

Agenda



Planning Committee

Date: Wednesday, 8 December 2021

Time: 2.00 p.m.

Format: Hybrid Meeting

Contact: Gabriella Gonda, Committee Officer
Email: Gabriella.Gonda@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above.

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and Members will have the option to attend the meeting remotely or in person at the Civic Space, Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Diane Docherty (Vice Chair)
Councillor Daniel Lennie
Councillor Douglas McAllister
Councillor Jonathan McColl
Councillor Lawrence O'Neill

All other Councillors for information

Date of Issue: 25 November 2021

PLANNING COMMITTEE
WEDNESDAY, 8 DECEMBER 2021

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 RECORDING OF VOTES

The Committee is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

4 MINUTES OF PREVIOUS MEETING 5 - 11

Submit for approval as correct record, the Minutes of Meeting of the Planning Committee held on 10 November 2021.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 PLANNING APPLICATIONS

Submit report by the Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

(a) DC21/205/FUL – Installation of various artworks at
Dumbarton Walkway, Castle Street, Dumbarton. 13 - 20

(b) DC21/176/FUL – Erection of coffee shop with drive-thru facility at
Supermarket, 36 Glasgow Road, Dumbarton. 21 - 32

PLANNING COMMITTEE

At a Hybrid Meeting of the Planning Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 10 November 2021 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Daniel Lennie, Jim Finn, Jonathan McColl and Lawrence O'Neill.

Attending: Peter Hessett, Chief Officer – Regulatory and Regeneration; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Emma McMullen, Project Manager – Antonine Wall; John Walker, Assistant Engineering Officer, Roads and Transportation; Nigel Ettles, Section Head – Litigation (Legal Officer); and Gabriella Gonda, Committee Officer.

Apologies: An apology for absence was intimated on behalf of Councillor Douglas McAllister.

Councillor Jim Finn in the Chair

DECLARATIONS OF INTEREST

Bailie Denis Agnew declared a non-financial interest in Item 7 – DC21/212/PPP being an acquaintance of Mr. Hay, agent for the application, and advised that he would remain in the meeting during consideration.

RECORDING OF VOTES

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 6 October 2021 were submitted and approved as a correct record.

NOTE OF VISITATIONS

A Note of Visitations carried out on 4 October 2021, a copy of which forms Appendix 1 hereto, was submitted and noted.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

PLANNING APPLICATION

A report was submitted by the Chief Officer – Regulatory and Regeneration in respect of the following planning application:-

- (a) DC21/212/PPP – Proposed residential development at land to the east of 8 Cochno Holdings, Cochno Road, Hardgate by Miss Cunningham.

Reference was made to a site visit that had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager was heard in further explanation of the report and in answer to Members' questions.

Councillor Finn, Chair, invited Mr William Sherwood and Ms Beth Stevenson, objectors, to address the Committee. Mr Sherwood was heard in support of the objection and in answer to Members' questions.

The Chair then invited Mr John Shovelin, objector, to address the Committee. Mr Shovelin was heard in support of the objection and in answer to Members' questions.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager in clarification of certain matters and in answer to Members' questions, Councillor Docherty seconded by Councillor McColl, moved refusal of the application on the grounds that it was contrary to Policy GB1 of the adopted Local Plan and policies relating to the green belt in LDP1 and LDP2.

As an amendment, Councillor Dickson, seconded by Councillor Casey, moved:

That the Committee grant planning permission in principle subject to conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

On a roll call vote being taken, 6 Members voted for the amendment, namely Bailie Agnew and Councillors Casey, Conaghan, Dickson, Lennie and O'Neill and 3 Members voted for the motion, namely Councillors Docherty, Finn and McColl. The amendment to grant the application with agreed conditions was accordingly declared carried.

REDISCOVERING THE ANTONINE WALL PROJECT AND - RE-IMAGINING THE ANTONINE WALL – PHASE 2

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval for the Council to continue to manage the Antonine Wall Project for Historic Environment Scotland and the four other Councils.

A presentation on Rediscovering the Antonine Wall: three years on was then given by Emma McMullen, Project Manager – Antonine Wall.

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

- (1) to note the progress and achievements of the Antonine Wall Project as described in the report;
- (2) to agree to continue to manage the Antonine Wall Project for the next 3 years for Historic Environment Scotland and for the other partner Councils; and
- (3) to note that officers would submit as a growth item for capital funding of £10k from West Dunbartonshire Council to the project in setting the 2022/23 budget.

ANNUAL REVIEW OF QUARRIES AND LANDFILL SITES

A report was submitted by the Chief Officer – Regulatory and Regeneration providing an update on the annual monitoring of the two quarries and two landfill sites in the West Dunbartonshire Council area along with the status of the relevant restoration bonds that apply to three of the sites.

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

- (a) to note the progress of the quarry and landfill sites;
- (b) to note the status of the relevant restoration bonds; and
- (c) to note that a further update would be provided to a future Planning Committee during 2022.

SCHEDULED MONUMENT CONSENT: SHEEPHILL FORT, SHEEPHILL QUARRY, MILTON, DUMBARTON

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking agreement of the Council's response to an application for Scheduled Monument Consent for Sheephill Fort, Sheephill Quarry, Dumbarton.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report and in answer to Member's questions, the Committee agreed that the Council would submit the comments contained in paragraph 4.1 - 4.3 of the report, as detailed within Appendix 3 hereto, as the Council's response to the application for Scheduled Monument Consent.

The meeting closed at 11:08 a.m.

DRAFT

PLANNING COMMITTEE**NOTE OF VISITATIONS – 4 OCTOBER 2021**

Present: Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Jonathan McColl and Lawrence O'Neill.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager. (The above lists Members who attended all three visits with the exception of Bailie Denis Agnew who did not attend the site visit at DC20/176 - 19 Millburn Avenue, Clydebank).

SITE VISIT

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

TPO18/13 – Felling of trees (comprising of 16 Lime, 5 Sycamore and 1 Silver Birch) at various locations on Bell Street, Edward Street, McGregor Street and White Street, Clydebank.

DC20/176 – Change of use of land to the rear of No. 19 Millburn Avenue, Clydebank to form private rear garden ground and construction of associated fence/gate and ancillary outbuilding (retrospective) at No.19 Millburn Avenue, Clydebank.

DC21/138/FUL – Proposed residential redevelopment of 88 dwellings comprising of cottage flats, bungalows and flats with vehicular access, associated car parking and landscape works at land at the corner of Glasgow Road and Mill Road, Clydebank.

**DC21/212/PPP – Proposed residential development at land to the east of 8
Cochno Holdings, Cochno Road, Hardgate by Miss Cunningham.**

1. No development shall commence on site until such time as approval of matters specified in conditions for the following matters shall be obtained from the planning authority. Any application for approval of matters specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
 - a) site layout plans showing the position of all buildings, roads, footpaths , car parking areas, walls, fences and landscaping;
 - b) block and layout plans and elevations of each building showing dimensions, design, height and palettes of external materials;
 - c) landscape and streetscape plans showing the location of all proposed trees, shrubs, hedges, palettes of landscaping materials
 - d) details of existing and proposed levels and finished floor levels relating to a clearly identified fixed datum point;
 - e) the means of drainage and sewage;
 - f) a detailed report on the extent, scale and nature of any contamination of the site and a remediation scheme;
 - h) an Ecological Appraisal detailing any ecological interest in the site and how it should be addressed.
 - i) the provision of open space to West Dunbartonshire Council's Residential Design Guidance.
2. Under condition 1 above details to be submitted shall include no more than 4 houses.
3. Prior to any development on site the existing footpath along the eastern side of Cochno Road shall be extended to the junction with Duncombe Avenue. Details of the footpath and its location shall be submitted to and approved by the Planning Authority and implemented prior to the occupation of any houses on site.
4. Detailed to be submitted under condition 1(c) shall include a landscaping strip along the northern boundary to screen the new vehicular access.

4.1 The Sheephill Fort is situated at the summit of Sheephill, steep sided spur that falls away steeply on all sides except the North East. The defences comprise three elements: a small oval enclosure occupying the rocky boss that forms the summit; an irregular enclosure taking in additional ground on the South and West; and an outer rampart enclosing a triangular terrace on the South. Scheduled Monuments are legally recognised as being of national importance and should therefore be recognised when considering changes to them. In terms of the application for Scheduled Monument Consent this has been submitted by the quarry operator to Historic Environment Scotland. The proposed works are to undertake quarrying operations that will encompass tree felling, removal of soil and drift deposits, blasting, excavating crushing, screening, processing and storage of rock, siting of temporary plant as well as the forming of haul roads, benches and temporary works. In addition to all other incidental activities. No details have been provided of the archaeological excavation works to be carried out if the fort is removed despite being previously advised that detailed plans for the necessary archaeological works, a project design with appropriate supporting documentation and agreements would form part of the application for consent.

4.2 During the consideration of the ROMP there was a lot of interest in the retention of Sheephill Fort and a number of representations to the ROMP raised the issue of the future of the Scheduled Monument including Bowling and Milton Community Council and Silvertown and Overtown Community Council. They indicated that the historic remains of the vitrified fort should not be destroyed until a proper professional archaeological exploration and documentation is carried out. Historic Environment Scotland also have a number of Scheduled Monument policies which protect a monument in order to secure its long term protection in the national interest in situ and overarching principles, aims and policies applied to all consents decisions in regard to proposals for work at scheduled monuments. Works on scheduled monuments should normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument and this aim is supported by Policies SMP1, SMCP1, SMCP2, SMCP3 and HEP 1 and 2 of the Scheduled Monument Consent Policy of Historic Environment Scotland. Policy SMCP2 in particular states that extensive intervention at scheduled monuments will not normally be permitted.

4.3 The Council recognises the long complex history of Sheephill Fort and the previous grant of SMC however Sheephill Fort is an important archaeological site which should be retained and the SMC should be refused. The Council advise that when assessing the application for SMC consideration should be given to their own policies relating to Scheduled Monuments and in particular the Scheduled Monument Consent Policy. If Historic Environment Scotland are minded to grant consent the Council would recommend that a strict Written Scheme of Investigation of the loss of the fort is required to mitigate by the excavation, recording and publishing of the findings.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory and Regeneration****Planning Committee: 8 December 2021**

DC21/205/FUL: Installation of various artworks including two metal bench seats, four barrel seats, three metal geese sculptures, eight cast iron paving reliefs, eight acrylic resin wall plaques, and a view point sculpture at Dumbarton Walkway, Castle Street, Dumbarton by Dunbritton Housing Association

1. REASON FOR REPORT

- 1.1** The application raises issues of local significance and under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

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

3. DEVELOPMENT DETAILS

- 3.1** The application proposes the installation of various artworks to be placed throughout a new residential development within Dumbarton town centre and along Dumbarton Waterfront. The development is nearing completion. Many of the properties are already occupied, consisting of a mix of terraced house and flats which are owned and managed by Dunbritton Housing Association.

- 3.2** The artworks include the following:

- A viewpoint sculpture to be positioned adjacent to the new riverside walkway. The sculpture will consist of an oval ring of silver/grey Jesmonite (an acrylic resin cementitious compound) mounted on a cast concrete plinth with stainless steel resin anchors. It will bear the Dumbarton coat of arms and will measure approximately 3.25 metres high, 4.25 metres wide and 1 metre deep. The sculpture will frame the view of Dumbarton Rock and Dumbarton Castle.

- Two metal bench seats incorporating a cast iron elephant design on the legs will be positioned on an area of landscaping adjacent to the riverside walkway. Each bench will measure approximately 1.8 metres long, 0.8 metres high and 0.3 metres deep.
- Four recycled whisky barrel seats and three geese sculptures made from galvanised/painted steel wire, each measuring approximately 0.9 metre high and 0.7 metre wide. The barrel seats and geese sculptures will be grouped together and positioned on a raised area of landscaping adjacent to steps leading down to the riverside walkway.
- Eight cast iron carved roundels, diameter 450mm, set within a 720mm by 720mm white concrete paving slab will be placed throughout the development adjacent to entrances to the flatted blocks. Each roundel will have a relief of an image associated with Dumbarton's industrial past including shipbuilding, distilling and glassworks
- Eight acrylic resin wall plaques, diameter 250mm, with building number, street name and relief image to match the corresponding cast iron roundel at entrances to the flatted blocks.

4. CONSULTATIONS

4.1 None.

5. REPRESENTATIONS

5.1 One objection has been received in response to the application. The objector supports most of the planned artwork but considers the proposed view point sculpture to be out of place with its surroundings and is concerned that it will become a target for graffiti.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

6.1 Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area. In terms of residential amenity Policy H5 is most relevant and seeks to protect, preserve and enhance the residential character and amenity of existing residential areas at all times.

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

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

- West Dunbartonshire Local Development Plan (LDP1) Proposed Plan
- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Policy DS1 expects all new development to contribute towards creating successful places by having regard to the relevant criteria of the six qualities of a successful place, including making new developments distinctive, welcoming, and safe and pleasant. Policy BC4 seeks to protect, preserve and enhance the residential character and amenity of existing residential areas.

The proposed development is assessed against the LDP1 Proposed Plan in Section 7 below.

- West Dunbartonshire Local Development Plan (LDP2) Proposed Plan
- 7.3** The modified Plan and associated documents was approved by the Council on 19 August 2020. The Council has advised the Scottish Ministers of its intention to adopt the Plan. On 18th December 2020, the Scottish Ministers issued a Direction in relation to the housing land chapter of the Plan. None of the policies considered in the determination of these applications is affected by the Direction. Therefore, Local Development Plan 2 is the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications.
- 7.4** Policy CP1 seeks to ensure that new developments take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. New developments should contribute towards the distinctive identity of West Dunbartonshire. Furthermore, Policy H4 seeks to protect, preserve and enhance the residential character and amenity of existing residential areas which reflects the requirements of Policy H5 of the Adopted Plan and Policy BC4 of the Proposed Plan.

Planning History

- 7.5** In early 2021, Dunbritton Housing Association submitted an application for the installation of the view point sculpture only. The application received 11 representations, most of which objected to the proposed sculpture because they did not like the design and considered it to be out of character with its surroundings. The application was subsequently withdrawn and the applicant was advised to undertake a consultation exercise to provide information to the local community on the background to the proposal, including the origin of the design concepts. Prior to the submission of the current application, Dunbritton Housing Association actively engaged with the local community through online sessions where the public could meet the artist and an open day was held at Dumbarton harbour in May this year. The event was well attended by residents and positive feedback was received. This is evidenced by the fact that only one objection has been received in relation to the current application

Principle of development

- 7.6** The proposal involves the installation of various structures, some of which are purely decorative while others are both functional and decorative, such as the barrel seats and benches. It is common for street furniture such as seating to be provided within public areas, and the provision of bespoke artwork adds a distinctive local character to the new development. The principle of the development is therefore considered to be acceptable.

Design and Visual Impact

- 7.7** Each piece of artwork has been designed to incorporate local history. The design of the view point sculpture is based on the shape of a torc, which was a symbol of power and wealth during the time of the early Britons, who first settled Dumbarton and established it as the ancient capital of Strathclyde. The site of the proposed sculpture is a viewing area that has been formed as part of the wider development of Dumbarton Waterfront, which includes the adjacent walkway and residential development that is currently nearing completion. The viewing area and walkway have been formed to allow the public access to the riverside so that they can enjoy views across the river towards Dumbarton Rock and its castle. The sculpture will be positioned so that it frames Dumbarton Rock and draws attention to this important landmark in the town's history. The design and colour of the sculpture is relatively simple so as not to draw attention away from Dumbarton Rock, while the inclusion of the Dumbarton coat of arms within its design is a unique feature that ties the sculpture to the local area. The Dumbarton coat of arms dates back to the 17th century and incorporates an elephant with a tower on its back, which is said to

represent the Rock and its Castle. The sculpture will be constructed from Jesmonite, which is a versatile material that is used widely in art works and can replicate the appearance of different materials such as stone and metals. It is lightweight and hard-wearing, which is an important property as the sculpture will be located in an exposed position adjacent to the river.

- 7.8** The objector has raised concerns that the view point sculpture will not fit with its surroundings and will become a target for graffiti. As has already been stated, the sculpture incorporates aspects of local history within its design and it is considered that it will be a positive addition to the local urban landscape. While it is possible that the sculpture could become a target for graffiti, it will be constructed from a durable material that can be sealed with an anti-graffiti coating if necessary, therefore this potential issue can be resolved if it occurs.
- 7.9** The barrel seats and geese sculptures represent the distilling industry in Dumbarton, while the benches incorporate an elephant design which is found in the Dumbarton coat of arms. The paving reliefs and matching wall plaques will each depict an industry that has close connections to Dumbarton: Dennystoun Forge, Whisky distilling, Glassworks, Levenbank Foundry, Rope and Sailmaking, Sawmills, Shipbuilding and Aviation. The sculptures will help to create a unique sense of place, providing a visual reminder of the area's industrial past, which is in-keeping with the aims of policy DS1 of the proposed LDP1 and policy CP1 of the proposed LDP2.
- 7.10** It is considered that the artworks will not affect the residential amenity of the development. The view point sculpture will be sufficiently distanced from the adjacent flats, which are also elevated above the proposed site, and therefore it is considered that they will not be affected by the sculpture, and while it may attract people to the site, the walkway and viewing area has already been designed with this in mind. The cast iron paving reliefs will be laid adjacent to footpaths at the entrance to the flatted blocks and will not present a trip-hazard for pedestrians due to their location.

8. CONCLUSION

- 8.1** The proposed artworks will add to the distinctive local character of the development. The view point sculpture will draw attention to Dumbarton Rock and its castle, an important local landmark, while the other structures will help to create a unique sense of place that draws on the history of the local area and will attract people to the town centre and use of the

walkway. The artworks will help to create an inviting and attractive place to live and visit and is therefore considered to be acceptable.

9. CONDITIONS

1. Prior to the commencement of the development, details of any hard surfaces to be laid under or around the benches and barrel seating shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

Peter Hessett

Chief Officer – Regulatory and Regeneration

Date: 8th December 2021

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

Appendix: Appendix 1: Location Map

Background Papers:

1. Application forms and plans;
2. West Dunbartonshire Local Plan 2010;
3. West Dunbartonshire Local Development Plan Proposed Plan;
4. West Dunbartonshire Local Development Plan 2 Proposed Plan.
5. Representation

Wards affected: Ward 3 - Dumbarton



West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL

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Map Register No: HQ662
Date: 24 November 2021

DC21/205/FUL

Installation of various
artworks including two
metal bench seats, four
barrel seats, three metal
geese sculptures, eight
cast iron paving reliefs,
eight acrylic resin wall
plaques, and a view point
sculpture

Dumbarton Walkway
Castle Street
Dumbarton

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Planning Committee: 8 December 2021

DC21/176/FUL: Proposed Coffee shop with drive-through facility and associated outdoor seating and road re-alignment at Morrison’s Supermarket, 36 Glasgow Road, Dumbarton by Trilogy (Leamington Spa) Ltd

1. REASON FOR REPORT

- 1.1** This application has generated significant local representation from the public and representation from two Community Councils. Under the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1 Refuse** planning permission for the reasons set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application site is an irregular shaped site located at the front of the existing Morrison’s store in Dumbarton. The application site includes the main spur off the Dumbarton Road roundabout into the Morrison’s car park and land to the north of the store facing Dumbarton Road. To the east of the application site is the Leven Street United Reform Church – which is a category C-listed building and is sited on the corner of Dumbarton Road and Leven Street. On the opposite side of Dumbarton Road there are a mix of land uses including some residential properties and the smaller commercial units of Greggs and Domino’s. The application site is accessed off the roundabout on the A814 that also provides access to the retail park on the opposite side of Glasgow Road. Upon entering the Morrison’s complex there is a petrol filling station to the west with the supermarket being sited to the south of the site. The store’s service yard is to the rear of the supermarket and is accessed independently from Leven Street.

3.2 The application seeks planning permission for the construction of a coffee shop with drive-through on an area of car parking within the existing Morrison's store. The proposed coffee shop/drive through is located to the sites' northern boundary, facing Glasgow Road and would be situated approximately 18.2m from the pavement bounding the Morrison's store. The coffee shop/drive through has a total floorspace of circa 167sqm and is rectangular with a servery hatch to the front facing (north elevation) that projects out by 2.41m. An entrance door to the coffee shop/drive through is provided to the south facing elevation. In terms of the site layout vehicle access to the site is taken from the mini-roundabout contained within the Morrison's retail complex. The existing car parking spaces are proposed to be reconfigured and the internal access road is also widened slightly along part of its length. The drive-through lane wraps around the proposed coffee shop building on the western, northern and eastern elevations. Drive through customers will be able to leave the facility by turning right upon exit which then directs customers back to the internal mini-roundabout. Five (including two accessible) car parking spaces are proposed to the immediate south of the proposed coffee shop. An external seating area is also proposed to the south of the coffee shop and will provide six external tables that will be enclosed within a series of 800mm high metal balustrades.

3.3 The coffee shop is of a generic design, featuring a mono-pitch roof with the front elevation (south facing) being the highest elevation at 5.3m and featuring the main entrance doors and large windows. To the rear (facing Glasgow Road) the building features the servery hatch and some larger signage (subject to a separate application for advertisement consent). The west facing elevation is more functional with service door and a separate enclosure is also proposed for refuse storage. To the east facing elevation two large windows are proposed. The proposed materials will be render using white and a burgundy brand colour, western red cedar panels are also used throughout the design with an anthracite grey roof using a plastisol coated profile system.

3.4 Supporting technical information has been provided as part of the application and this includes a Transport Statement, Heritage Assessment, Arboricultural Report, Planning Statement, Noise Assessment and Flood Risk Assessment.

4. CONSULTATIONS

4.1 West Dunbartonshire Council Roads Service acknowledge that the proposal will result in the removal of 40 car parking spaces to accommodate the new facility. The parking surveys that have been submitted show ample spare capacity for the existing supermarket and the new facility combined and it is anticipated that there will be a number of shared trips also. There are no issues on flood risk grounds in terms of the Roads Services responsibility for flooding.

4.2 WDC Environmental Health advise that the site is on a former industrial land and although a desktop study has been completed further conditions are required, should planning permission be granted, to secure the submission of a comprehensive site investigation, remediation scheme and long term monitoring/maintenance scheme if necessary. Conditions should also be added to deal with un-encountered contamination, validation of soils, construction site hours, dust control methodology, piling method statement if required, Noise Impact Assessment validation testing, details of lighting and floodlighting.

5. REPRESENTATIONS

5.1 Local representations of 431 objections were received which includes representation from both Dumbarton East & Central Community Council and Silverton & Overtoun Community Council. The material planning points raised can be summarised as follows:

- Potential noise
- Loss of privacy
- Disturbance
- Pollution
- Traffic safety, generation of traffic at an already busy roundabout and impact on parking within and near the site
- Litter and disposal of single-use plastic
- Impact on the Town Centre

5.2 A number of issues have been raised within the representations that are not material planning considerations and therefore cannot be taken into account in the assessment of the application. These include:

- Proposed use would affect economic viability of existing businesses by drawing customers away from small local cafes and coffee shops
- Too many Costa coffee shops and other large chain coffee shops within the town already.
- Council should support local businesses rather than multi-national companies.

- 5.3 One representation has been received in support of the proposal, which it considers to be a great idea.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1 The development site is located within an edge-of-centre Commercial Centre. Policy RET1 requires a sequential approach to site selection to be applied to new town centre uses. Policy RET2A states retail and leisure developments within Commercial Centres will be supported where their function complements that of the other centres within the network, having particular care not to undermine town centres. The policy also requires development to be sympathetic to the town setting. Policy BE2 relates to the protection of listed buildings and their settings. Policy H5 seeks to protect established residential amenity.
- 6.2 Policy GD1 requires all new development to be of a high quality of design and to respect the character and amenity of the area in which it is located. Policy T4 requires sites to be well integrated into walking, cycling and public transport routes.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1 On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2 The proposed development site is within the Dumbarton Town Centre and Waterfront Changing Place, and part of a wider Commercial Centre. The narrative for the Changing place states that any new retail development at this location will only be supported if it can be demonstrated to complement and not compete with the town centre, and be accompanied with measures to improve the environment of the retail park and linkages between it and the town centre. Policies SC1 and SC3 identify town centres as the preferred location for a range of uses such as retail, leisure and public services, although make no specific reference to drive-through restaurant uses. Policy DS1 requires all development to contribute towards creating successful places by having regard to the six qualities of a successful place. DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. The consideration of policy BH3 is applicable with respect to listed buildings. DS7 requires

any potential site contamination issues to be addressed. The proposed development is assessed against the Proposed Plan 1 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.3** The modified LDP 2 was approved by the Council in August 2020. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.
- 7.4** The site is identified as a Commercial Centre within the Dumbarton Town Centre and Waterfront area. It is an edge-of-centre location. Policy SC1 requires a sequential approach for the investment of town centre uses. Associated Table 4 states that proposals in Commercial Centres will be assessed in terms of impact on town centres.
- 7.5** Policy CON1 states that developments which maximise the extent to which travel demands are met first through walking, then cycling, then public transport and final through the use of private cars will be particularly supported, and that all new developments will be required to link to existing footpaths, cycle routes and public transport routes. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use.

Principle of Development

- 7.6** With regard to the principle of a drive-through at this location, the relevant policies of the adopted local plan and proposed local development plans highlight two key impacts on Dumbarton town centre issues, being the sequential approach to site selection and impact on town centre, in this instance Dumbarton. The Council is required to be satisfied that no sequentially preferred site exists and that there will be no adverse impact. The applicant has submitted a Planning Statement setting out the criteria considered in undertaking the sequential approach. These are summarised below:
- 1) Suitability – the proposal requires a site area of 0.2 ha with good visibility from, and access to, a major road. It is indicated in the Planning Statement that a drive-through operation is generally not suited to a town centre location, and that it is quite common for an operator to have a town centre store for walk-in trade and a drive-through outside the town centre.

- 2) Availability – whether suitable sites are available is also a consideration, to ensure that sites can come forward in a suitable time frame and are not bound by legal or ownership problems.
 - 3) Viability – the developer would need to assess a number of market variables to establish whether the principle of the drive-thru is viable such as market costs, funding, land value, attractiveness of the locality, market demand etc.
- 7.7** On the basis of the above considerations, the Planning Statement concludes that there is no sequentially preferable site for the proposed drive-through in Dumbarton Town Centre. The Council's position is that although opportunities do exist within the town centre for food and drink uses, the specific drive-through format would be difficult to accommodate with regard to current site availability and acceptable design.
- 7.8** On the matter of impact on the town centre, the Council does not have a model that allows it to quantify this, nor does the applicant provide figures. There are coffee shops and cafes within Dumbarton town centre, including a Costa that will be impacted by this development, but it is not possible to conclude if the development would ultimately impact on their viability. What can be presumed, however, is that the proposal will draw some footfall away from the town centre and strengthen the attractiveness of the St James Retail Park/Morrison's as a destination, which would be to the detriment of the town centre.
- 7.9** The Draft National Planning Framework 4, although not a formal part of the assessment of this application, strengthens planning policy in support of town centres, and makes specific reference to drive-through facilities in promoting a town centre first approach. The Council has ambitious plans for Dumbarton town centre based on a successful bid for £19.9 million from the government levelling-up fund. This will be used to purchase and redevelop the Artizan Centre, turn Glencairn House into a modern library, and support the Connecting Dumbarton project.
- 7.10** Overall, it is concluded that locating the drive-through coffee shop at the proposed location would strengthen the Commercial Centre as a destination to the detriment of Dumbarton town centre, with the latter being the Council's focus for new investment. As such the proposals is considered to be contrary to policy RET2A of the adopted local plan, and SC1 of the LDP2 Proposed Plan.

Site Layout, Design and Appearance

- 7.11** The proposal would result in the removal of established car parking spaces of the Morrison car park and the coffee shop/drive through is sited 18.2m back from Glasgow Road and sits further back than the United Reform Church so in this respect the proposal will not have an adverse impact on the wider streetscene which is mixed in character. The layout and the relationship with the wider streetscene is considered to be acceptable and accords with Local Plan policies seeking to create well designed spaces.
- 7.12** The proposed coffee shop/drive through building is of modest scale with a footprint of circa 167 sqm and is fairly conventional in design using corporate branding and colour choices and materials. Aside from the adjacent listed building the area is predominantly characterised by larger retail units with associated car parking and signage with fairly conventional material choices. The design of the coffee shop has mono-pitch roof and a degree of interest to more public elevations. The front elevation (facing in to Morrison's car park) has large glazed elements and these continue to the west facing elevation, this would be more visible from outwith the site. The more public elevation (facing Glasgow Road) has limited fenestration. The internal arrangement of the store as proposed precludes the addition of further glazing to this elevation. On balance the design of the building is considered to be appropriate to the wider commercial setting and would not have an adverse on the surrounding commercial areas in terms of visual amenity and the wider streetscene.

Transportation issues

- 7.13** A Transport Assessment has been submitted in support of the proposal and this has been considered by the Council's Roads Service. It identifies that the siting will result in the removal of 40 spaces as part of the wider Morrison's supermarket area reducing the overall total to 437.
- 7.14** To determine existing traffic movements into and out of the car park and the parking accumulation, surveys were undertaken to reflect the typically busy periods of the store. These surveys demonstrated a maximum car park occupancy of 52%. It is advised by the applicant from modelling of similar coffee shops/drive through developments and the survey results there is capacity within the existing layout to reduce the car parking available with no notable impact on available car parking that would impact on highway safety. The survey also seeks to understand what proportion of the trip generation will actually be 'new' trips on the local network. The Transport Statement uses previous surveys to inform the make-up of trip generation associated with the proposed drive-through.

The Statement offers the view that the majority of trips will be either 'pass by' trips (total 40%) which are already on the network or 'linked' trips (40%) that would be associated with the existing Morrison's store. The Statement concludes that new trips will be 20%. The survey findings and the loss of 40 car parking spaces are accepted by the Council's Roads Service.

- 7.15** Whilst it is recognised that the development is close to public transport routes, the drive-through nature of the development indicates that the majority of customers are likely to be car borne. This is likely to include car journeys that will be specifically generated by the development. The layout of the development is also geared towards car users. LDP 2 Policy CON1 supports developments '...which maximise the extent to which travel demands are met first through walking, then cycling, then public transport and finally through the private car...'. The proposal is not considered to be in keeping with this approach and is therefore considered contrary to Policy CON1 of LDP2.

Relationship with listed building

- 7.16** Adjacent to the site is the Leven Street, United Reform Church, "C" listed building with part of this property being sited directly on the shared boundary with the wider Morrison's superstore site. The proposed coffee shop is to be sited 21m from the main west facing elevation of the Church and is 16m from the single storey hall that sits further back on in to the site. The Heritage Statement identifies that the only potential for impact is the effect on the western elevation of the Church meaning some views of the Church's western elevation will be partially obstructed. There is a degree of mature vegetation adjacent to the Church's west facing elevation that offers some green screening to this elevation. Overall, having regard to the wider setting and the proposed development the relationship is considered to be acceptable and the proposals would not have a significantly adverse impact on setting of the listed building.

Residential amenity

- 7.17** Castleview Court shares a boundary with the wider Morrison's site and is sited 50m from the proposed drive through building. This is a block of flats with the rear elevation facing into Morrison's car park. The agent has advised that the coffee shop would be open from 0500 to 2300 hours. Given the separation distance and the context of the wider Morrison's site, it is unlikely that the normal level of activity at a drive through of this nature would have an adverse impact on the established amenity levels that the occupants of Castleview Court currently enjoy. It is also noted that there are a number of residential houses on the northern side of Glasgow Road also sited over 30m from the proposed drive though building. Again, given the wider context within which these houses are sited on a main road and adjacent to a busy roundabout it is unlikely that the proposed drive-

through will give rise to a loss of amenity. It should also be noted that the Council's Environmental Health Service has raised no objection to the proposal in respect of noise and disturbance in terms of the relationship with residential properties.

- 7.18** Pollution from additional traffic generated by the proposal has been raised as a concern. The Transport Statement forecasts that only 20% of journeys made to the premises by car will be 'new trips' and as such it is not expected that the proposal will result in a significant increase in traffic to the site with its associated air pollution. It should also be noted that the Council's Environmental Health Service has raised no concerns in this regard.

Technical Matters

- 7.19** The Council's Environmental Health Service have requested a site investigation report including remediation and mitigation measures. These matters alongside other matters regarding dust mitigation and construction activity can be addressed as planning conditions.

8. CONCLUSION

- 8.1** The proposed development is considered to be contrary to Policy RET2A of the adopted Local Plan and Policy SC1 of the LDP2 Proposed Plan as by strengthening the attractiveness of the St James Retail Park/Morrison's Commercial Centre as a destination, this would be to the detriment of Dumbarton town centre. Further, as the proposed development is geared towards car users, it is considered that the policy conflicts with purpose of LDP2 policy CON1 which seeks to support developments which maximises access via sustainable modes of transport rather than the private car.

9. REASONS FOR REFUSAL

- 1. The proposed development is contrary to Policy RET2A of the Local Plan (2010) and Policy SC1 of Local Development Plan 2 Proposed Plan (2020) as it would have a detrimental impact on Dumbarton Town Centre.**
- 2. The proposed development is contrary to Policy CON1 of Local Development Plan 2 Proposed Plan (2020) as the proposed development does not prioritise active travel and promotes the use of the private car.**

Peter Hesse

Chief Officer – Regulatory and Regeneration

Date: 8th December 2021

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Manager
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Appendix: Location Plan

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. Representations;
4. West Dunbartonshire Local Plan 2010;
5. West Dunbartonshire Local Development Plan Proposed Plan;
6. West Dunbartonshire Local Development Plan 2 Proposed Plan.
7. Draft National Planning Framework 4

Wards affected: 3 - Dumbarton



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Dumbarton
G82 1QL

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Map Register No: HQ663
Date: 25 November 2021

DC21/176/FUL

**Erection of coffee shop
with drive-thru facility**

**Supermarket
36 Glasgow Road
Dumbarton
G82 1QZ**

