proposals Map, will be considered in terms of noise levels, housing need and land availability. Conditions may be imposed on any planning consent to ensure appropriate noise mitigation measures are taken.

Within the Safeguarding Zone around Glasgow Airport, shown on Map N Z 1, development which adversely affects the operational integrity or safety of the airport will not normally be permitted.

Proposed West Dunbartonshire Local Development Plan (LDP2, as Modified 2020)

Policy GB1 Green Belt & Countryside

Development outwith the urban area, identified on the Proposals Map, will be restricted to the following uses:

- Residential development in accordance with Policy H1;
- Development associated with agriculture, horticulture and forestry, including
- residential developments, shall be justified as required to support these uses.
- Rural economic development and appropriate farm diversification activities which are compatible with a rural location and are supported by a five year business plan;
- Recreation, leisure and tourism uses requiring, and appropriate for, a rural
- setting;
- Extensions and outbuildings within the curtilage of existing buildings which are proportionate and appropriately designed in relation to the existing building;
- The appropriate re-use of existing buildings which it is desirable to retain for their local significance or historic or architectural character, subject to that character being retained; and
- Infrastructure with a specific locational need.

Proposals for development which is related to the above types of development within the rural area will need to ensure the following requirements are met:

- a) Are fully compatible with surrounding established countryside character and have no unacceptable impacts on the environmental quality of the greenbelt or countryside;
- b) There are no unacceptable impacts on the landscape character of the area; and
- c) Do not undermine the purpose of the Greenbelt or Countryside at that location.

Policy KH1 Kilpatrick Hills

Any development proposed within the Kilpatrick Hills Local Landscape Area must:

- Protect and enhance the landscape character;
- Protect and enhance the integrated network of habitats and important geological features; and
- Protect and enhance the Hills as an accessible recreation resource.

The Management Plan contained within Kilpatrick Hills Central Scotland Green Network Study 2011 will continue to be implemented and developers should give due cognisance to the Management Plan when formulating development proposals within the Kilpatrick Hills

Policy CP1 Creating Places

New development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) Green infrastructure must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new buildings and materials used are of a high quality, sustainable and suited to the climate and location;
- f) Provide sustainable design which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance. Note: Until such times as the Creating Places Supplementary Guidance is adopted by the Council, the 'Residential Development: Principles for Good Design' Planning Guidance, which is non-statutory, should be referred to by landowners and/or developers.

Policy E7 Glasgow Airport and Aircraft Noise

Development that would adversely impact on the operations of Glasgow Airport or would be adversely affected by aircraft noise will not be permitted.

Policy BE1 Scheduled Monuments and Archaeological Sites

Where development would adversely affect a scheduled monument or the integrity of the setting of a scheduled monument, permission would only be granted where there are exceptional circumstances. All other archaeological sites should be preserved in-situ where possible. Where not possible, provision should be made by the developer to undertake the excavation, recording analysis, publication and archiving of the archaeological remains.

Policy ENV1 Nature Conservation

Development proposals should conserve and enhance onsite biodiversity and habitat networks within and adjacent to sites of special designation.

Development that adversely affects the integrity of sites designated for nature conservation or harms protected species will not be permitted except:

- a) Natura 2000 sites:
 - Where there are no alternative solutions;
 - There are imperative reasons of overriding public interest, including those of a social and economic nature; and
 - Compensatory measures are provided to ensure the overall coherence of the Natura network is protected. In this event, Scottish Ministers will be notified.
- b) Protected species, where it accords with relevant legislation and all of the relevant licensing tests are passed;
- c) SSSIs where:
 - The objectives of designation and the overall integrity of the area will not be compromised; or
 - Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
- d) Local Nature Conservation Sites and Local Nature Reserves, where adverse effects are offset or compensated in a way that adequately maintains the integrity of the interests affected and maintains the involvement of people

Development that adversely affects non-designated habitats identified in the Dunbartonshire Local Biodiversity Action Plan will be assessed against the level of net impacts. In all instances, the Council will require development proposals to have regard to safeguarding features of nature conservation value including woodlands, hedgerows, lochs, ponds, watercourses, wetlands, wildlife corridors and geological features.

All new development should enhance biodiversity as part of the green network, in accordance with Policy CP2 of this Plan and the Green Network and Green Infrastructure Supplementary Guidance.

Policy ENV3 Carbon Rich Soils

The Council will not be supportive of proposals which result in the disturbance, drainage or excavation of peat and carbon rich soils which result in the release of CO₂ into the atmosphere. However, development may be permitted for renewable energy generating developments on carbon rich soils where it can be demonstrated (in accordance with the Scottish Government's 'carbon calculator' or other equivalent evidence) that the balance of advantage in terms of climate change mitigation lies with the energy generation proposal, and that any significant effects on these areas can be substantially overcome by siting, design or other mitigation.

Where peat and other carbon rich soils are present, applicants may be required to submit a peat management plan and/or enhancement plan to demonstrate how impacts on peat or peatland habitat would be avoided or minimised.

The Council will support proposals which promote the restoration of peatland habitats; where there is potential for such habitats to become active carbon stores and help to reduce net carbon emissions.

SUGGESTED CONDITIONS:

DC22/064/FUL

The permission hereby granted shall be valid for a period of 5 years (from the date of the granting of planning permission). On expiry of this period (unless a subsequent application for full planning permission has been granted) the anemometer mast shall be removed from site, the use of the site shall cease and the site shall be restored and reinstated in accordance with a scheme, which shall be submitted to the Planning Authority not later than 6 months prior to the expiry date of this permission. The scheme shall not be implemented until the Planning Authority has given its written approval and all reinstatement works shall be carried out by the end of the first planting season following the use of the site ceasing unless otherwise approved in writing by the Planning Authority.

Reason: As the development is temporary in nature and to ensure the satisfactory reinstatement of the land when the use ceases.

No development shall commence until confirmation of the size and weight of vehicles to be used in construction and maintenance, the route for delivery of components and maintenance and number of vehicle movements has been submitted to and approved in writing by the Planning Authority.

Reason: In the interests of minimising ground disturbance and protecting sensitive habitats.

Notwithstanding the approved documents, the guy wires of the mast shall be marked with bird deflectors as soon as they are erected on site and shall be maintained with bird deflector tags throughout the life of the development.

Reason: In order to limit potential bird and bat strikes on the guy wires.

The development hereby approved shall only take place outside the period 15th April to the 31st July inclusive unless otherwise approved in writing by the Planning Authority following the submission of further site specific information/surveys and a detailed mitigation plan that sets out how any bird nest sites discovered will be protected from disturbance.

Reason: To protect birds during the breeding season.

The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted to and agreed in writing by the Planning

Authority in consultation with the West of Scotland Archaeology Service prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: order to ensure that the archaeological potential of the site is fully understood and investigated prior to the development being undertaken.

Notwithstanding the approved plans, obstacle lights shall be placed on the mast. These obstacle lights shall be steady state red lights with a minimum intensity of 2000 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance shall all be in accordance with the requirements of 'CAP168 Licensing of Aerodromes'.

Reason: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Glasgow Airport.

APPLICATION FOR REVIEW:

DC23/015/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100643318-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	MH Planning Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Michael	Building Name:	
Last Name: *	Hyde	Building Number:	63
Telephone Number: *	07816 907203	Address 1 (Street): *	West Princes Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Helensburgh
Fax Number:		Country: *	Scotland
		Postcode: *	G84 8BN
Email Address: *	mh@mhplanning.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Gary"/>	Building Number:	<input type="text" value="61"/>
Last Name: *	<input type="text" value="Sweeney"/>	Address 1 (Street): *	<input type="text" value="Bonhill Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dumbarton"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G82 2DR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="West Dunbartonshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="61 BONHILL ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUMBARTON"/>
Post Code:	<input type="text" value="G82 2DR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="675045"/>	Easting	<input type="text" value="240252"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed coach house conversion to form new dwelling house

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached Grounds for Review

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Grounds for Review, Plans, Report of Handing and Decison Notice

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

DC23/015/FUL

What date was the application submitted to the planning authority? *

30/01/2023

What date was the decision issued by the planning authority? *

27/06/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

It is considered essential that the members of the LRB inspect the application site in order to be able to fully understand how little impact, from any public vantage point, the proposed development would have on the character and the appearance of the local area.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The applicants would need to be there in order provide access to the site.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Michael Hyde

Declaration Date: 13/09/2023

**REQUEST FOR REVIEW IN RESPECT OF THE
REFUSAL OF AN APPLICATION FOR
PLANNING PERMISSION FOR PROPOSED
COACH HOUSE CONVERSION TO FORM
NEW DWELLING HOUSE, LAND AT 61
BONHILL ROAD, DUMBARTON, G82 2DR
(LPA REFERENCE DC23/015/FUL)**

GROUND'S FOR REVIEW

Submitted on behalf of Mr G Sweeney

REQUEST FOR REVIEW IN RESPECT OF THE REFUSAL OF AN APPLICATION FOR PLANNING PERMISSION FOR PROPOSED COACH HOUSE CONVERSION TO FORM NEW DWELLING HOUSE, LAND AT 61 BONHILL ROAD, DUMBARTON, G82 2DR (LPA REFERENCE DC23/015/FUL)

GROUND'S FOR REVIEW

1. Site Description:

- 1.1 The site the subject of the refused application is located to the side and the rear of an existing detached villa that is located on Bonhill Road in Dunbarton. The existing villa is set back from the road and sits within substantial garden grounds (see **Figure 1** below).



Figure 1: 61 Bonhill Road, Dumbarton

- 1.2 The main building is not listed, and the review site is not within a Conservation Area.

2. Proposed Development:

- 2.1 The development proposed is the sub-division of the plot, the conversion and extension of an existing coach house to form a new dwelling, and also the formation of a new vehicular access from Bonhill Road. The proposed new access would serve the existing villa and the existing access would serve the converted and extended coach house.
- 2.2 The coach house that would be extended and converted appears to

have been erected at the same time as the main dwelling. It is built of a mixture of sandstone and brick and is under a slated roof. It is of 1½ storey construction and has a small mono-pitched extension to its east elevation. It is an attractive traditional building that is clearly worthy of retention (see **Figure 2** below).



Figure 2: The Existing Coach House

3. Reasons for Refusal:

3.1 The review application was refused on 27 June 2023 for the following two reasons:

- "1. The conversion and extension of the coach house does not demonstrate an understanding of the local context as the subdivision of the plots is not in keeping with depth and ratio of rear garden plots on this part of Bonhill Road. The proposal therefore does not accord with Policy 14 of the National Planning Framework 4, Policy CP1 of the proposed West Dunbartonshire Local Development Plan 2 and the Creating Places Planning Guidance 2022.
2. The conversion and extension of the coach house does not enhance the residential character and amenity of the existing residential area due to the boundary wall required to create the subdivision and the close proximity of garden spaces. The proposal therefore does not accord with Policy H5 of the adopted West Dunbartonshire Local Plan and H4 of the proposed West

4. Relevant Development Plan Policies:

- 4.1 Section 25 of the Town and County Planning (Scotland) Act 1997 states that "where in making any determination under the planning act regard is to be had to the Development Plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise".
- 4.2 The Development Plan relevant to the review application comprises the:
- The National Planning Framework (2023); and
 - The West Dunbartonshire Local Plan (2010).
- 4.3 Section 13 of the Planning (Scotland) Act 2019 is now in force. This alters Section 24 of the 1997 Act to state that in the event of 'any incompatibility' between a provision of the National Planning Framework ('the NPF') and a provision of a Local Development Plan ('the LDP'), whichever of them is the later in date is to prevail.
- 4.4 The following policies of the adopted Development Plan are referred to in the reasons for refusal:

The National Planning Framework (2023)

Policy 14 (Design, Quality and Place), which states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals will be supported where they are consistent with the six qualities of successful places:

- **Healthy:** Supporting the prioritisation of women's safety and improving physical and mental health.
- **Pleasant:** Supporting attractive natural and built spaces.
- **Connected:** Supporting well connected networks that make moving around easy and reduce car dependency
- **Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
- **Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
- **Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so

that they can be changed quickly to accommodate different uses as well as maintained over time.

Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

West Dunbartonshire Local Plan (2010)

Policy H5 (Development within Existing Residential Areas), which states that the character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;
- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;
- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected
- to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies.

Proposed West Dunbartonshire Local Development Plan 2

- 4.5 The following policies of the proposed West Dunbartonshire Local Development Plan 2 are also referred to in the reasons for refusal. Whilst

this plan has not been adopted its policies are nevertheless a material consideration.

Policy CP1 (Creating Places), which states that new development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) Green infrastructure must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new buildings and materials used are of a high quality, sustainable and suited to the climate and location;
- f) Provide sustainable design which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance.

Policy H4 (Residential Amenity), which states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on

- local amenity or which cause unacceptable disturbance to local residents;
- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy GI1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

5. Grounds for Review:

- 5.1 The Scottish Government have stated that planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources (former Scottish Planning Policy).
- 5.2 In this regard, whilst the following policies of the NPF were not referred to in either of the reasons for refusal, they all strongly support the proposed development:

Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings), which states that development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 12 (Zero Waste), which states that development proposals will be supported where they reuse existing buildings and infrastructure.

Policy 15 (Local Living and 20 Minute Neighbourhoods), which states that development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- Sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- Shopping;
- Health and social care facilities;
- Childcare, schools and lifelong learning opportunities;
- Playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- Publicly accessible toilets;
- Affordable and accessible housing options, ability to age in place and housing diversity.

Policy 16 (Quality Homes), which states that development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- i. Self-provided homes;
- ii. Accessible, adaptable and wheelchair accessible homes;
- iii. Build to rent;
- iv. Affordable homes;
- v. A range of size of homes such as those for larger families;
- vi. Homes for older people, including supported accommodation, care homes and sheltered housing;
- vii. Homes for people undertaking further and higher education; and
- viii. Homes for other specialist groups such as service personnel.

5.3 Given the age of the Council's Local Plan (adopted in 2010), and on the basis of the provisions of Section 13 of the Planning (Scotland) Act 2019, these NPF policies must now be given significant weight.

5.4 With respect to the review application, having regard to the above, the following are the issues that need to be addressed by the Council's Local Review Body:

1. Would the proposal result in the beneficial reuse of an existing traditional building?
2. Is the proposed new dwelling in an appropriate location?
3. Is the subdivision of the plot in keeping with depth and ratio of other rear garden plots on this part of Bonhill Road.
4. Would the proposal, due to the boundary wall required to create the subdivision and the close proximity of garden spaces, affect the residential character and amenity of the existing residential area.

- 5.5 With respect to the first of these issues **Policy 9** and **Policy 12** of the NPF both state very clearly that development proposals for the reuse of existing buildings will be supported. As can be seen in **Figure 2** above, and also **Figure 3** below, the existing coach house is a unique and particularly attractive building. Every effort should therefore be taken to ensure that it can be retained and put to a new use.



Figure 3: The Existing Coach House

- 5.6 With respect to the second issue, **Policy 15** of the NPF states that development proposals should contribute to local living including, where relevant, 20 minute neighbourhoods. The intent of this policy is to encourage, promote and facilitate the application of the place principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.
- 5.7 In this context the review site is located less than 1 kilometre from the centre of Dumbarton, which provides for a range of services and employment and travel opportunities. Travel distances from the review site to the centre of Dumbarton are just 2 minutes by car or bicycle or 8 minutes on foot. The location of the proposed new dwelling is therefore strongly supported.
- 5.8 In addition to this, **Policy 16** of the NPF supports development proposals that improve affordability and choice by being adaptable to changing and diverse needs. This will include self-provided homes that deliver a

range of size of homes such as those for larger families. The applicants currently live in the existing villa, which is now too large for their requirements. Should the review application be approved they would move into the extended and converted coach house. The existing villa would then be able to provide a new family home for a larger family.

- 5.9 All of the above policies of the NPF lend their support to the application proposal. The only NPF policy that Officers have alleged a conflict with is **Policy 14**, which relates to design, quality and place. This is however merely a 'high level' generic policy that simply states that all new development proposal should be designed to improve the quality of an area, whether in urban or rural locations, and regardless of scale, and that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.
- 5.10 The Officers concerns in this regard relate only to the subdivision of the plot, and the proximity of the proposed garden spaces. It is stated in the reasons for refusal that the subdivision would adversely affect the residential character and amenity of the existing residential area. Officers have stated that for this reason the application proposal also conflicts with **Policy H5** of the 2010 adopted Local Plan, and **Policy CP1** of the Proposed Local Development Plan 2.
- 5.11 These policies when taken together require proposals to demonstrate an understanding of the local context, retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- 5.12 As can be seen from **Figure 1** the rear garden grounds of the of the existing villa are already enclosed by a 2 meter high wall/gate. There are therefore no public views into what would become the curtilage of the new house that would be created by the conversion of the coach house. Given this, it is not possible to say that the subdivision would adversely affect the residential character and amenity of the existing residential area; no member of the public would even know that the subdivision had taken place.
- 5.13 With respect to the subdivision of the curtilage of a dwelling for a new house **Policy H5** of the adopted Local Plan states that applicants should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected, and separate vehicular accesses should be provided.

- 5.14 As can be seen from the submitted plans (see **Figure 4** below) the proposed new plot (shown edged in red) will be able to be provided with an appropriate amount of garden ground, whilst ensuring that the existing villa retains sufficient provision of amenity space to both the front and the rear (shown hatched in blue). With respect to the proposed plot ratio, it is considered that the new house and garden to be created would also be of a scale and character appropriate to the neighbourhood.



Figure 4: Proposed Site Plan © Clark Design

- 5.15 There would be no formal subdivision of the front garden grounds of the villa, i.e., there is no proposal to erect any kind of fence or wall that would physically separate the two plots. The only wall that is proposed (referred to in the second reason for refusal) would be to the rear of the existing wall/gate, so would not be visible from any public vantage point. It is also not considered that the subdivision would adversely affect the privacy of either the existing or the new dwelling.
- 5.16 Finally, the application proposal also includes the formation of a new vehicular access from Bonhill Road. The proposed new access would serve the existing villa and the existing access would serve the converted and extended coach house. Officers have no objections to this aspect of the application proposal, which is a requirement of **Policy H5** of the adopted Local Plan.

6. Conclusions:

- 6.1 In conclusion it is considered that the existing coach house is an attractive building that is of some historic importance. Both **Policy 9** and **Policy 12** of the recently adopted NPF both strongly support development proposals for the reuse of existing buildings, and both **Policy 15** and **Policy 16** of the NPF support proposals that would create new dwellings withing urban areas that are within walking and cycling distance of local services. Given the age of the Council's Local Plan the policies of the NPF should be given greater weight.
- 6.2 The Officer's primary concerns appear to be based on their view that the subdivision of the plot would somehow adversely affect the character and appearance of the area. These concerns cannot however be substantiated. As noted above there would be no physical subdivision of the front garden grounds of the existing villa, and there would be no public views into what would become the curtilage of the new house that would be created by the conversion of the coach house. From the public perspective, there would therefore be no change to the character and the appearance of the area. Given this, it is not considered that there would be any conflict with the provisions of **Policy 14** of the NPF, **Policy H5** of the adopted Local Plan, or **Policy CP1** or **Policy H4** of the Proposed Local Development Plan 2.

PLANNING APPLICATION:

DC23/015/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100615367-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed coach house conversion to form new dwelling house and formation of new driveway to existing house

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Clark Design Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Strathleven House
Last Name: *	Clark	Building Number:	
Telephone Number: *	01389756271	Address 1 (Street): *	Levenside Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dumbarton
Fax Number:		Country: *	Scotland
		Postcode: *	G82 3PD
Email Address: *	paul@clark-design.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	G	Building Number:	61
Last Name: *	Sweeney	Address 1 (Street): *	Bonhill Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Dumbarton
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G82 2DR
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

61 BONHILL ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

DUMBARTON

Post Code:

G82 2DR

Please identify/describe the location of the site or sites

Northing

675945

Easting

240252

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

190.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Coach house

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px; width: 100px;">2</div>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<div style="border: 1px solid black; padding: 2px; width: 100px;">5</div>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

shown on plans

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

2

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul Clark

On behalf of: Mr G Sweeney

Date: 26/01/2023

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☒ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Paul Clark

Declaration Date: 26/01/2023

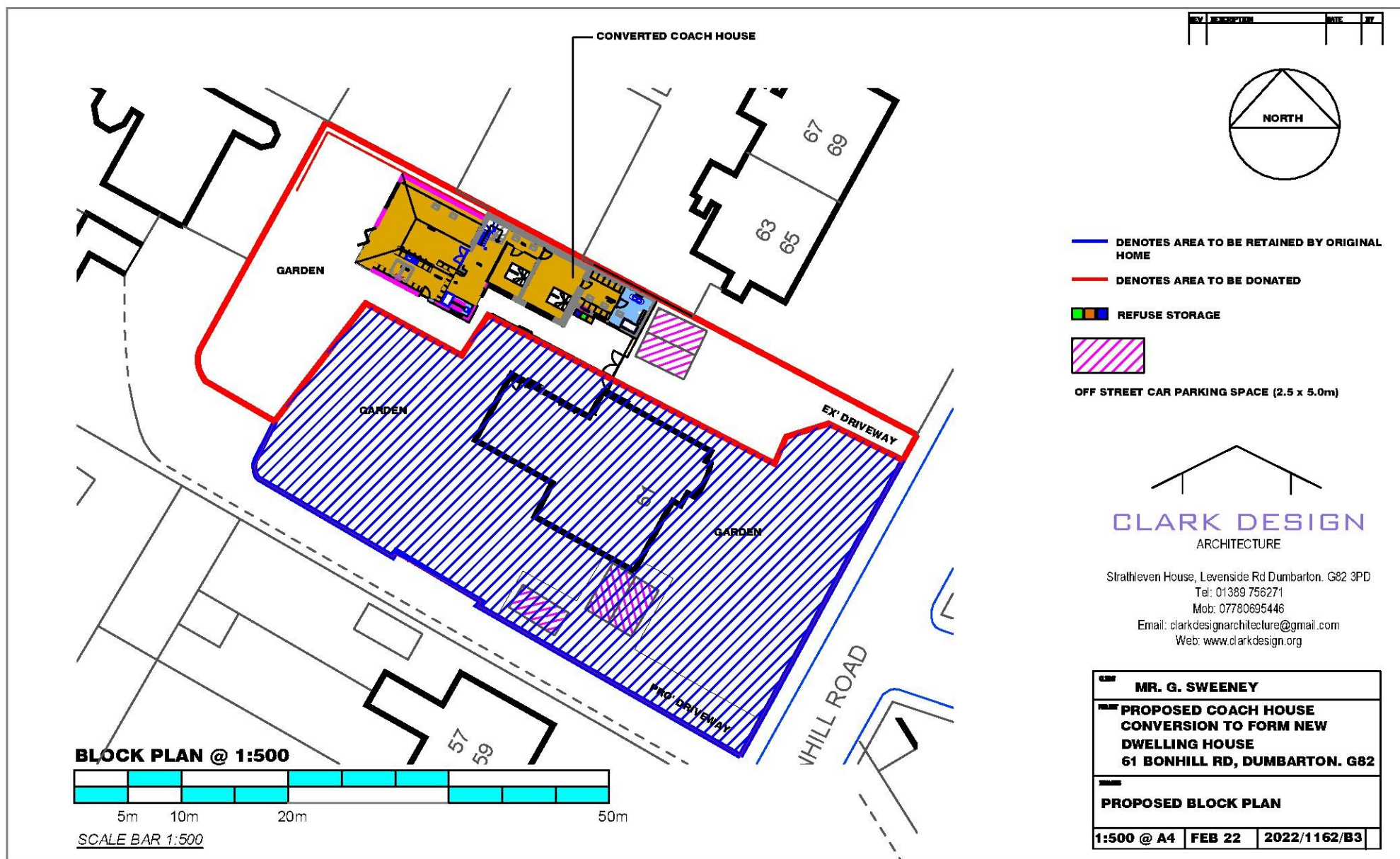
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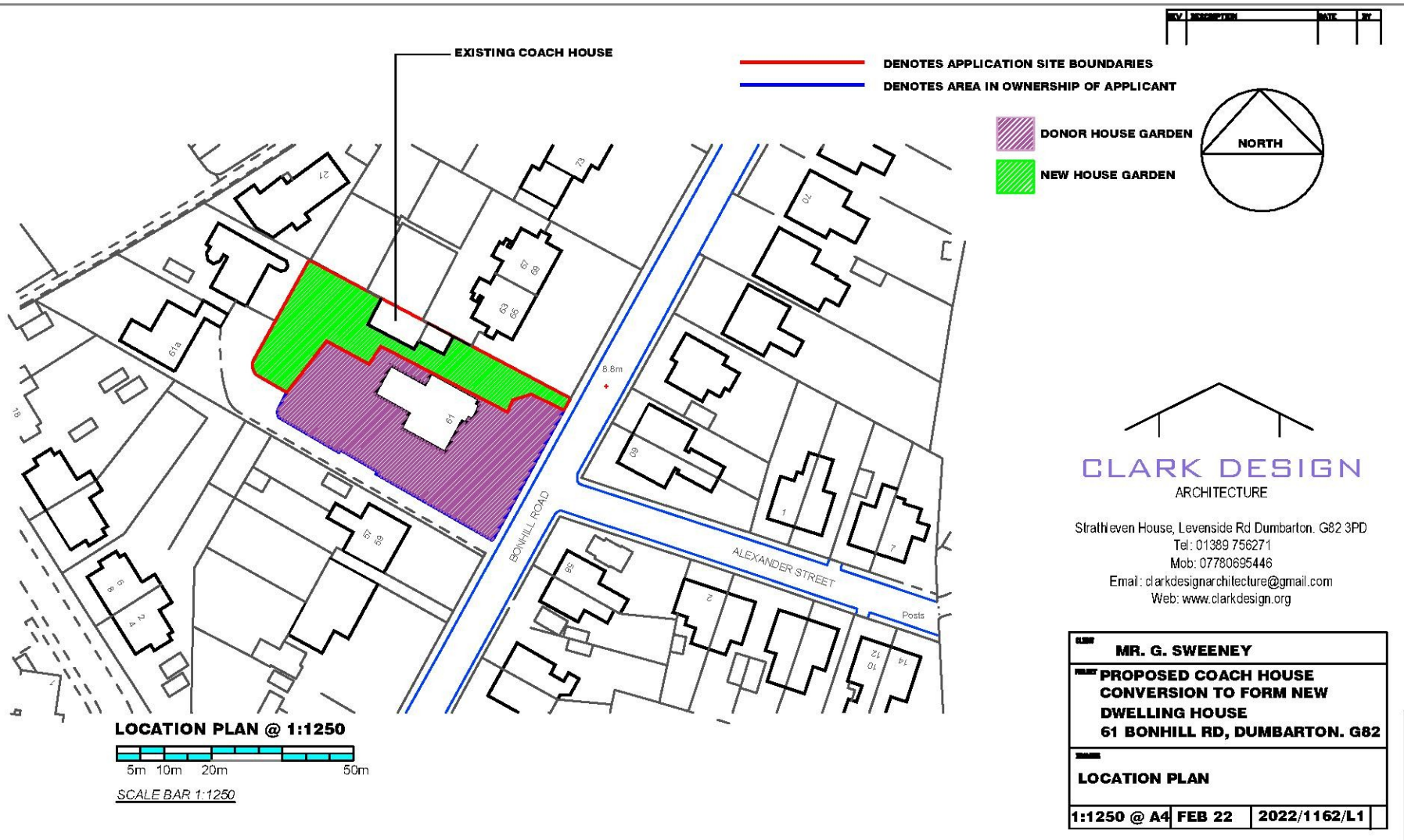
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Payment date: 30/01/2023 10:56:12

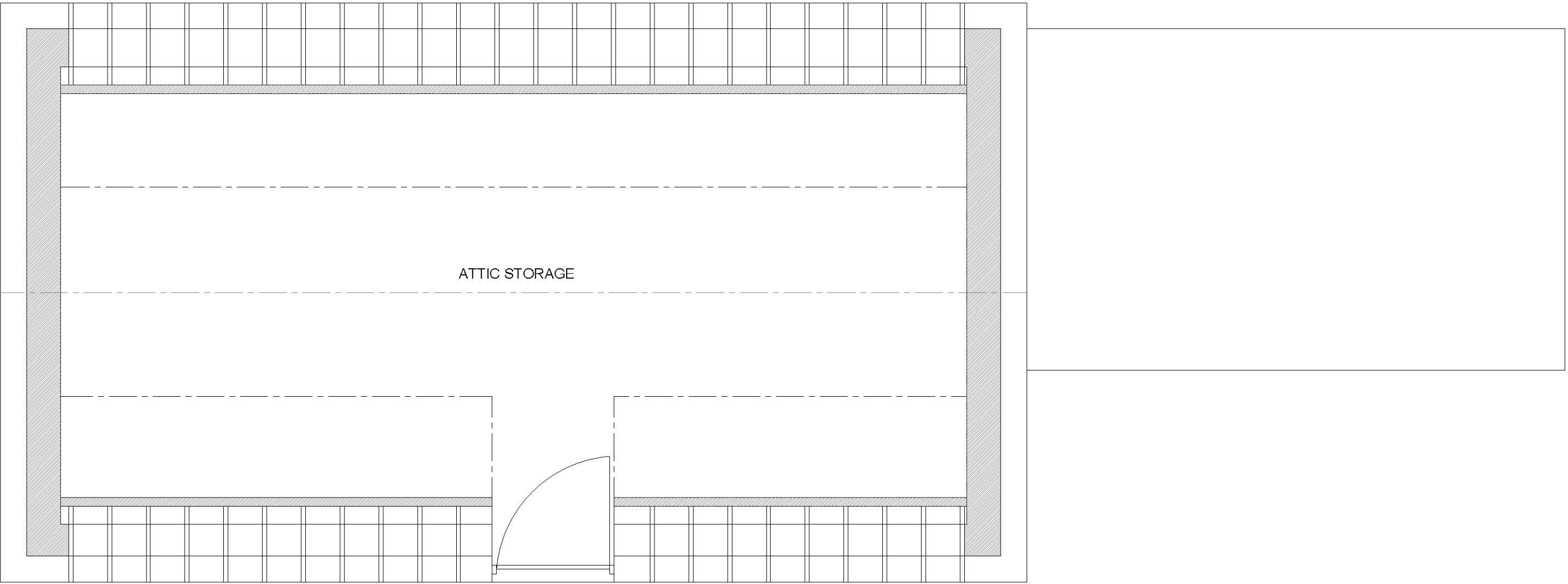
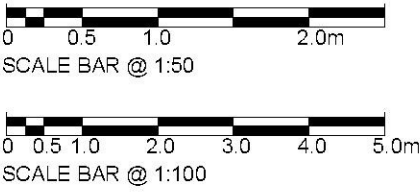
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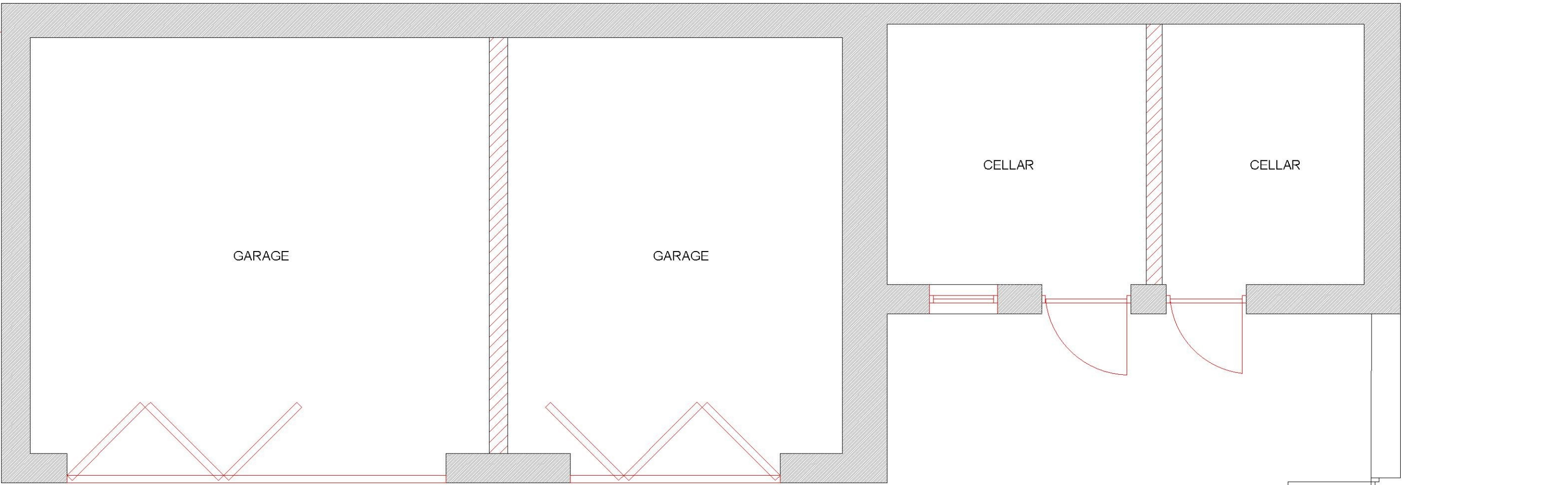




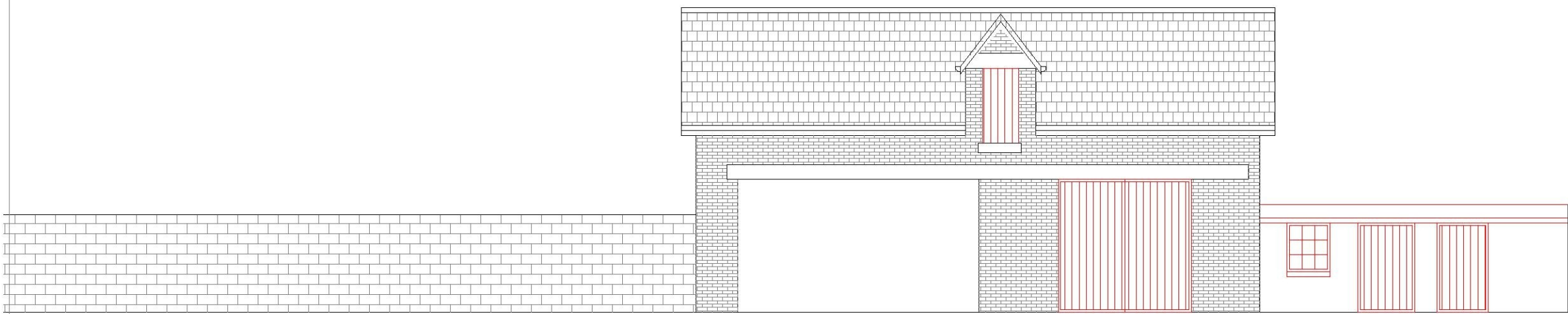
REV.	DESCRIPTION	DATE	BY



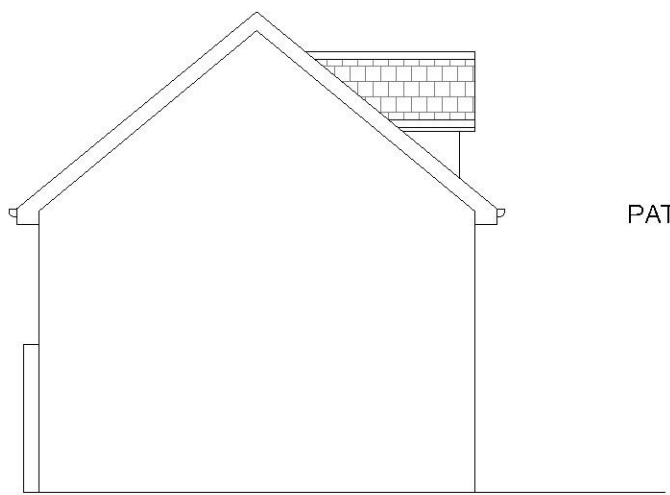
EXISTING FIRST FLOOR PLAN @ 1:50



EXISTING GROUND FLOOR PLAN @ 1:50



EXISTING FRONT ELEVATION @ 1:100



EXISTING GABLE ELEVATION @ 1:100

RED HATCHING DENOTES DOWNTAKINGS

This drawing must not be scaled, only written dimensions to be respected.

All dimensions are to be checked/confirmed on site prior to materials being ordered with special care given to items prefabricated off site.

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This drawing must be read in conjunction with the contract specification and all other architects, engineers, drawings and layouts, schedules and details.

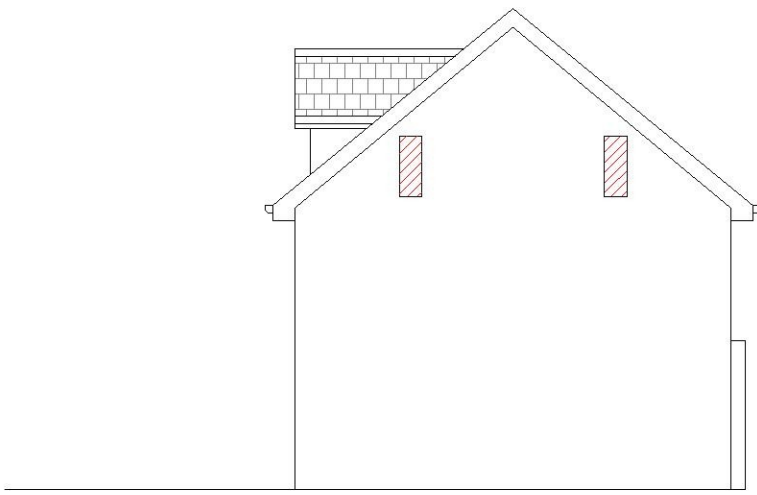
No changes to be made without consultation with Clark Design.

PLANNING

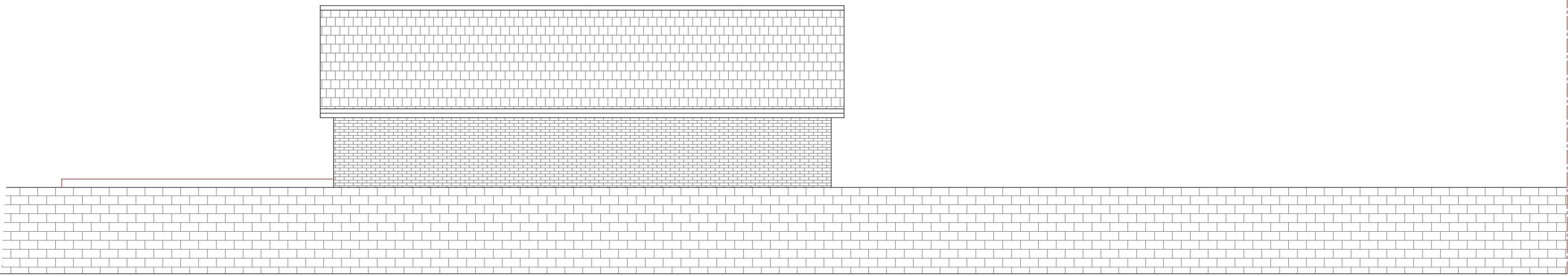
CLARK DESIGN
ARCHITECTURE

Strathleven House, Levenside Rd Dumbarton. G82 3PD
Tel: 01389 756271
Mob: 07780695446
Email: enquiries@clark-design.co.uk
Web: www.clarkdesign.org

CLIENT	MR. G. SWEENEY		
PROJECT	PROPOSED COACH HOUSE CONVERSION & ALTERATIONS 61 BONHILL ROAD DUMBARTON. G82 2DR		
DRAWING	EXISTING PLANS & ELEVATIONS		
A1	NOV 22	2022/1252/01	

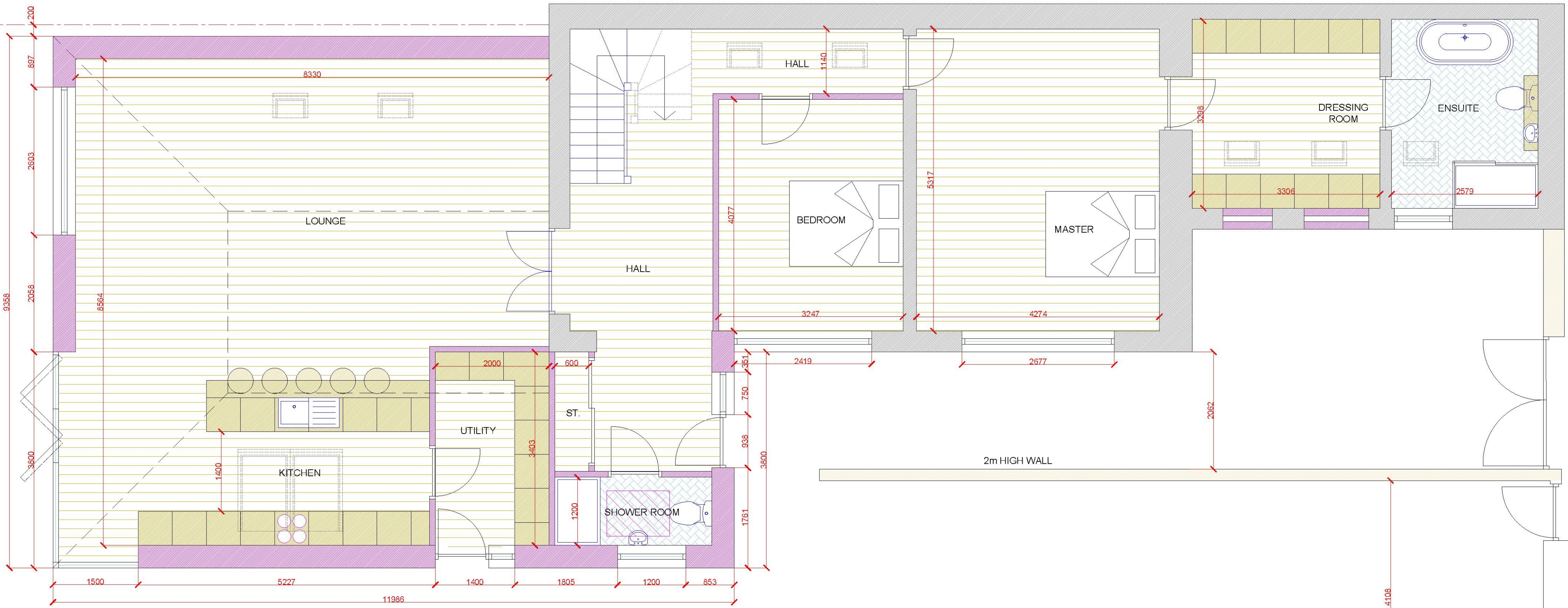
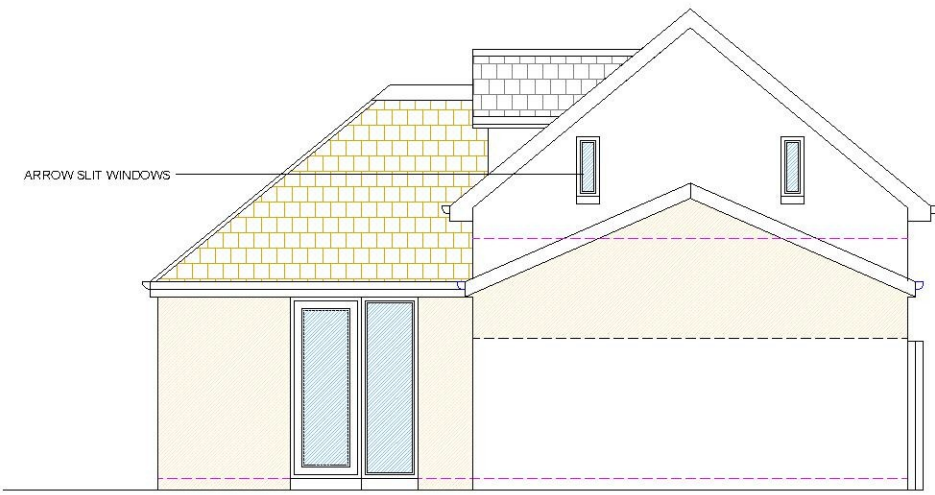
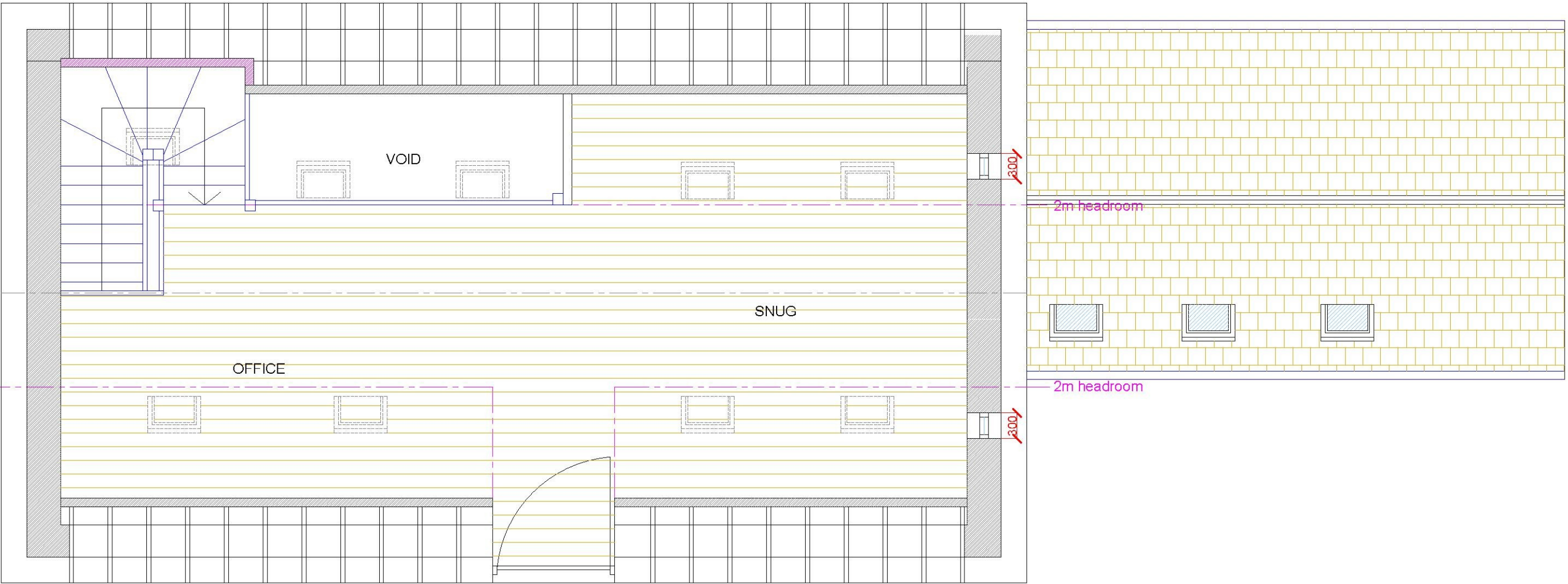
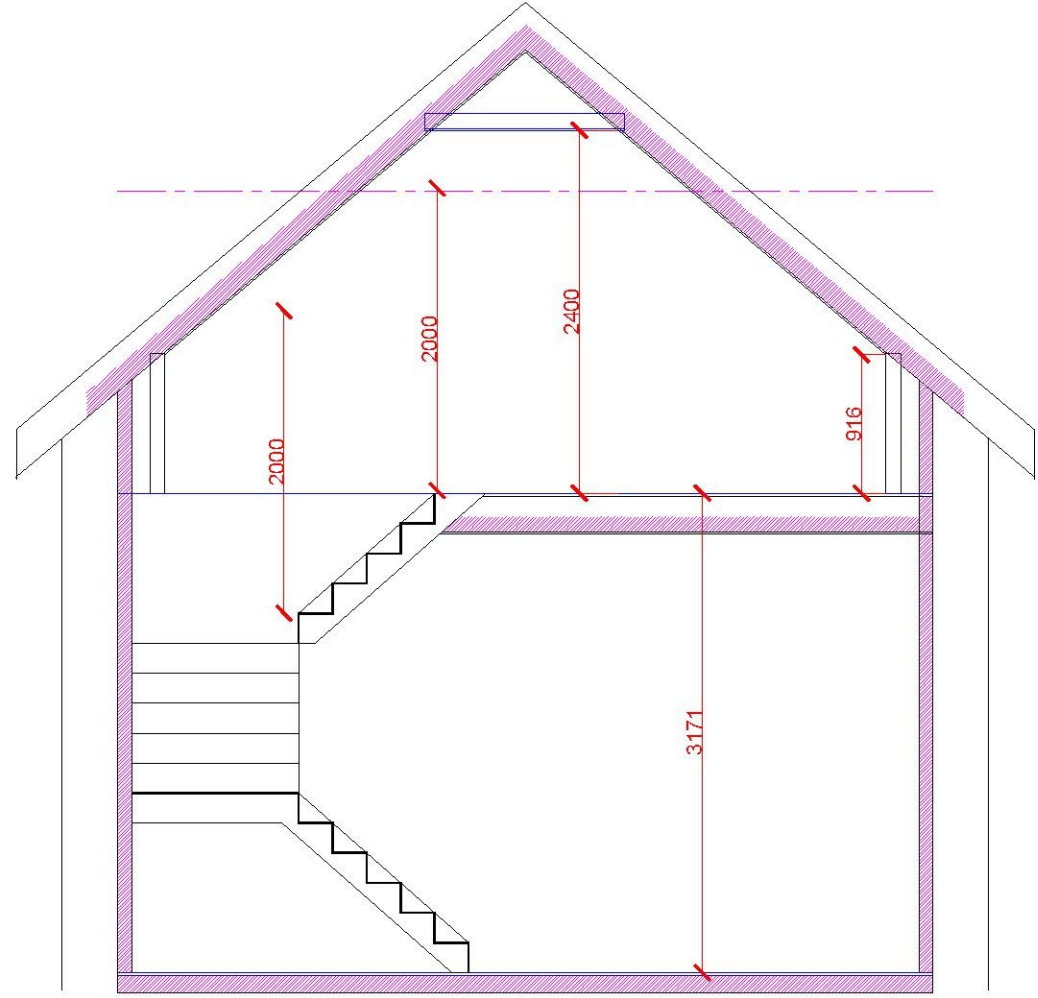


EXISTING GABLE ELEVATION @ 1:100



EXISTING REAR ELEVATION @ 1:100

REV	DESCRIPTION	DATE	BY
A	ROOF DESIGN REVISED	12.12.22	PC



PROPOSED EXTERNAL FINISHES:

WALLS:
STONE TO MATCH EXISTING.

WINDOWS/DOORS:
ANTHRACITE UPVC DOUBLE GLAZED UNITS TO MATCH EXISTING.

ROOF:
SLATE TO MATCH EXISTING.

GUTTERS/RAIN WATER PIPES/ SOFFITS/FASCIAS:
UPVC TO MATCH EXISTING

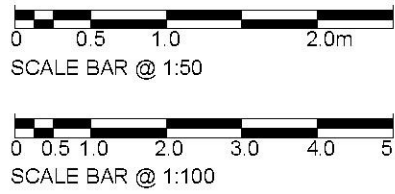
This drawing must not be scaled, only written dimensions to be respected.

All dimensions are to be checked/confirmed on site prior to materials being ordered with special care given to items prefabricated off site.

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This drawing must be read in conjunction with the contract specification and all other architects, engineers, drawings and layouts, schedules and details.

No changes to be made without consultation with Clark Design.



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ARCHITECTURE

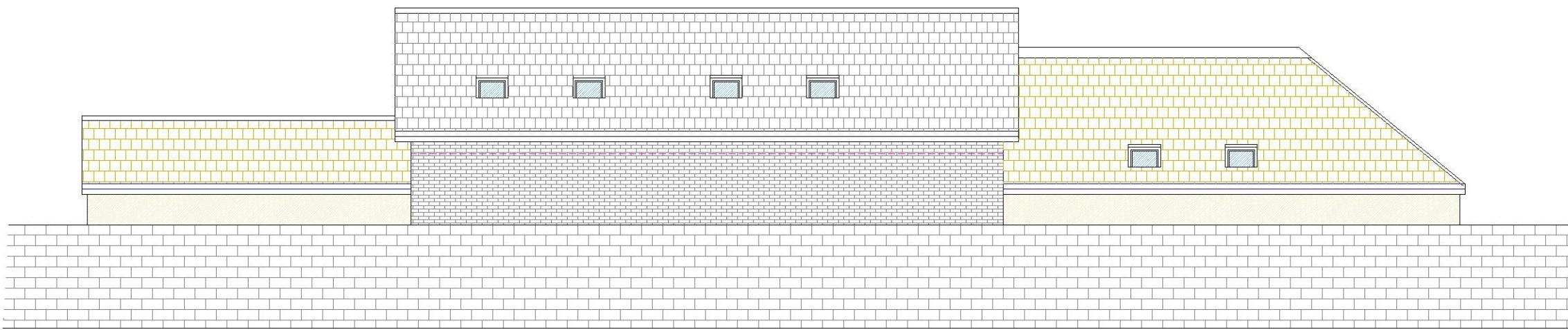
Strathleven House, Levenside Rd Dumbarton. G82 3PD
Tel: 01389 756271
Mob: 07780695446
Email: enquiries@clark-design.co.uk
Web: www.clarkdesign.org

CLIENT
MR. G. SWEENEY

**PROPOSED COACH HOUSE
CONVERSION & ALTERATIONS
61 BONHILL ROAD
DUMBARTON. G82 2DR**

DRAWING
**PROPOSED
PLANS & ELEVATIONS**

A1 NOV 22 2022/1252/02 A



**PLANNING APPLICATION CONSULTATION
RESPONSES**

DC23/015/FUL

From: [Development Management](#)
To: [planning scanindex](#)
Cc: [Amy Melkevik](#)
Subject: FW: Consultation Request DC23/015/FUL FUL 61 Bonhill Road Dumbarton G82 2DR
Date: 15 May 2023 17:36:53

From: Iain Hastings <Iain.Hastings@west-dunbarton.gov.uk>
Sent: 12 May 2023 15:09
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Subject: Consultation Request DC23/015/FUL FUL 61 Bonhill Road Dumbarton G82 2DR

With regards to application DC23/015/FUL we have no objections on Flood Risk grounds.

Regards
Iain

Iain Hastings
Technical Assistant
Flood Risk Management
Roads & Transportation
West Dunbartonshire Council
Bridge Street Office
Dumbarton
G82 1NT

Do you know your responsibilities under the Flood Risk Management (Scotland) Act 2009?
It is your responsibility to manage your own flood risk and protect yourself, your family, property or business. Local authorities are responsible for producing the Local Flood Risk Management Plan and working in partnership with SEPA, Scottish Water and other responsible authorities to develop these.

For further information and independent advice on Flooding issues see
www.scottishfloodforum.org

Housing, Environment & Economic Development
Road Services
Observations on Planning Application

Planning Application No: DC23/015/FUL
 Applicant:
 Proposed Development: conversion of a coach house to form a new dwelling
 Location: 61 Bonhill Road in Dumbarton
 Type of Consent: -
 Ref. No(s) of drg(s) submitted:

Proposal Acceptable?	Y or N	Item Ref.
1. EXISTING ROADS		1a
(a) General Impact of Development	NOTE	
(b) Type of Connection(s) (road junction/footway crossing)		
(c) Location(s) of Connection(s)		
(d) Sightlines (.....)		
(e) Active Travel Provision		
2. NEW ROADS		
(a) Widths (.....)		
(b) Layout (horizontal/vertical alignment)		
(c) Junction details (location/s/radii/sightlines)		
(d) Turning Facilities		
(e) Traffic Calming		
(f) Active Travel Provision		
(g) Provision of Utilities		
3. SERVICING AND CAR PARKING		
(a) Servicing Arrangements/Driveways		
(b) Car and Cycle Parking Provision (.....)		
(c) Maximum Parking Standards		
(d) Layout of Parking Bays/Garages		

4. RECOMMENDATION	No objections
--------------------------	---------------

5. CONDITIONS/REASONS FOR REFUSAL/DEFERMENT:-

6. NOTES FOR INTIMATION TO APPLICANT

(i) Construction Consent (S21)*	Required for
(ii) Road Bonds (S17)*	

(iii) Road Opening Permit (S56)*	Required for
(iv) Transportation Statement / Assessment	
(V) Flood Risk Assessment	

* Relevant Section of the Roads (Scotland) Act 1984

** Relevant Section of National Roads Development Guide

*** Relevant Section of Traffic Signs Regulations and General Directions (TSRGD)

Signed

Date

Head of Land Services

Contact: Sarah Johnson
Tel:

[illegible]

Copies to:

From: [Development Management](#)
To: [planning scanindex](#)
Subject: FW: Re: DC23/015/FUL - 61 Bonhill Road Dumbarton G82 2DR
Date: 31 May 2023 17:20:27

From: Adeyemi Roland <Adeyemi.Roland@west-dunbarton.gov.uk>
Sent: 31 May 2023 17:15
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Cc: Amy Melkevik <Amy.Melkevik@west-dunbarton.gov.uk>
Subject: Re: DC23/015/FUL - 61 Bonhill Road Dumbarton G82 2DR

Hi

With regards to the above planning application DC23/015/FUL EH (Environmental Health) have no comments make.

Regards

Adeyemi Roland

Environmental Health Officer
Environmental and Public Protection Group
Environmental Health
West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL
Tel: 07500485147

APPOINTED OFFICER'S DECISION:

DC23/015/FUL

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC23/015/FUL

CASE OFFICER: Amy Melkevik

ADDRESS/SITE: 61 Bonhill Road, Dumbarton, G82 2DR

PROPOSAL: Proposed coach house conversion to form new dwelling house and formation of new driveway to existing house

1. Site Description/Development Details

This is an application for planning permission to convert an existing coach house in order to form a new dwellinghouse as well as to create a new driveway to the existing dwellinghouse at 61 Bonhill Road in Dumbarton. 61 Bonhill Road is a large, detached, two storey, sandstone villa set within what is a large plot by modern standards. It has a large grassed front garden with a vehicle access from Bonhill Road and parking located at the front of the dwellinghouse. There is a double gate which separates the front and rear gardens. Within the rear curtilage there are areas of grass as well as paved areas which are located between the coach house and existing dwellinghouse, and from the rear extension to creating a patio area. The existing coach house which is currently being used for storage is also located within the rear garden. The coach house is of a similar time period as the villa and storey and a half in height with a lower, single storey, flat roofed side extension. There two main openings within the main coach house, one of which is currently open and one with doors. There is an opening at the upper level which is currently blocked up. Within the single storey extension there are two doors as well as a window. The existing material finishes are a mix of sandstone and blonde bricks for the external walls, dark grey painted timber for the doors and a slate roof.

It is proposed that a new access is to be created for 61 Bonhill Road. This access would be located at the southernmost point of the plot and would lead to three newly created vehicle parking spaces, set to the side of the of the principle elevation of 61 Bonhill Road. The creation of the new access would allow the existing driveway, which is located at the most eastern point of the plot, to be used in order to access the proposed new dwellinghouse. A gate separating the front and rear gardens would remain however there would be a new configuration which would add a further single gate and 2m high wall separating the two dwellinghouses. The existing coach house would be added to in the way of a further extension to the west. This extension would be single storey in height with a hipped roof containing three roof lights. It is proposed to measure 12m at its longest point, extending the coach house by a total of 8.75m in total due to an overlap with the coach house. It would have a large window on the side elevation as well as a further section of glazing which is mostly on the side elevation but turns the corner onto the front elevation. The west extension section of the front elevation would include a door and high level window. The main door to the new dwelling would also be located within the new extension. The proposed material finishes are stone to match the existing for the external walls, anthracite uPVC windows and doors, and a slate roof, also to match what is existing. Moving to the main section of the coach house, the external alterations would include installing a window within an existing opening at the upper level as well as the addition of 8 roof lights within the roof. Within the existing two, lower level openings, similar style, fixed "doors" would remain with glazed sections at the top. The existing eastern extension alterations include the alteration of a section of flat roof to create a gable ended roof with three roof lights incorporated. What was two doors and a window is altered to

become one, high level bathroom window. It is proposed that the garden space will be divided in order to provide a delineated space for each dwellinghouse although no boundary details have been provided. The garden space for the new dwellinghouse would stretch the width of the plot at the rear, leaving the garden space for the existing dwellinghouse at its rear.

61 Bonhill Road has previously been extended to the rear under application DC14/078. The rear curtilage of 61 Bonhill has also, at some point in the past, already been subdivided in order to create 61a and 61b Bonhill Road as well as the access which serves both properties from Bonhill Road.

2. Consultations

West Dunbartonshire Council Roads

No objections

West Dunbartonshire Council Roads (Flooding)

No objections on Flood Risk grounds

West Dunbartonshire Council Environmental Health

No comments

3. Application Publicity

None required.

4. Representations

None received.

5. Relevant Policy

National Planning Framework 4

- Policy 1 - Tackling the climate and nature crisis
- Policy 2 - Climate mitigation and adaptation
- Policy 3 - Biodiversity
- Policy 14 - Design quality and place
- Policy 22 - Flood risk and water management
- Policy 23 – Health and safety

West Dunbartonshire Local Plan

- Policy GD 1 - Development Control
- Policy H5 - Development within Existing Residential Areas
- Policy R2 – Open Space Provision

West Dunbartonshire Local Development Plan Proposed Plan

On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and

determination of planning applications. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.

- Policy CP1 Creating Places
- Policy H4 Residential Amenity
- Policy GI2 Open Space Standards
- Policy GI4 Developer Contributions

6. Appraisal

National Planning Framework 4 (NPF4) sets out the national planning policy position within the Development Plan with a range of policies applicable to this proposal. Policy 14 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. The Policy goes on to require that development proposals take account of the six qualities of successful places and advises that development proposals that are poorly designed, detrimental to the amenity of the surrounding area will not be supported. Policy GD1 of the Local Plan (LP) and Policy CP1 of the Local Development Plan 2 (LDP2) relate to the quality, design, and character of an area. Policy CP1 states that new development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. Developments are required to demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire retaining, reinforcing and responding to established patterns of development.

In assessing the proposal, it is noted that the existing pattern of development within this section of Bonhill Road comprises large, detached and semi-detached, sandstone dwellinghouses in a setting of private gardens with parking to the front. There remains a broad consistency in the depth and ratio of rear garden plots on this part of Bonhill Road. The proposal to create a new driveway, with vehicle parking to the front of the dwellinghouse would be in keeping with the pattern of development and therefore acceptable in terms of the policies. The Roads Service were consulted on the proposal and have no objections to the proposal but note that a Road Opening Permit would be required.

In relation to the proposed new dwellinghouse, whilst it is located to the rear of the existing dwellinghouse and any views of visual changes will be limited, the plot itself will be divided. Although the plot is large, it has already been divided in order to create 61a and 61b. The further subdivision of the plot would increase the overall density of development and alter the settlement pattern which would in turn not retain, reinforce or respond to the established pattern of development. As such given the concerns it is considered that the development is not supported by either Policy 14 of NPF4 or Policy CP1 of proposed LDP2. In addition, the Creating Places Planning Guidance 2022 advises that the redevelopment of existing buildings require to respond to their surroundings while ensuring amenity for residents. This includes respecting building lines and plot shapes. For the reasons above, it is not considered that the proposal accords with the Guidance.

In further assessing the proposal, Policy H5 of the LP and Policy H4 of proposed LDP2 focus on residential amenity. Policy H4 states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. The existing east extension has been designed in order to prevent overlooking towards the existing dwellinghouse, with the removal of windows and the use of part of the space as a bathroom. However, there is also a 2m high wall separating the two buildings and creating a passage way. This would change the character of the plot by altering what was once a wide opening into the garden space.

The proposed west extension has large sections of glazing on the side elevation. The distance between the side elevation and the boundary is 8.5m and the distance between the side elevation and the neighbouring property to the rear's glazed conservatory is 11.7m. There is however an existing 2m high brick, boundary wall. As such, it is considered that no unacceptable overlooking issues will be created between the new dwelling and the existing neighbouring properties. Whilst no overlooking issues will be created between the coach house and the properties to the rear, the garden grounds of the coach house and 61 Bonhill Road will be very close in nature. Whilst no details of boundary treatments have been noted, any sort of wall or fence that would provide privacy would be overbearing and create a division of the plot that is not characteristic of the area. As such it would not be possible to create appropriate amenity space for the new dwellinghouse and in turn the residential amenity of the area would not be preserved or enhanced. As such the proposal is not supported by Policy H5 of the LP and Policy H4 of proposed LDP2.

Policy R2 of the adopted Local Plan advises on open space standards for new development with Policies GI2 and GI4 of proposed LDP2 providing the up-to-date position. Any development of new dwellings, even if small scale will be expected to provide a contribution towards the cost of providing or improving green infrastructure in the area. Policy GI4 of proposed LDP2 advises that developer contributions will apply in a number of circumstances including smaller sites of less than 10 units where provision of green infrastructure is not possible. Further details are set out in the Council's Green Network and Green Infrastructure Planning Guidance 2022. In the event the proposal was otherwise acceptable, a contribution to open space would be expected.

No objections have been received in relation to the application and no objections have been received from the consultees to the application.

In conclusion, the conversion of the coach house to form a new dwellinghouse within the rear garden grounds of 61 Bonhill Road is not supported by National Planning Framework 4 Policy 14 together with adopted West Dunbartonshire Local Plan Policy H5 and GD1 and the West Dunbartonshire Local Development Plan 2 policies CP1 and H4. The dwellinghouse would not be in keeping with the character and settlement pattern of the immediate area and would have a detrimental impact to the amenity of the surrounding area and as such should a recommendation for refusal is made. Whilst the creation of a new driveway to the front of 61 Bonhill Road would in principle be acceptable, it is not possible to approve part of a planning application and refuse another.

7. Added Value

None

8. Recommendation

Planning permission be refused for the following reasons:

1. The conversion and extension of the coach house does not demonstrate an understanding of the local context as the subdivision of the plots is not in keeping with depth and ratio of rear garden plots on this part of Bonhill Road. The proposal therefore does not accord with Policy 14 of the National Planning Framework 4, Policy CP1 of the proposed West Dunbartonshire Local Development Plan 2 and the Creating Places Planning Guidance 2022.
2. The conversion and extension of the coach house does not enhance the residential character and amenity of the existing residential area due to the boundary wall required to create the subdivision and the close proximity of garden spaces. The proposal

therefore does not accord with Policy H5 of the adopted West Dunbartonshire Local Plan and H4 of the proposed West Dunbartonshire Local Development Plan 2.

FOR NOTING

1. The plans referred to as part of this decision are:
 - 2022/1162/B1 Existing Block Plan
 - 2022/1162/B3 Proposed Block Plan
 - 2022/1162/L1 Location Plan
 - 2022/1252/01 Existing plans and elevations
 - 2022/1252/02 Rev A Proposed plans and elevations

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal Proposed coach house conversion to form new dwelling house

Site 61 Bonhill Road
Dumbarton
G82 2DR

Applicant Mr G Sweeney

Agent Clark Design Architecture
Strathleven House
Levenside Road
Dumbarton
G82 3PD
F.A.O. Paul Clark

Class of Development Local Development

Decision Type Delegated

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 27th day of June 2023

Signature 
For West Dunbartonshire Council

Planning, Building Standards and Environmental Health Manager
16 Church Street
Dumbarton
G82 1QL

Reason for Refusal

1. The conversion and extension of the coach house does not demonstrate an understanding of the local context as the subdivision of the plots is not in keeping with depth and ratio of rear garden plots on this part of Bonhill Road. The proposal therefore does not accord with Policy 14 of the National Planning Framework 4, Policy CP1 of the proposed West Dunbartonshire Local Development Plan 2 and the Creating Places Planning Guidance 2022.
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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

Notice of Review forms and guidance can be obtained and submitted to us via the Scottish Government [ePlanning portal](#)

Alternatively the review forms may be submitted in writing* to:

West Dunbartonshire Council
Planning Local Review Body
16 Church Street
Dumbarton G82 1QL
0141 951 7930

*Please note that due to the Government guidance regarding Covid-19, all staff are working remotely therefore there will be delays in receiving any paper submissions. We would therefore encourage electronic submissions via the e-planning portal. If you require any assistance please contact us using the above contact telephone number or alternatively e-mail us – development.management@west-dunbarton.gov.uk

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

RELEVANT POLICIES:

DC23/015/FUL

National Planning Framework 4

Policy 1 – Tackling the climate and nature crisis

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 – Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 9 Brownfield, vacant and derelict land and empty buildings

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.
- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 12 – Zero Waste

- a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) Development proposals will be supported where they: i. reuse existing buildings and infrastructure; ii. minimise demolition and salvage materials for reuse; iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life; iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials; v. use materials that are suitable for reuse with minimal reprocessing.

- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
- i. provision to maximise waste reduction and waste separation at source, and
 - ii. measures to minimise the crosscontamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.
- d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:
- i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;
 - ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;
 - iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
 - iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
 - v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
 - vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
- i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
 - ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.
- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
 - ii. can demonstrate that a functional heat network can be created and provided within the site for appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified;
 - iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
 - iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
 - v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

Policy 14 - Design, Quality and Place

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

- Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
- Pleasant: Supporting attractive natural and built spaces.
- Connected: Supporting well connected networks that make moving around easy and reduce car dependency
- Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
- Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
- Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 15 – Local living and 20 minute neighbourhoods

a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 16 – Quality Homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to: i. meeting local housing requirements, including affordable homes; ii. providing or enhancing local infrastructure, facilities and services; and iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include: i. self-provided homes; ii. accessible, adaptable and wheelchair accessible homes; iii. build to rent; iv. affordable homes; v. a range of size of homes such as those for larger families; vi. homes for older people, including supported accommodation, care homes and sheltered housing; vii. homes for people undertaking further and higher education; and viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where: i. a higher contribution is justified by evidence of need, or ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where: i. the proposal is supported by an agreed timescale for build-out; and ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; iii. and either: · delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or · the proposal is consistent with policy on rural homes; or · the proposal is for smaller scale opportunities within an existing settlement boundary; or · the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

g) Householder development proposals will be supported where they: i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

Policy 22 – Flood risk and water management

a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that longterm safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- all risks of flooding are understood and addressed;
- there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- flood resistant and resilient materials and construction methods are used; and
- future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- that the proposal does not create an island of development and that safe access/ egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing bluegreen infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy 23 – Health and safety

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.
- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).

Adopted West Dunbartonshire Local Plan 2010

Policy GD 1: Development Control

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale, density, massing, height, aspect, effect on daylighting, crime prevention measures and privacy); developers will be required to submit design statements where appropriate;
- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape features and valuable species and habitats are conserved and where possible enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised, and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or environmental pollution, provide drainage consistent with Sustainable Urban Drainage Systems design guidance and ensure that suitable remediation measures are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access, and considering the need for a Green Travel Plan;
- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies.

Policy H5 Development within Existing Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;
- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;
- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies

Policy R2 Open Space Provision

In determining planning applications the Council will have due regard to the provision of open space as an integral part of the proposal. The Council's aim is that there is a minimum provision of formal or maintained recreation and amenity open space of 2.4 ha per 1,000 population, of which 1.6 ha is for outdoor sport and 0.8 ha for children's play space and amenity open space. Developers will be expected to provide open space in accordance with the above targets, unless it can be shown that such provision would be inappropriate for the scale or type of development proposed. Flexibility regarding the location, need and extent of open space provision may be acceptable if existing areas of open space are readily accessible from the development site and developers contribute to the provision or improvement of facilities in these areas. The table below indicates the level of provision or contribution for guidance purposes. The requirement for each different type of provision should be added together to provide the overall minimum provision. For the provision or improvement outwith the development site, Section 75 Agreements may be sought.

In developments of less than 50 houses where it can be shown that the layout provides substantial garden areas or in developments of less than 10 houses where physical restrictions are such that open space cannot reasonably be provided on the site which is otherwise acceptable for residential development, then the Council may determine that the specifications may not apply in whole or

in part. Recreational open space areas may not be sought for sheltered/special needs housing.

Proposed West Dunbartonshire Local Development Plan (LDP2, as modified 2020)

Policy CP1 Creating Places

New development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) Green infrastructure must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new buildings and materials used are of a high quality, sustainable and suited to the climate and location;
- f) Provide sustainable design which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance.

Note: Until such times as the Creating Places Supplementary Guidance is adopted by the Council, the 'Residential Development: Principles for Good Design' Planning Guidance, which is non-statutory, should be referred to by landowners and/or developers.

Policy H4: Residential Amenity

The Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents;

- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy G1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

Policy GI2 Open Space Standards

The Council will require new development to meet with the open space standards set out in Table 6 below. These standards should form part of the overall integrated green infrastructure design approach as required by Policy CP2: Green Infrastructure. Where a development has difficulty providing these standards on site, or where a relaxation of the standards can be justified, developers will require to accord with Policy G4 and provide a contribution towards the types of projects outlined within Table 7 and detailed in the Green Network and Green Infrastructure Supplementary Guidance.

Policy GI4 Developer Contributions

Where new residential development on its own, or in association with existing developments, will place additional demands on green infrastructure that would lead to a deficit in existing open space provision or necessitate new facilities, the Council will require the developer to meet or contribute towards the cost of providing or improving green infrastructure within the area.

Developer contributions in this instance will apply to:

- Smaller sites of less than 10 units where provision of on-site recreational green infrastructure is not possible;
- Developments where meeting the green infrastructure standards for on site provision is not appropriate, e.g high density urban areas;
- Where a development site is accessible to open spaces but those spaces are of a poor quality; and
- Where development sites are accessible to good quality open spaces but a contribution to the green network is required to enhance its provision to the Central Scotland Green Network.

Developer contributions will only be used for projects which relate to the development from which they were received, including in nature, scale and kind. The types of green infrastructure projects to be funded by developer

contributions can be found in Table 7 of the Plan, below, and within Supplementary Guidance on Green Network and Green Infrastructure. Contributions for Strategic Green Infrastructure Projects will only be used for projects within the Ward areas that they are collected. All other contributions will be used for projects within the Community Council areas in which they are collected.

Contributions sought under this policy will be waived or reduced only in exceptional circumstances – for example, where a developer demonstrates that their development would have exceptional development costs and/or overriding economic, social or other benefits.

Discussions should be held with the Planning and Building Standards Service at an early stage to discuss the most appropriate mechanism for making a contribution. In most instances, financial contributions are required prior to any planning consent being issued.

Note: In addition to any contributions made under Policy GI4, developers will require to meet the costs of providing the service infrastructure necessary for their development.

APPLICATION FOR REVIEW:

DC23/072/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100643166-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Miss"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="14"/>
First Name: *	<input type="text" value="Mihaela"/>	Building Number:	<input type="text" value="1"/>
Last Name: *	<input type="text" value="Goidan"/>	Address 1 (Street): *	<input type="text" value="Cornock Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07922753601"/>	Town/City: *	<input type="text" value="clydebank"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="g813bp"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="mihaelaseverin2@yahoo.com"/>		

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

FLAT 1

Address 2:

14 CORNOCK STREET

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

CLYDEBANK

Post Code:

G81 3BP

Please identify/describe the location of the site or sites

Northing

671219

Easting

249799

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Changing the use of the property from residential to short term let

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? * <div style="margin-top: 10px;"> <input checked="" type="checkbox"/> Refusal Notice. <div style="margin-top: 5px;"> <input type="checkbox"/> Grant of permission with Conditions imposed. <div style="margin-top: 5px;"> <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal. </div> </div> </div>	
<h3 style="margin: 10px 0;">Statement of reasons for seeking review</h3> <p style="margin: 10px 0;">You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p style="margin: 10px 0;">Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p style="margin: 10px 0;">You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>I seek a review because I have invested a lot in this business and it is my primary source of income on which I am very reliant. I am prepared to follow all the guidances and rules and I have amended the check in and out times for the guest and as well I have modified the welcome pack already restricting guests to come late, leave very early or to make any noise from 10pm to 8am. and there is a security camera is installed. I also keep clean the close and around the property.</p> </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <div style="float: right;"> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </div>	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>The matter was not raised because I did not have any complaints from neighbours, the flat being on bottom floor and only having one neighbour on the level. Also there was the security camera in the close as I have to know the time and how many people come in and out of the property. It is very rare that the guests will come late at night and will leave before check out time. The majority ask to leave later. Besides the summer months the flat is about half month empty so there is no noise.</p> </div>	
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Document with restricted hours to come in and out of the property Documents with quiet hours Cleaning around the block and in the close is done regularly so the residents benefit as well. links to listing showing check in and check out times and noise rules: https://airbnb.com/h/14cornockstreet https://www.booking.com/hotel/gb/lovely-2-bedroom-modern-ground-floor-flat.en-gb.html Pictures with the close area</p> </div>	
<h3 style="margin: 10px 0;">Application Details</h3> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="width: 60%;"> <p>Please provide the application reference no. given to you by your planning authority for your previous application.</p> <p>What date was the application submitted to the planning authority? *</p> <p>What date was the decision issued by the planning authority? *</p> </div> <div style="width: 35%;"> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">DC23/072/FUL</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">14/04/2023</div> <div style="border: 1px solid black; padding: 5px;">30/07/2023</div> </div> </div>	

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☐ Yes ☒ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Mihaela Goidan

Declaration Date: 13/09/2023

Very Important – Please respect the **quiet hours between 10pm and 8am**
The frequency of close door usage should be reduced to a minimum and used only if necessary and no noise is allowed during these hours

Check -in From 4 to 10 PM

You will be given a code for the lockbox
where you can find the key



14/1 Cornock Street, Clydebank,
G81 3BP



+447922753601

Mihaela Goidan



Network Name “**14 Cornock Street**”

Password “**[REDACTED]**”

Local Transportation Info

Taxi

- Clydebank Taxi – 01419525055

Public transport

-Bus station is just 1 minute walk from the flat on Kilbowie Rd

-Train station is 3 minutes walk just off Kilbowie Rd

Check-out From 7 to 10 AM

Please check cupboards for all personal items
leave used towels on the floor, turn off the lights
place key back in the lockbox and scramble the
numbers

*We want you to have a
pleasant stay!*

IN CASE OF EMERGENCY DIAL 999

The fire extinguisher and the first aid kit are
located: **on the right wall as you enter the
kitchen**

Gas and electricity safety certificates,
safety information and house plan are
attached to this welcome pack

House Rules



No parties allowed.



Pets are not permitted



Smoking is not permitted in the
rental



No guests inside the rental
that are not on the reservation

-Clydebank Train station is 5 minutes walk, On Chalmers St

Snacks and beverages

-there are plenty of snacks/breakfast items in the fridge and cupboards
(Coffee, tea, juice, milk, cereals, etc.)

Parking

There is ample free parking at the back of the property

House appliances

The house is fitted with all necessary appliances and guest should feel free to use
TV, Curtains and Heating can be controlled with alexa:

- Alexa (open/close curtains) (turn on/off TV, change channel) (set Heat to ??°C)
- and there is also a remote for curtains next to light switch in the living room

Heating

Central heating thermostat is situated next to the TV in the living room and the heating can be adjusted to the guests needs by turning the thermostat dial clockwise or counterclockwise

Evacuation in case of emergency

In case of emergency please go through the hallway to the entrance door. The hallway will be lit at night so you will find your way out easily. Once you are safe outside the property, please call emergency number 999

At Night procedures

At night please ensure all appliances are turned off and the living room door is shut

Local Attractions

There are plenty of local shops and bars.

- Clyde Shopping Centre just 5 minutes walk. nearby Golf courses, Leisure Centre.
- 5 minutes drive to Great western retail park, -15 minutes drive to the Airport
- 25 minutes to Glasgow city center, easy access to Loch Lomond (30 minutes drive)

Property Link:

https://www.airbnb.co.uk/rooms/607881035607478116?guests=1&adults=1&s=67&unique_share_id=87dc811e-30c1-4e40-b6bb-fbeaff6a2a04

If you enjoyed staying here please leave us a review!!
Thank you





PLANNING APPLICATION:

DC23/072/FUL



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100625131-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

I was informed I need planning permission in order to get the short term let licence for my flat. The flat will change use from residential to letting.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☒ Yes ☐ No

Has the work already been started and/or completed? *

☐ No ☐ Yes – Started ☒ Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

20/05/2022

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

There were safety requirements for letting the flat, and the flat has been checked before and all the safety measurements have been completed.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Miss"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="4/2"/>
First Name: *	<input type="text" value="Mihaela"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text" value="Goidan"/>	Address 1 (Street): *	<input type="text" value="Cornock Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="clydebank"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="g813bp"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:	<input type="text" value="West Dunbartonshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="FLAT 1"/>
Address 2:	<input type="text" value="14 CORNOCK STREET"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="CLYDEBANK"/>
Post Code:	<input type="text" value="G81 3BP"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671219"/>	Easting	<input type="text" value="249799"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

I have spoken with the west Dunbartonshire development management and I was advised to fill in this form here before moving ahead with the application

Title:

Mrs

Other title:

First Name:

Eva

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

17/04/2023

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

70.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

The flat is being let on short term basis on Airbnb and Booking.com

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<input style="width: 80%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 80%;" type="text" value="0"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water?? * ☐ Yes ☒ No
 (e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐ Yes

☐ No, using a private water supply

☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☐ Yes ☒ No

If Yes or No, please provide further details: * (Max 500 characters)

There are already rubbish bins and recycling bins provided by the council close to the property

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Miss Mihaela Goidan

On behalf of:

Date: 18/04/2023

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☐ Photographs and/or photomontages.

☒ Other.

If Other, please specify: * (Max 500 characters)

there are no alterations to be made and I purchased a location map plan and uploaded to this form

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

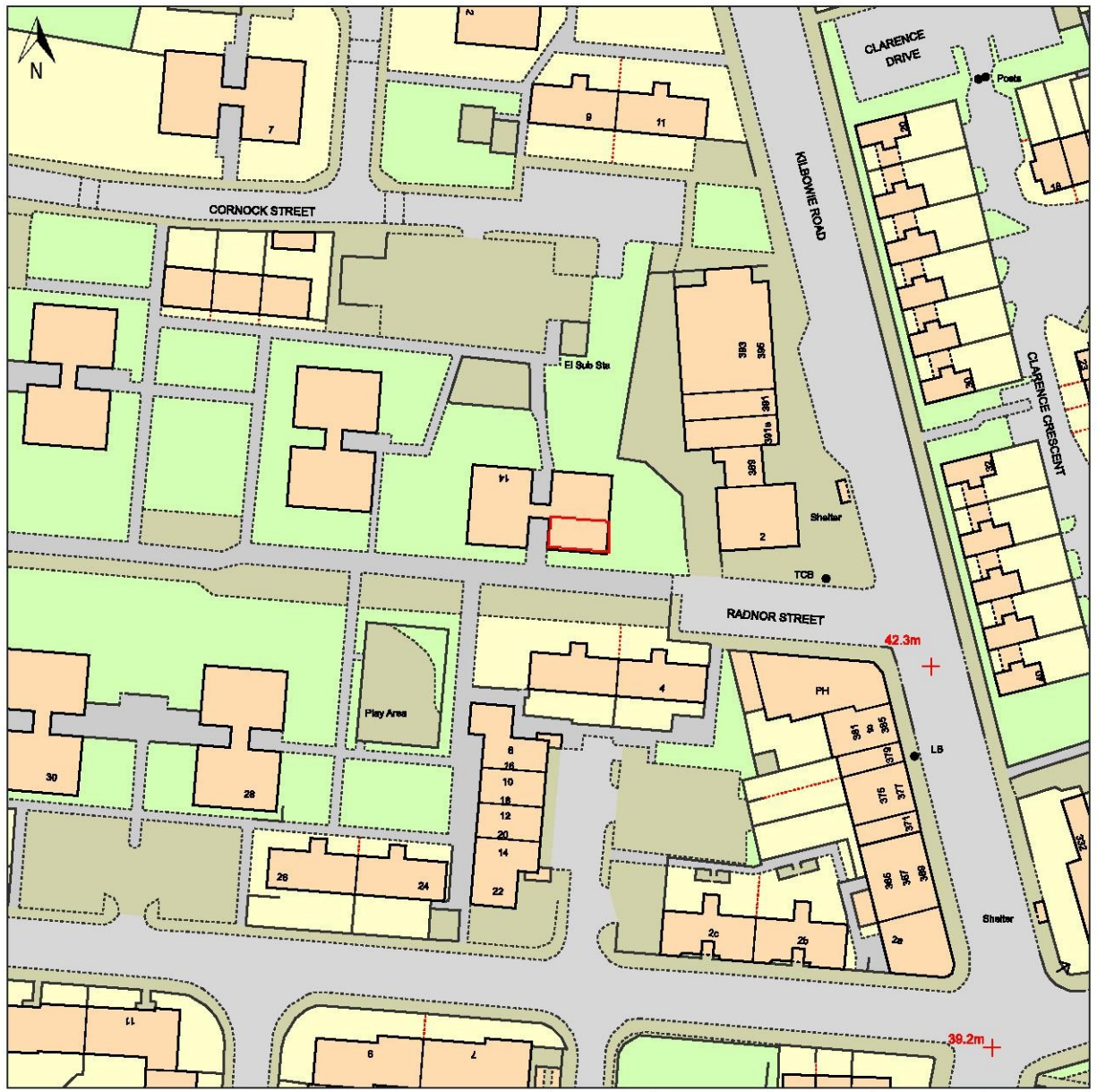
Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Miss Mihaela Goidan

Declaration Date: 18/04/2023

14/1, CORNOCK STREET, CLYDEBANK, WEST DUNBARTONSHIRE, G81 3BP



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0100031673 Created using Plans by emapsite.com

0m 20m 40m 60m 80m 100m

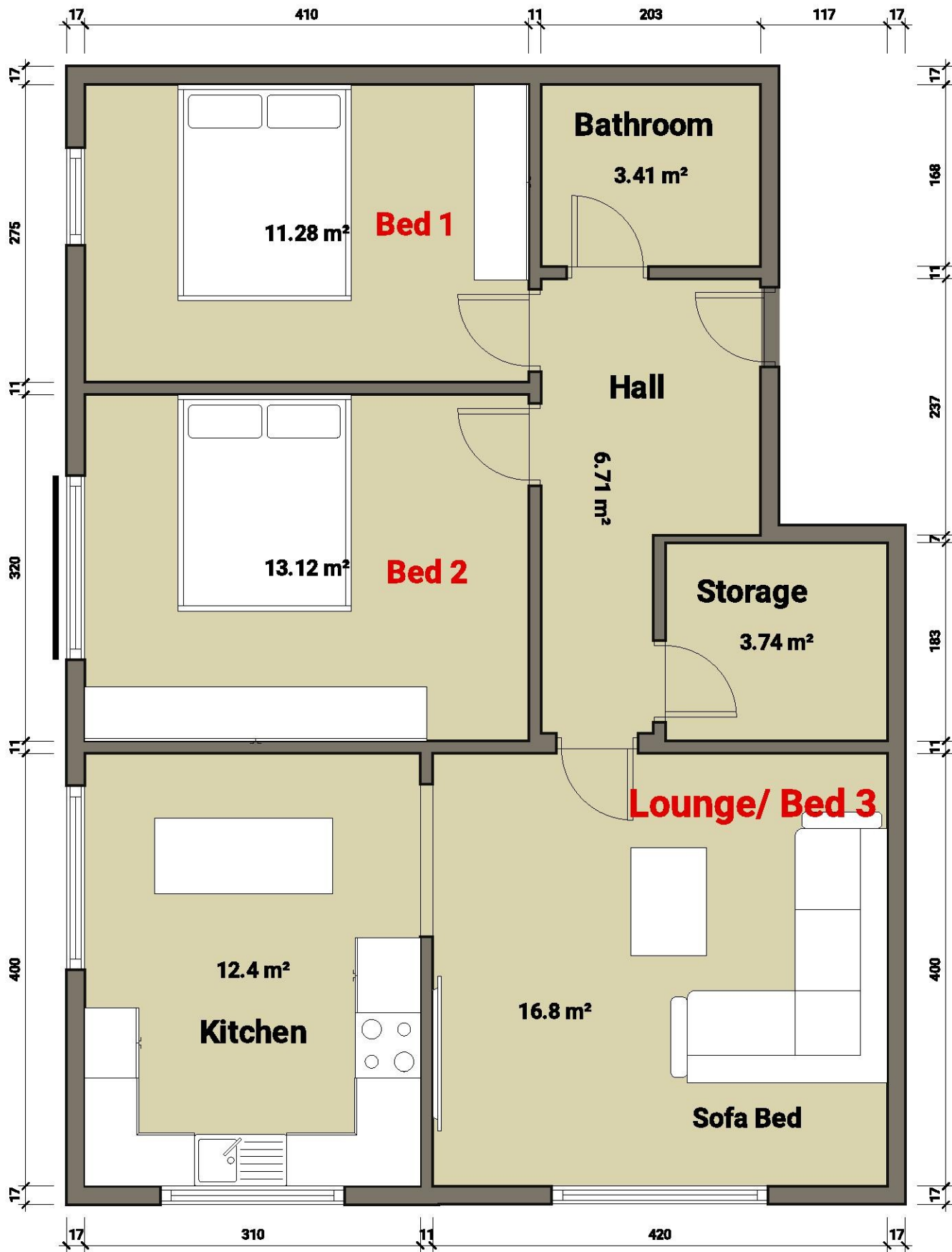
Scale: 1:1250

Paper Size: A4

Notes:

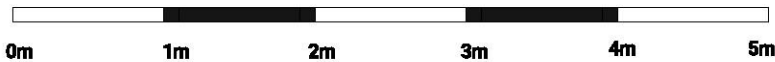


14/1 Cornock Street



Total Floor area
aprox. 67.5 sqm

Number of bed spaces = 3
Highlighted in red



Scale: 1:50

Paper size: A4

14/1 Cornock Street

Short term let operation and management

The whole premises is rented through Airbnb and Booking.com to a maximum of six people for their desired amount of time. The place is listed as holiday accommodation and allows travellers to find a place to stay while they are away from home.

Periodic checks are made ensuring the health and safety of everyone is protected. Specific aspects like gas safety, electrical safety and water safety are done by qualified personnel and I aim to set and maintain best safety standards overall.

The premises is kept in very good state of functionality and cleanliness .

30/05/2023

Mihaela G.

**PLANNING APPLICATION CONSULTATION
RESPONSES**

DC23/072/FUL

From: [Development Management](#)
To: [planning scanindex](#)
Subject: FW: Consultation Request Notification DC23/072/FUL
Date: 20 June 2023 11:35:26
Attachments: [Copy of Planning application DC23 072 FUL.xlsx](#)
[image003.png](#)

From: Sarah Johnson <Sarah.Johnson@west-dunbarton.gov.uk>
Sent: 19 June 2023 15:54
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Cc: Ash Hamilton <Ash.Hamilton@west-dunbarton.gov.uk>
Subject: FW: Consultation Request Notification DC23/072/FUL

Hello,

Please see attached response from the roads department for the application below.

Thanks

Sarah Johnson

Roads Department
West Dunbartonshire Council – Elm Road

Email: sarah.johnson@west-dunbarton.gov.uk



From: Catherine Brooks <Catherine.Brooks@west-dunbarton.gov.uk>
Sent: 13 June 2023 11:51
To: Planning Responses <ttpr@west-dunbarton.gov.uk>; Steven Gonella <Steven.Gonella@west-dunbarton.gov.uk>; Raymond Walsh <Raymond.Walsh@west-dunbarton.gov.uk>; Sarah Johnson <Sarah.Johnson@west-dunbarton.gov.uk>
Subject: Consultation Request Notification DC23/072/FUL

To: West Dunbartonshire Council Roads

Planning Authority Name	West Dunbartonshire Council
Response Date	27 June 2023
Planning Authority Reference	DC23/072/FUL
Nature of Proposal (Description)	Change of use from residential flat (sui generis) to short term let (sui generis)
Site	Flat 1 14 Cornock Street

Proposal Acceptable?	Y or N
1. EXISTING ROADS	
(a) General Impact of Development	NOTE
(b) Type of Connection(s) (road junction/footway crossing)	
(c) Location(s) of Connection(s)	
(d) Sightlines (.....)	
(e) Active Travel Provision	
2. NEW ROADS	
(a) Widths (.....)	
(b) Layout (horizontal/vertical alignment)	
(c) Junction details (locations/radii/sightlines)	
(d) Turning Facilities	
(e) Traffic Calming	
(f) Active Travel Provision	
(g) Provision of Utilities	
3. SERVICING AND CAR PARKING	
(a) Servicing Arrangements/Driveways	NOTE
(b) Car and Cycle Parking Provision (.....)	
(c) Maximum Parking Standards	
(d) Layout of Parking Bays/Garages	

[illegible]

4. RECOMMENDATION	No objections subject to conditions
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6. NOTES FOR INTIMATION TO APPLICANT

(i) Construction Consent (\$21)*	
(ii) Road Bonds (\$17)*	
(iii) Road Opening Permit (\$56)*	
(iv) Transportation Statement / Assessment	
(v) Flood Risk Assessment	

Signed
Head of Land Services

Date _____

Copies to:

From: [Development Management](#)
To: [planning scanindex](#)
Subject: FW: Memo DC23/072
Date: 27 June 2023 09:53:53
Attachments: [AR - DC23_072 - Cornock Street - Clydebank - 22.06.23.docx](#)

From: Environmental Health <Environmental.Health@west-dunbarton.gov.uk>
Sent: 22 June 2023 11:21
To: Development Management <Development.Management@west-dunbarton.gov.uk>
Cc: Ash Hamilton <Ash.Hamilton@west-dunbarton.gov.uk>
Subject: RE: Memo DC23/072

Good Morning

Please see attached memo, sent on behalf of Adeyemi Roland, Environmental Health Officer.

Kind regards

Laura
Admin Support Unit
16 Church Street
Dumbarton
G82 1QL

Memorandum



To: Ash Hamilton, Planning Officer

From: Adeyemi Roland, Environmental Health

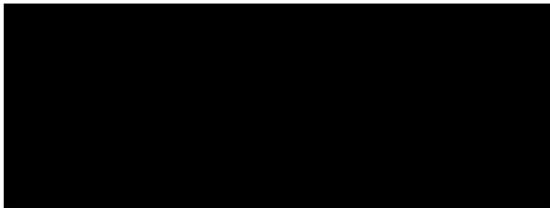
Contact: Adeyemi Roland

Subject: **Change of use from residential flat
(sui generis) to short term let (sui generis)
Flat 1, 14 Cornock, Street, Clydebank
G81 3BP**

Your Ref: DC23/072 Our Ref: AR/140285LM Date: 22 June 2023

I refer to the above planning consultation and can advise that Environmental Health have no objection to the proposed development, and have no comment to offer.

Please contact me if you require further information or clarification.



Adeyemi Roland
Environmental Health Officer
Environmental Pollution Group
16 Church Street
Dumbarton
G82 1QL
0141 951 7957
environmental.health@west-dunbarton.gov.uk

APPOINTED OFFICER'S DECISION:

DC23/072/FUL

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC23/072/FUL

CASE OFFICER: Mr Ash Hamilton

ADDRESS/SITE: Flat 1, 14 Cornock Street, Clydebank, G81 3BP

PROPOSAL: Change of use from flat (Sui Generis) to short term let accommodation (Sui Generis) (retrospective).

1. Site Description/Development Details

The application relates to a ground floor flat located within a three and a half storey block of 12 flats, with 6 flats located either side of a central, internal communal area which is set back from the front and rear elevations and provides a shared front and rear main entry and staircase access to the upper floors. The application flat, which is one of four ground floor flats, is located on the eastern side of the block and faces south. It is noted that entry to the two ground floor flats facing north is slightly raised and accessed via the internal staircase, which goes on to provide access to the upper floors. The flat has a floor area of 67.5sqm and is comprised of 2 bedrooms, hallway, kitchen, bathroom and a lounge which is sometimes used as a third bedroom.

No. 14 is located within a mixed use area in Clydebank, with flatted developments of a similar style to the west and south, car parking and flatted developments to the north and a variety of commercial uses along Kilmbowie Road to the east. Communal parking is located to the north, with an area of amenity grass surrounding the block.

This retrospective planning application seeks a change of use from the existing residential flat (Sui Generis) to a short term let accommodation (Sui Generis). No internal or external changes to the property are proposed.

A supporting statement on the operation and management of the short term let notes that the property would be let through Airbnb and Booking.com to a maximum of 6 people for their desired amount of time. Specific aspects such as gas, electrical and water safety would be carried out by qualified personnel. While the proposed will largely be managed remotely, the applicant has advised that they will visit the property weekly to ensure the health and safety of everyone is protected.

No information has been provided on the expected frequency of bookings, length of stay or arrival and departure times.

2. Consultations

WDC Environmental Health – no objection

WDC Roads – no objection

3. Application Publicity

None.

4. Representations

None.

5. Relevant Policy

National Planning Framework 4 (NPF4)

- Policy 1 – Tackling the climate and nature crisis
- Policy 2 – Climate mitigation and adaptation
- Policy 14 – Design, Quality and Place
- Policy 30 - Tourism

West Dunbartonshire Local Plan (2010)

- Policy H 5 – Development within Existing Residential Area
- Policy GD 1 – General Development
- LE 8 – Tourist Industry Development

West Dunbartonshire Local Development Plan Proposed Plan (2020)

On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.

- H4 – Residential Amenity
- Policy CP1 – Creating Places
- E6 – Tourism Development

6. Appraisal

In assessing this application, the material considerations are the relevant policies of National Planning Framework (NPF) 4, the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan2, as identified in section 5, and the impact on neighbouring residential amenity.

Policy 14 of NPF4 notes that proposals will be supported where they are consistent with the six qualities of successful places; healthy, connected, distinctive, pleasant,

sustainable and adaptable. Criterion (d) advises that proposals which are detrimental to the amenity of the area will not be supported. Looking at the Local Plan, Policy GD1 states that new proposals should be appropriate to the local area in terms of land use and meet the parking requirements of the Council. Policy H5 advises that the character and amenity of existing residential areas, as identified on the Proposals Map, will be safeguarded and where possible enhanced. Any non-residential uses would be appraised with regard to whether they can be considered ancillary or complementary to the residential area, and whether they would result in a significant loss of amenity to the surrounding properties. It is noted that a significant loss of amenity might occur in the form of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance. Looking at the proposed LDP2, Policy H4 includes a general presumption against the establishment of non-residential uses within residential areas which would potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents. Policy CP1 seeks to ensure that all development takes a design led approach and seeks to protect and enhance the amenity of existing communities.

With respect to local amenity, specifically noise, it is noted that the flat is in close proximity to the relatively busy Kilbowie Road and the range of commercial uses adjacent to it, including a supermarket and bar. While this proximity means that no.14 Cornock Street is already subject to a medium level of activity and associated ambient noise during the day and into the evening, it needs to be considered whether the proposed short term let would significantly increase the existing noise level and cause disturbance to nearby residents. Tourism accommodation, particularly in the form of short term let booked online, while akin to residential use in some respects, contrasts with traditional residential use as short term lets are normally and expectedly greater in their intensity than a residential use. They are characterised by a lack of regularity and routine, with frequent arrivals and departures at varying times, sometimes during the late evening and early hours of the morning, depending on the travel arrangements of the guests. This level of activity is likely to generate a significant level of noise as it would, at least part of the time, involve the movement of luggage into and around the property and other activities typically associated with the arrival and departure from a holiday let. Existing noise levels may also be increased by occupancy levels which are often higher than normal. This is the case here, with the proposed maximum occupancy of 6 people (to be accommodated by using the living as an additional bedroom) being greater than typically expected of a 2 bedroom flat. The additional servicing that operating a short term let requires compared to a residential use is also likely to increase the level of disturbance, with knock on effects on residential amenity. More generally, there is concern that transient visitors may have less regard for neighbour's amenity than individuals occupying the property as their principal home. It is considered that all the above aspects would be particularly pronounced in the high season for tourism. While noting that the application relates to a ground floor flat and the central communal area does extend the full length of the block, it is considered that the noise likely to be generated by the level and type of activity outlined above would be very noticeable to neighbouring properties, particularly those on the ground floor, due to the main door entries and staircase being shared. It is noted that any noise disturbance would not be subject to on-site control as the proposed use would largely be operated and managed remotely, with only weekly checks by the applicant. In light of the above, it is considered that the proposal is likely to result in significant

noise disturbance to neighbouring flats. It is therefore not supported by Policy 14, Policy GD 1, Policy H 5, Policy H4 and Policy CP1.

Looking at wider amenity, it is not expected that any negative impacts would arise from the traffic, parking and waste generated by the proposal. It is noted that the consultation responses from WDC Roads and Environmental Health raised no objection in relation to these issues.

Policy 30 of NPF4, specifically criterion (e), advises that proposals for the reuse of existing buildings for short term holiday letting will not be supported where they would result in; (1) an unacceptable impact on local amenity or the character of the local neighbourhood; (2) the loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits. Policy LE 8 of the Local Plan requires tourist related proposals to satisfy a number of criteria, which include the demonstration of a clear economic benefit and that there will be no adverse environmental effects. Looking at the proposed LDP2, Policy E6 states that while the development of new and existing tourist facilities will be supported and encouraged throughout the Council area, such developments must be in accordance with other relevant policies within the plan.

As detailed above, the proposal is likely to have significant adverse effects on local amenity, specifically in relation to noise disturbance. While it is accepted that there is an economic benefit to West Dunbartonshire from the overall provision of tourist accommodation, the application has not demonstrated the economic benefits of this specific proposal or why the loss of residential accommodation is justified in this instance. With regard to the last point, it is noted that the residential use of a property generates a degree economic benefit, in terms of the spend on services to maintain the property and the use of other local services by residents. Further to the above, the proposal is not supported by Policy 30, Policy LE 8 or Policy E6.

This change of use proposal does not raise any concerns with respect to the climate and nature crises, climate mitigation or adaptation. Aside from the impacts on residential amenity detailed above, the proposal does not conflict with the six qualities of successful places.

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is unacceptable as it does not comply with the relevant policies contained in the National Planning Framework 4 (NPF4), the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan (LDP2) as there would be significant detrimental effects on residential amenity due to noise disturbance, a clear economic benefit has not been established or the loss of the existing residential accommodation justified. Planning permission should be refused.

7. Recommendation

Refuse planning permission for the following reasons:

1. The proposed development is contrary to Policy 14 of NPF4, Policies GD 1 and H5 of the Local Plan (2010), and Policies H4 and CP1 of the Local Development Plan Proposed Plan 2 (2020) as it would have a detrimental impact on residential amenity.
2. The proposed development is contrary to Policy 30 of NPF4, Policy LE8 of the Local Plan (2010) and Policy E6 of Local Development Plan Proposed Plan (2020) as it would have a detrimental impact on residential amenity, a clear economic benefit has not been established and the loss residential accommodation is not justified.

1. Added Value

None.

2. Conditions

None.

FOR NOTING

1. The plans referred to as part of this decision are:
 - A Location Plan
 - Detailed to Scale Floorplan
 - Statement of how the business operates and how it is managed

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal Change of use from residential flat (sui generis) to short term let (sui generis)

Site Flat 1
14 Cornock Street
Clydebank
G81 3BP

Applicant Miss Mihaela Goidan

Agent N/A

Class of Development Local Development

Decision Type Delegated

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 30th day of July 2023

Signed 
For West Dunbartonshire Council

Planning, Building Standards and Environmental Health Manager
16 Church Street
Dumbarton
G82 1QL

Reason for Refusal

1. The proposed development is contrary to Policy 14 of NPF4, Policies GD 1 and H5 of the Local Plan (2010), and Policies H4 and CP1 of the Local Development Plan Proposed Plan 2 (2020) as it would have a detrimental impact on residential amenity.
2. The proposed development is contrary to Policy 30 of NPF4, Policy LE8 of the Local Plan (2010) and Policy E6 of Local Development Plan Proposed Plan (2020) as it would have a detrimental impact on residential amenity, a clear economic benefit has not been established and the loss residential accommodation is not justified.

FOR NOTING

1. The plans referred to as part of this decision are:
 - A Location Plan
 - Detailed to Scale Floorplan
 - Statement of how the business operates and how it is managed

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

Notice of Review forms and guidance can be obtained and submitted to us via the Scottish Government [ePlanning portal](#)

Alternatively the review forms may be submitted in writing to:

West Dunbartonshire Council
Planning Local Review Body
16 Church Street
Dumbarton G82 1QL
0141 951 7930

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

RELEVANT POLICIES:

DC23/072/FUL

National Planning Framework 4

Policy 1 – Tackling the climate and nature crisis

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 – Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 13 – Sustainable Transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
 - i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
 - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
 - iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
 - i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
 - ii. Will be accessible by public transport, ideally supporting the use of existing services;
 - iii. Integrate transport modes;
 - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
 - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
 - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
 - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
 - viii. Adequately mitigate any impact on local public access routes.

- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer. While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Policy 14 - Design, Quality and Place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

- Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 30 – Tourism

a) Development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported.

b) Proposals for tourism related development will take into account:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment.

c) Development proposals that involve the change of use of a tourism-related facility will only be supported where it is demonstrated that the existing use is no longer viable and that there is no requirement for alternative tourism-related facilities in the area.

d) Proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.

e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits

Adopted West Dunbartonshire Local Plan 2010

Policy GD 1: Development Control

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale, density, massing, height, aspect, effect on daylighting, crime prevention measures and privacy); developers will be required to submit design statements where appropriate;
- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape features and valuable species and habitats are conserved and where possible enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised, and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or environmental pollution, provide drainage consistent with Sustainable Urban Drainage Systems design guidance and ensure that suitable remediation measures are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access, and considering the need for a Green Travel Plan;
- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies.

Policy H5 Development within Existing Residential Areas

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;
- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;
- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies

Policy LE 8 – Tourist Industry Development

The Council will support applications for tourist industry developments throughout the Plan area conditional on the criteria below being satisfied. The Council recognises the Forth and Clyde Canal Corridor and the Lower Clyde and Firth of Clyde as Tourism Development Areas.

All tourist related development proposals will be required to satisfy the following criteria:

- there are no adverse environmental, landscape, infrastructure and transport implications;
- it is shown there is a clear locational need;
- it is established there is a significant economic benefit;
- the proposal is compatible with Policy R 4 (within the Forth and Clyde Canal Corridor); and
- the proposal conforms with other Local Plan policies.

Proposed West Dunbartonshire Local Development Plan (LDP2, as modified 2020)

Policy CP1 Creating Places

New development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the distinctive identity of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that streets are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) Green infrastructure must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new buildings and materials used are of a high quality, sustainable and suited to the climate and location;
- f) Provide sustainable design which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance.

Note: Until such times as the Creating Places Supplementary Guidance is adopted by the Council, the 'Residential Development: Principles for Good Design' Planning Guidance, which is non-statutory, should be referred to by landowners and/or developers.

Policy H4: Residential Amenity

The Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents;
- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy G1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

Policy E6 – Tourism Development

The development of new and existing tourist facilities will be supported and encouraged throughout the Council area where there would be no adverse effect on the integrity of a Natura 2000 site and they avoid adverse impacts on the green network and built heritage and are in accordance with other relevant policies within the plan.

SUGGESTED CONDITIONS:

DC23/072/FUL

Condition 1

The check in/out hours and house rules set out in the Welcome Pack hereby approved shall be implemented in full, unless otherwise agreed with the Planning Authority.

Reason: To safeguard residential amenity.