

Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry



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18 December 2018

SUPPLEMENTARY PACK 2

**PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE - COUNCIL
CHAMBERS, KILMORY, LOCHGILPHEAD on WEDNESDAY, 19 DECEMBER 2018 at 11:00
AM**

I enclose herewith a supplementary report for **item 4** on the Agenda for the above meeting.

Douglas Hendry
Executive Director of Customer Services

SUPPLEMENTARY REPORT

- 4. ARGYLL AND BUTE COUNCIL: ERECTION OF NEW LEISURE BUILDING INCLUDING SWIMMING POOL, IMPROVED FLOOD DEFENCES, NEW CAR PARK INCLUDING PUBLIC REALM WORKS AND DEMOLITION OF EXISTING SWIMMING POOL: HELENSBURGH SWIMMING POOL, 1B WEST CLYDE STREET, HELENSBURGH (REF: 18/01614/PP)**

Report by Head of Planning, Housing and Regulatory Services (Pages 3 – 6)

Planning, Protective Services and Licensing Committee

Councillor Gordon Blair	Councillor Rory Colville (Vice-Chair)
Councillor Robin Currie	Councillor Mary-Jean Devon
Councillor Lorna Douglas	Councillor Audrey Forrest
Councillor George Freeman	Councillor Graham Hardie
Councillor David Kinniburgh (Chair)	Councillor Donald MacMillan
Councillor Roderick McCuish	Councillor Jean Moffat
Councillor Alastair Redman	Councillor Sandy Taylor
Councillor Richard Trail	

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**Argyll and Bute Council
Development and Infrastructure Services**

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 18/01614/PP

Planning Hierarchy: Major Application

Applicant: Executive Director Development and Infrastructure Argyll and Bute Council

Proposal: Erection of new leisure building including swimming pool, improved flood defences, new car park including public realm works and demolition of existing swimming pool

Site Address: Helensburgh Swimming Pool, 1B West Clyde Street, Helensburgh

SUPPLEMENTARY REPORT NO. 3

1.0 INTRODUCTION

The purpose of this report is to advise Members of additional matters following continuation of the application at the Hearing on 19 November 2018. Clarification in respect of the reason for continuation of the item has been set out in Supplementary Report No.2.

Since the completion of the previous report two further submissions have been received which Members require to be informed of as set out below

- 1) Updated SEPA response dated 17.12.18 to amended flood defence proposals
- 2) Further objections in respect of the proposals have been submitted by Helensburgh Community Council on 17.12.18.

2.0 SEPA RESPONSE TO AMENDED FLOOD DEFENCES

SEPA have formally confirmed that they continue to have no objection to the current proposals. The details of the updated sea defence measures, following review of the latest climate change data, are considered by this statutory flooding consultee to be acceptable.

SEPA consider that:

To summarise, we offer no objection to the proposed development for the aforementioned reasons which demonstrate that the proposal complies with the principles of SEPA guidance and SPP. In addition, upon review of the revised Kaya Consulting FRA Addendum (December 2018) and Technical Memo (Patrick Parson, 7th December 2018) which have been revised to include the best available climate change figures (UKCP18), we are satisfied that the proposed development should benefit from a flood risk betterment in comparison to the existing developed site where there is a clear coastal flood risk susceptibility.

The Councils own flooding advisor also offers no objection to the proposals on flooding grounds subject to the imposition of an appropriate condition.

3.0 ADDITIONAL SUBMISSIONS BY HELENSBURGH COMMUNITY COUNCIL (HCC)

HCC have submitted a lengthy late additional representation in respect of the proposals. Many of the issues contained within this document have been subject to previous submissions and therefore do not require to be commented upon. However a number of new objections /concerns have been raised as set out below:

- 1) The proposed sea defence wall will now be 1.2m high and this will block sea views to those in cars, children and those in wheelchairs

Officer Comment

The raising of the sea wall addresses the concerns over flooding and ensures that the closing of off the footway at the southern end of the site is minimised and public safety improved. Views of open water and the Clyde are still available to the east and west and for any party over 1.2m in height. It is considered that the balance of judgement favours some limited impairment of some southerly views, to a limited sector of the population, to ensure flood protection measures meet the needs of the design life of the building in accordance with the latest climate change information.

- 2) The amended plans were only made public a week ago and Members of the public have not had sufficient time to comment.

Officer Comment

These proposed alterations to the proposal are considered to be minor and non-material in the context of the overall scale of the proposals and address a specific technical issue. Therefore a further planning application is not required it is not considered by officers that a full re-consultation exercise is necessary or justified in this instance. It is noted that Mr Brown, who spoke to these matters at the hearing on behalf of HCC has been able to review and provide additional comment within the timescale available.

Members should also be reassured that officers have been sending information to Mr Brown of HCC directly in advance of it being available on civica. Mr Brown has thanked officers for this courtesy and an exchange to this effect has been placed on public record.

- 3) HCC Updated Consultation Findings

The previous community consultation did not include a 5.9 mAOD sea wall which is a recent amendment

Officer Comment:

This is factually correct

The previous survey was completed before the flood risk assessment was made public. The community had not been informed about the risks to the building.

Officer Comment

The issue of potential flooding of the site and building was clearly a matter of concern to respondents at this initial consultation stage and is not a new matter in respect of the proposals. This is clarified in the HCC report itself where in respect of 61% of the

consultees favouring the location of the proposals at the southern seaward end of the site and not closer to the town centre (as set out in Supplementary report 2), the HCC report clarified on P26 that:

A similar proportion, though, also commented that they disapproved of the plan because the location of the building was too exposed due to the risk of flooding or exposure to the wind and waves

It is clear therefore that matters relating to flooding, although not technically presented in detail as part of the consultation, was still clearly a matter the community were aware of and concerned about in respect of the first community consultation exercise.

The new consultation exercise undertaken has been reported by HCC to have generated some 650 responses with the following reported outcomes:

- 93% said it was important “that the leisure centre is protected from flooding damage for its lifespan”
- 85% said the “the building should be moved closer to West Clyde Street to protect it while reducing the cost of the flood defences”.

Officer Comment

The revised flood defences will ensure the building is protected for its lifespan and therefore the proposal is in accordance with the views of 93% of respondents to the new consultation exercise.

Any costs associated with flood defence works are not material planning considerations in respect of the determination of this planning application. It is for an applicant to determine how to fund and whether to implement any planning approval which may be given.

Officers have been made aware that Architecture and Design Helensburgh have submitted an additional Design Assessment to Members. Officers have reviewed this document but do not consider it raises any new matters which require to be addressed in this report as a similar design appraisal document has been previously submitted.

4.0 ADDITIONAL REPRESENTATIONS

Since the production of the previous report only one additional representation objecting to the proposals has been received from Mr S Noble. This raises no new issues.

5.0 CONCLUSION

In summary, it is the view of officers that:

- i. The proposal is in accordance with the policies of the adopted LDP.
- ii. The proposal is in accordance with the approved 2012 Masterplan addendum.
- iii. There have been no objections from statutory consultees other than Helensburgh Community Council.
- iv. The proposal fulfils its role as a landmark building on this prominent and important site.
- v. The new leisure facility will provide benefits for the whole community and also tourists and visitors to the town.

- vi. No technical objections are raised on flooding matters which have now been fully addressed using the most up to date climate change information to inform the amended flood defence measures proposed.
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6.0 RECOMMENDATION

It is recommended that planning permission be granted subject to the revised conditions appended to this report.

Author of Report: David Moore

Date: 18.12.2018

Reviewing Officer: Sandra Davies

Date: 18.12.2018

Angus Gilmour
Head of Planning, Housing and Regulatory Services