

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the MAIN HALL, VICTORIA HALLS, SINCLAIR STREET, HELENSBURGH
on MONDAY, 19 NOVEMBER 2018

Present: Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail
Councillor Donald MacMillan	

Attending: Charles Reppke, Head of Governance and Law
David Moore, Senior Planning Officer
Sandra Davies, Area Team Leader – Major Applications
John Gordon, CHORD Programme Manager, Applicants
Andrew Collins, Regeneration Project Manager, Applicants
Bob Ramage, Architectural Lead for Darnton B3, Applicants
David Cameron, JBA Consulting, Consultee
Campbell Divertie, Technical Officer, Roads and Amenity Services, Consultee
Hugh O'Neill, Network Standards Manager, Roads and Amenity Services, Consultee
Peter Brown Vice Convener Helensburgh Community Council, Consultee and Objector
Nigel Millar, Helensburgh Community Council
Councillor Ellen Morton, Supporter
Patt McCann Live Argyll, Supporter
Norman Muir, Objector
John Tacchi for Prof Norman McNally, Objector
Vivien Dance, Helensburgh Chamber of Commerce, Objector
Stuart Noble, Objector
Ellen Renton, Objector
John Black, Objector
John Penniston – Neutral Representative

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Robin Currie, Mary Jean Devon, Graham Archibald Hardie and Roderick McCuish.

2. DECLARATIONS OF INTEREST

There were no declarations of interest. There were no declarations of interest. Mr Black, one of the Objectors, raised a concern about his view on a requirement for the Chair to declare an interest and was advised by Mr Reppke that the declaration of an interest is for an individual Member to determine. He was advised that his concern would be noted in the Minute.

3. 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)

The Chair welcomed everyone present to the meeting and introductions were made. He outlined the procedure that would be followed and the Head of Governance and Law identified those present who wished to speak.

PLANNING

David Moore

David Moore, Senior Planning Officer presented the application on behalf of the Head of Planning, Housing and Regulatory Services. He provided an update on new representations which had been received on Friday 16 November including 3 new objections bringing the total number to 153, and two new intimations of support bringing the total to 99. He advised that copies of the letters could be provided if requested.

Mr Moore then made the following presentation –

Good Morning everyone.

My Name is David Moore and I am the case officer for this application.

I have a short presentation which outlines the main elements of the proposals.

David Cameron the Councils Flooding Advisor and Campbell Divertie the Area Roads Engineer will also make presentations in respect of flood defence and traffic and parking matters.

Location Plan –

The development applied for is for the Erection of new leisure building including swimming pool, improved flood defences, new car park including public realm works and demolition of existing swimming pool

The applicant is the Executive Director Development and Infrastructure.

LDP Extract –Part Helensburgh Town Centre. Therefore in respect of LDP DM1 this is an appropriate and sustainable location for scale of development proposed.

Officers have reviewed the proposals against the policies of the development plan as set out in detail within the committee report, and consider that the proposals accord with the requirements of the LDP and that the proposal, being a community use within the major settlement of Helensburgh with good transportation links, also represents sustainable development.

Section 25 of the Planning Act requires that planning applications should be determined in accordance with the policies of the adopted Local Development Plan (LDP) which has primacy in decision-making. If an application is in accordance with the LDP plan policies and is considered to represent sustainable development then the planning policy framework is not neutral, it favours approval of the development.

Other site designations in LDP

Designated MAST 1 / 4 - MAST 1/4 Helensburgh Pierhead Mixed Use;
Tourism/Retail/Leisure/Public Realm

AFA - 3/1 – AFA 3/1 Helensburgh Town Centre and Waterfront
Strategic; regenerate and enhancement

CFR2001 - Helensburgh Pierhead Swimming pool, community leisure facility,
open space, town centre parking with up to 2,700m² Class 1 retail uses

The proposals accord with land use designations and objectives for the site within the adopted LDP.

Slightly old from 2009 Masterplan but gives a good overall clarification of location and types of uses recently and currently on the application site.

He pointed out -
Existing Pool
Cadona's amusement uses now off site.
Extensive Car Parking Area
Skatepark

Members will note that lack of compliance with the approved 2012 Masterplan has been raised as a reason to object to the current proposals by a number of parties. The 2012 addendum to the original Turley Associates Masterplan of 2009 produced by Gareth Hoskins confirms that the general approach to overall site development is envisaged as follows:

“a landmark building on the southern edge of the site taking advantage of the waterfront location. Placing the building on this location allowed the remainder of the site adjacent the town centre to be considered for other development”.

In terms of general location and orientation of the new leisure building to the site, sea and town centre it is considered to accord with the 2012 Masterplan addendum and the reasons for this approach. The general layout and primary urban design aspirations of the 2012 Masterplan document are considered to remain legitimate and in Officer's opinion are respected by the current proposals.

Importantly, in respect of delivering the wider Masterplan objectives, the current planning application does not constrain or undermine future development of the remainder of the site to provide future development which will require to be subject to future planning applications and consideration in respect of both compliance with the Masterplan and the policies of the LDP.

Talk through main components of the scheme:

- 1) New Leisure Building
- 2) New public realm works and landscaping
- 3) Demolition of existing pool and removal of skatepark (I understand there is now a commitment to reinstate the old equipment until such time as a new and improved facility can be brought forward which the applicants will clarify).
- 4) Making land available for future retain and or other development fronting onto West Clyde Street

The concept proposed seeks to provide a landmark building along the waterfront esplanade, with a significant main entrance with good accessibility in terms of movement and visual connections to surrounding development and the rest of the town centre. The integration of the new facility with the existing pier was considered by the applicant to be one of the most important guiding principles for design decisions, and led to the creation of an external public realm that integrates access routes with gathering points, flexible spaces and general areas to take in the attractive views the site affords. The location of the site entrance on the north- western corner of the building seeks to provide a visual link to the main entrance and to allow direct access from primary pedestrian routes to West Clyde Street and the shops and facilities of the town centre beyond.

The external public realm proposals include variations in levels, form and materials to create an attractive linkage to the town centre, framing the building and its entrance in what is considered to be an attractive and appropriate manner. A range of external spaces are created which offer significant improvements in the urban realm over the current situation, and will complement the existing CHORD works within the town centre. All of these external urban realm elements have been designed to ensure that those of limited mobility are able to access and enjoy this new development.

Architectural detailing and use of materials assist in breaking up overall scale and massing of the building creating both interest and assimilation to urban context. The building is considered by officer's to have an attractive and contemporary appearance and will undoubtedly constitute a landmark building on the Helensburgh Waterfront in accordance with the 2012 Masterplan Objectives owing to the location , scale and design of the building.

The entrance is marked by a colonnade of columns supporting a large roof canopy with feature soffit and lighting. This is stated to form the visual strength of the main elevation and solidifies the clean linear form of the building. Officers agree that this detailing is attractive and appropriate to define the entrance, and will form an important architectural feature of the building linking into the adjacent public realm and then into connections to the remainder of the town centre.

In respect of materials, Officers consider that the variation in finishes and materials for both the building and public realm are attractive and therefore acceptable. In accordance with normal practice samples will require to be submitted for final approval.

Officers consider that overall this is an attractive design, well-proportioned and suited to its intended civic role and located on such a prominent site. The external detailing of the building has both horizontal and vertical elements which break up the scale and mass of the building adding texture, diversity and interest. Given the need to have such a large building to meet functional requirements, Officers consider that the overall design, appearance and materials proposed are in accordance with the requirements of Policies LDP 3 and LDP 9 of the adopted plan.

I am aware that the applicants will provide information on the interior of the building and therefore I do not intend to comment in detail. Suffice to say that the internal layout, design and range of leisure facilities to be provided is not material to the determination of the current planning application.

Main elements are entrance hall
Café and seating area
Two pools

Fully Accessible Changing areas

Plant room – On lower level than rest of ground floor.

Fitness suites/studios – This provides facilities able to be used for a wide range of activities such as fitness classes and group events.

These sections indicate the proposed building as proposed on the revised site levels. The proposals involve raising ground levels throughout the site to address flooding issues

This indicates both existing and proposed ground levels along three north south sections through the site.

In respect of the potential for contamination on the site and any required treatment, this has been addressed by condition 13 in accordance with normal practice in respect of such matters.

Members are requested to note that the proposed changes to levels within the site still ensure an even transition between the northern boundary of the site and West Clyde Street.

I will not go into detail on such matters as David Cameron the Councils flooding advisor will make a separate presentation relating to flood defence measures proposed for the new building and re-contoured land.

Many objections have been received in respect of the impact of the proposals on car parking provision for both the site and Helensburgh Town Centre.

Members will note that condition 3 seeks to ensure that these matters are properly addressed prior to the commencement of any construction works.

A supplementary presentation in respect of roads and parking matters will be made by Campbell Divertie the Area Roads Engineer and therefore I will leave the detail of such matters for him to address.

Use of vertical and horizontal external materials and detailing to break up overall mass and scale of building. Palette of materials respectful to the street frontage behind.

This is a large scale civic building, however officers consider the design and architectural detailing has ensured that this new landmark building will successfully relate to surrounding development.

The design accommodated the need to allow natural light into the building, yet avoid glare which would occur if the pool were orientated to the south elevation.

An advantage of this approach is that the extensive glazing on the northern elevation facing onto the car park towards the town centre will add interest in the evening and winter months.

This 3D render illustrates the main entrance detailing, and the change in levels created by the flood prevention and associated urban realm works between the existing pier levels and the new land levels. The necessary change in levels is being used to create attractive and interesting urban features to enhance the setting of the building from the main pedestrian access route to and from the town centre.

For the reasons set out in the Officer Report to Committee and Supplementary Report Number 1, the proposed development is considered to be in accordance with LDP policies and also accords with the most recently approved 2012 Masterplan addendum for the development site.

It is therefore recommended that that planning permission should be granted subject to the imposition of appropriate conditions as set out in Supplementary Report No.1 which has updated recommended conditions 10 and 11 from the previous Officer Report.

David Cameron, the Councils Flooding advisor will now make a short presentation in respect of flood defence works proposed and he will be followed by Campbell Divertie the Area Roads Engineer who will speak to roads and car parking matters in greater detail.

Members are also requested to note that Brian Fotheringham from SEPA has also kindly made himself available should any questions in relation to SEAP's policy approach to this particular proposal. I would however clarify that detailed questions in respect of the flood defences proposed for this application should be directed to David Cameron.

David Cameron

David Cameron, Principal Analyst of JBA Consulting provided a presentation on flooding. He gave an overview on the key drivers of coastal flooding before providing the Committee with specific details on the application. He advised that several components contributed to coastal flooding and that it was important to consider these as well as considering climate change. He advised that following review of various plans and supporting material including the Kaya flood risk assessment and technical note on flooding protection the key points relating to the site were –

- The site was currently within indicative limits of coastal flooding shown on the SEPA Flood Map.
- 0.5% Annual Probability (AP, 200 year) still water level: 4.06mAOD
- 200% AP (0.5 year) wave height: 1.11m. (Gives overall 0.5AP, 200 year, design flood together with still water level).
- Site will be raised and proposals include coastal flood defences. Defences will be adaptable to allow for future climate change.
- Access eg. Car park at 4.7mAOD (above 0.5% AP, 200 year, still water level)

He showed a slide demonstrating finished floor levels and advised that the flood defences may need to be reviewed due to climate change following the publication of new climate change scenarios available under UKCP18 and therefore it was important that the flood defences were adaptable. He advised that the site was within a SEPA flood warning area. Mr Cameron advised that they had no objection to the proposal subject to the three conditions which had been detailed in supplementary report no 1 as an amendment to Condition 10.

Campbell Divertie

Campbell Divertie, Technical Officer, Roads and Amenity Services made the following presentation to the Committee -

Good morning Chair and Members,

This application is not only for the Leisure Centre with a swimming pool it is also for a new car park. Like many of the objectors and the community I share many of the concerns about this change.

To support this application the Road's Officers have requested that the Project Team, consider the traffic impact and what affect this change has on the town.

Car Parking is a very emotive subject, we all think we are experts and instantly have the solutions. In order to allow the Road's Officers to fully understand the impact and thereafter be in a position to assure the Community, the local Councillors and the members of this planning committee, it was requested that the Project Team arrange for a comprehensive car parking study of both the on street parking and the off street parking.

This study included vehicle counts over several days during both the summer and winter with counts taken every half hour on the streets and every hour within the car parks. Also a separate Traffic Assessment was carried out for all forms of travel, walking, cycling, public transport and obviously vehicles.

The assessment considered the trip generation for the new leisure centre and the affect closing the exit at the public toilets near Colquhoun Street would have not just on the junction at Sinclair Street/ West – East Clyde Street but the surrounding junctions.

Complex computer traffic trip generation models were use with worse case scenarios to assess the impact. Swept path analysis was undertaken to check large vehicle and coaches could access the car park and manoeuvre around the new car park layout.

In summary the outcomes of this traffic impact assessment demonstrated all the junctions could accommodate the additional traffic with the exception of a slight over capacity in the Saturday afternoon at the Sinclair Street / Clyde Street junction. The report notes that this would be for a short period of time, however, to address this matter it will be possible to adjust the Traffic signal timings to minimise this disruption.

This assessment on traffic volumes also allowed the decision to be taken to increase the road width from the car park at the junction with Clyde Street to ensure that should future development in accordance with the agreed Master Plan can go ahead and there will be no need to alter the new Footway and Public Realm area at this location.

The final sentence within the consultant Transport Assessment states -
"There would be no adverse traffic impact on the surrounding road network. As such it is considered that there is no basis to resist the proposal on transportation grounds"

This car park has been managed by a series of formal traffic orders starting in 1987 when Strathclyde Regional Council introduced more formal rules. Charging was brought in in 1999 and the 2006 order changed the charging areas. We easily speak of the charging and non-charging areas, however, it should be noted that the far end next to the water is only free for cars and light vans not coaches and buses.

The Headline news is the car park is going from potentially 551 spaces down to 265 spaces. A big Head line, however if we look in more detail, instantly the area occupied by the fairground removes over 100 of these spaces, the central area where the recycle bins are located is not used very often. In fact a contractor's compound was in this location for almost 2 years. All of a sudden the numbers are not 551 but down to 335 not so far away from the 265. The Consultants parking surveys indicated that the maximum summer occupancy was 268 cars and the winter occupancy level down to 207 cars.

In an effort to understand the existing use and the proposed change I have taken the time to speak with the Parking Wardens who visit the car park almost every day, the local

Road's Inspectors and members of staff within the swimming pool and obviously my own observations. This assessment similar to those in the community is subjective, it does not have hard data to support it but it is a reflection of what happens on a daily basis from people who are frequently around the car park. If you look at the plan on the right hand side of the screen -

Section 1 - At the front of the pools has circa 75 spaces and is in general 75 % used this gives a figure of 56 cars.

Section 2 - At the east side of the pool has circa 48 spaces and is in general 50% used giving a figure 24 cars.

Section 3 - The central area where the recycle bins are located I would suggest a 10% usage and this gives a figure of 11 cars.

During this exercise the parking wardens were thinking that the 50 % and the 10% assessment figures were too high.

Section 4 – The location where the fairground sits – No cars parked.

Section 5 – The free car park, which has the capacity for circa 212 cars, this area is generally well used, not always full, drivers can usually get a space. It is definitely recognised as the busiest section. If I assume usage of 90% this gives a figure of 191 cars.

When you add all these figures up, this gives a total usage 282 cars, now relate this back to the hard data from the parking study and the figures are not that far apart, nowhere near the original potentially 551 spaces.

A big issue, which concerns all of us, what happens when the works start and the car parking provision is lost? In particular from the back of the swimming pool down towards the Pier?

This is more a matter for the Council's Roads officers along with the local members to solve rather than the Project Team. The good news as we have seen the central area is not that busy, the big concern is what happens with the free area circa 200 cars, what do we do?

The Road's Officers supported with the data from the car parking study and their experience have identified the following. The talk for the redevelopment of the Pier has been on the go for a long time some, say too long. On Grant Street, Scottish Gas no longer required the old gasometer site. This location has recently been reconstructed to form a new car park and provides over 50 spaces. Over recent months this has gradually become better used. I have no survey data, only my gut feeling that people who once parked in the Pier are now parking in Grant Street. Why not it is easier to walk from Grant Street to the Station than from the Pier Car Park. Maitland Street Car Park albeit a small car park is not greatly used. Should the charging be reduced or removed this could support all day parking for commuters or local workers.

Sinclair Street Car Park, in the past during the CHORD works there was a section allocated for free parking. Again a section could be signed off to accommodate all day free parking. The Pier Car Park, along the front and to the east side of the pool would still be available and it would be possible to provide circa 50 free spaces. The Mariners site will still be available too. A further location in particular for train users is Station Road at Craigendoran. During recent footway works in south Colgrain the opportunity to tidy up the verge on the opposite side of the road from the houses allowed 48 parking bays to be marked and these are free of charge. Also it may be possible to reline the Network Rail, Park & Ride car park and this could increase the capacity again giving more opportunity for parking. These 5 locations can easily accommodate circa 200 free parking spaces during the first period which is the main construction phase.

These proposals have an affect the Council's potential car parking income. Therefore in accordance with the Council's adopted parking policy, this detail will require to be submitted to the Helensburgh & Lomond Area Committee for approval, thereafter submitted to the P & R Committee to you and me this is the Council's Finance Committee and finally presented to the full Council. Should the members here today approve this application there is a planning condition that requires these mitigation measures to be approved and in place before works start on site

Now consider what happens when the new leisure centre / swimming pools is ready to be opened? There is a further planning condition to ensure that a minimum of 150 spaces within the new car park are ready and available before the pool is brought into public use. Grant Street and Station Road will have over a 100 spaces. Also at the week-ends the Council's East Clyde Street car park and the Grant Street Car park are available circa a further 100 free spaces. What happens when all the works are complete? What is the Parking Strategy in the future? What issues are there? Coach Parking has been raised as an issue. To address this matter, take a look and analysis the issue. Currently 8/9 spaces are available and when used there is a charge. However, due to the extended period of time it has taken to get to this stage in the redevelopment and the exposed nature of the site the old ticket machines are not working, little point in replacing them therefore there has been no charges taken from coach operators for some time.

At present there are 4 different types of coaches and buses using this area.

1. The small white buses that generally support the transfer of groups to the pool. These can easily be accommodated within the parking bays of the new car park.
2. The vehicles used to support the school children coming and going from the local schools. At present this is an informal arrangement. It basically saves the operator fuel costs by not returning to the premises. I would ask the question would Waitrose or The Coop accept these vehicles/ I think not. The operator can either return to their garages or perhaps arrange for them to be parked during the day at the purpose built standing area at the Hermitage Academy.

The new car park layout does not propose to accommodate this facility.

3. The MOD occasionally leave coaches, again this is for convenience and save on fuel costs.

As the picture on the screen shows is this what we want for Helensburgh?

Finally Tourist Coach Parking. There has over the years been much talk on coach parties visiting Helensburgh. We all wish to support this potential influx of visitors. This is an aspiration, in reality over the years the numbers have not been significant. I regularly visit the Luss area and the level of visiting coaches in the village and at Loch Lomond Shores as they travel along the A 82 is significant. This summer with the good weather, I asked the car parking attendants over a period of a month to simple note each day the number of tourist coaches parked. The total for the month was 13 coaches, 8 days with single coaches, 1 day with 2 coaches and 1 day with 3 coaches. The new layout includes 2 coach parking areas near to Clyde Street, one at the east side of the pool and a further drop off at the west side. Again swept path analysis was carried out by the project team to ensure these vehicles can move around the car park.

The parking Strategy on completion? As I said earlier car parking is a very emotive subject, with lots of different competing needs. It is never easy to accommodate all the individual requirements, in fact it is probably impossible. Discussions on this matter have taken place between Roads Officers and the Councillors, at this early stage it would not be appropriate or necessary to have a finally solution agreed at this stage. The current

estimate for the works to be completed is 2021. This gives plenty of time to address the issue.

I would suggest that should members be minded to approve this application, the roads officers should gather around a table with Live Argyll the pool operators, the Chamber of Commerce, the Community Council, Local Councillors and not forgetting the Parking Wardens to focus on the needs and aspiration to allow a final solution to be considered and proposals taken forward.

Chair, members I confirm that the Road's officers with their local knowledge and the backup reports from the Consultants are satisfied with the detail and have recommended their support to this application.

APPLICANT

John Gordon

John Gordon, CHORD Programme Manager made the following presentation to the Committee -

Thank Committee for opportunity to present proposals. I am John Gordon the Councils Regeneration Programme Manager joined by Andrew Collins – A&BC Regeneration Project Manager and Bob Ramage, Architectural Lead for Darnton B3.

Proposals for the Pierhead have been on the table, in various forms for at least 20 years. Our proposals represent the first phase in Argyll & Bute Council's ambitious plans to redevelop this strategic site. Our presentation will focus in on:

- The Project in the context of the Pierhead Masterplan (2012).
- Our Consultation process, including the Pre-Application Consultation.
- The key elements of our proposals.

The Pierhead Masterplan is made up of 10 key elements. Our proposals for Phase 1 will deliver 8 of those elements, and safeguard space for the remaining elements.

We will:

- Deliver a new leisure centre, and ensure that there is no loss of amenity to the town whilst it is being constructed i.e. the existing leisure centre will not be demolished until the new one is operational
- We will deliver improvements to the flood defences for the Pierhead site
- We will provide modern car parking facilities at a level required by the Planning Guidance, which will take account of the move to hybrid/electric powered vehicles
- We will provide both short and medium term coach parking within the site
- We will deliver improvements to the public realm in the immediate vicinity of the site, including a pedestrian walkway / cycle path around the perimeter of the site

Focus Groups

5 individual sessions which targeted: Leisure Centre Staff and Management; Special Needs Groups; Leisure Centre Users; Helensburgh Community Council; and General Drop-in session. Key points that were raised most often:

The following points were raised most frequently across the five sessions:

- Very positive feedback on look and general layout of leisure facility, including support for moveable floor and a servery within café
- Questions around the provision of spectator seating
- Location of the leisure building and its entrance

- The extent of coastal sea defence works
- Parking provision
- Slipway design

Pre application Consultation Exercise -

- 3 Public Events: 26-Mar; 30-Apr; and 14-May
- After 1st event we met with Community Council to gauge reaction, subsequently extended the timings for one of the events until 21:00hrs
- Produced 1,000 flyers advertising our proposals and the events, and with the assistance of the Community Council and others we circulated these to local businesses, schools etc.
- Where it has been possible for us to react in a positive fashion to the feedback received from the PAC Process we have done so, and I'll highlight some of these in the later slides.

We are conscious that this is an important site in terms of how it relates back to the town centre, and the regeneration works already delivered through CHORD. It also has an intrinsic link with the River Clyde for both visiting and passing marine traffic. It is however reasonable to say that the current layout of the site does not make best use of its specific location, nor its relationship with the town, nor does it present a welcoming presence.

Our proposals are the next step in redeveloping Helensburgh, and follow on from the improvements already delivered through the CHORD Project, including:

- The specific improvements to Colquhoun Square, and the creation of the Award winning Outdoor Museum
- The improvements to the Esplanade, including the additional works that were delivered by means of the surplus funds from the CHORD project
- The improvements to the footways and carriageways, including the additional works currently being delivered by the Council's Roads Team, using some of the surplus funds
- The Shopfronts Improvements Grant scheme – which mirrors similar works being undertaken in Rothesay and Dunoon

Existing swimming pool schedule of key facilities –

- Largest swimming programme in A&BC – 800 users with 120 on the waiting list.
- Current changing rooms don't have sufficient capacity for the number of people who actually want to use the facilities.
- This has led to services being delivered across different sites with some fitness classes being delivered in the existing Leisure Centre, whilst others are delivered in this very building – which brings a number of issues e.g. no changing rooms, staff moving between buildings.
- This leads to what is known as 'Suppressed demand' – which can be caused by e.g. insufficient space in existing building to provide the size of class and range of equipment that people are looking for, and the current quality of equipment on offer.

Proposed Leisure Centre -

- 60% increase in the capacity of the changing rooms 70 vs 44
- 135% increase in the provision of storage lockers 178 vs 75
- 30% increase in the size of the health suite 45m² vs 35m²
- 100%+ increase in the size of the Fitness Suite 300m² vs 145m²
- Provision of two additional Activity Rooms 248m² and 175m²

- Separate wet and dry changing areas
- Improvements to the quality of the pool water
- Reduction in the use of chemicals

For a majority of people the main focus is the new Leisure Building, representing as it does the main structure on the site. We have taken on board as much of the feedback that we could, given our assessment criteria, and are confident that our proposals provide a state of the art facility which will allow as wide a cross section as possible of the community to access the facilities and services on offer. We have also taken on board the feedback received through our consultation exercises to provide:

- A larger café area with servery.
- Spectator space is provided by the viewing gallery from the cafeteria, which gives views into the training pool.
- When there is the specific need for additional spectator seating this can be accommodated by the flexibility that the moveable floor will provide. The floor can be set at the level of the pool surround and thereby provide additional seating for spectators, competitors or coaches if required.

On the first floor there will be:

- A fitness suite
- Two flexible use activity studios with associated changing rooms and storage.
- Running west to east there will be a corridor with a fully glazed partition wall to provide unrestricted views of the pools, and providing viewing capacity for up to 160 spectators at any given time (80 seated and 80 standing).
- A multi-functional space, which can be used for meetings, interactive play/children's party area, and as an area for catering/rest for officials during swimming galas. Live Argyll are also developing their proposals as to how one of the studios can be used to provide a soft play facility e.g. using mobile soft play equipment that can be stored and utilised in a far more spacious environment.
- Efficient use of space, minimising circulation space and maximising the activity spaces and views to them for people entering the building

Architectural sketches which show the thought process in developing the preferred location:

Practical considerations such as travel of the sun. Sightlines back to and from the Town Centre as well as from existing landmarks e.g. the Tower along the Esplanade. Our proposals look to build upon the success of the CHORD Public Realm Improvements, in terms of complimentary materials to those used for example in Colquhoun Square e.g.

- Granite paving stones in four colours (violet, yellow, white, and pink)
- Granite setts in four colours (violet, yellow, white, and pink)
- Granite kerbs and upstands

We have introduced a walkway around the perimeter of the site for use by pedestrians, joggers, cyclists and the like. We are introducing soft landscaping, with the placement of trees, shrubs, turf, wildflower turf, and connecting the site to the water by the use of individually placed rocks/boulders, which match the rock armour of the sea defences. We have worked with the John Muir Trail and we will relocate the circular engraved plinth from its current location to the landscaping at the entry to the site on the junction of Sinclair Street and West Clyde Street. This will be the starting point for an area of soft landscaping along the northern end of the site which then ties in with the existing soft landscaping on the esplanade.

As a result of the feedback that we received we have not only safeguarded an area for the skate park, but we will also include within our Contract the requirement to relocate the existing facilities to that area. This will ensure that there is no loss of amenity in the short to medium term, and will also allow officers time to work with the skate park users to develop a longer term solution. Our proposals include for the relocation of the starting point for the John Muir Way and using it as a focal point at the northeast of the site, which provides vehicular and pedestrian access for visitors.

We are retaining views to the Tower for those approach from the west. To the south of the site we are introducing soft landscaping elements around the Leisure Buildings front elevation, and to the east where it will be sheltered by the mass of the building itself. The west and south elevations are made up of hard landscaping, protected by the improved flood defences and rock armour.

It is important to note that the building has been set back, over 6.3m, from the outer edge of the Rock Armour Crest, as a mitigation for the potential issue of wave overtopping. This will ensure that the maximum overtopping capable of actually reaching the building is significantly less than 1litre/second/metre.

At the end of the day A&BC as the land and building owner, has a legal duty, to ensure the safety of everyone accessing our land or property. We have developed our design proposals in accordance with the accepted national guidance, and we will continue to review our compliance with our legal duties as any and all relevant guidance is revised or updated.

Whilst it is not part of the planning consideration, it is important for us to highlight some key facilities that will be on offer:

- The provision of a changing places toilet – the first facility of its kind in the Council's estate of buildings. This is a facility not just for users of the Leisure Building, but more importantly for anyone visiting the town of Helensburgh. Unfortunately for a % of our population, the provision of such a facility is what determines whether or not they can actually get out and about to visit places.
- Pool Pod access facilities, as opposed to hoists. It puts the control back in the hands of the user, as they are able to decide when they want to enter and exit the pool, as opposed to having to wait for a carer or member of staff to assist them. Its about giving people back their independence.
- Wheelchair accessible lockers.
- Lift access to all floors, with a 17 person lift incorporating 1100mm wide access doors.
- Only installing internal staircases where it is absolutely essential to do so e.g. fire escape stairwells where it is absolutely essential to do so e.g. fire escape stairwells.

We have chosen the materials and colour palette so that they will:

- Compliment the CHORD works.
- Not look out of context with the key buildings in the immediate vicinity e.g. the Civic Centre.
- Be robust, hard wearing and less susceptible to the impact of an exposed marine location.

We would like to thank the Committee for the opportunity to talk to what we see as the overall positive aspects of our proposals. We appreciate the interest and conviction of every individual and group that has taken the time to comments to you, whether they are

in support or objection. We truly believe that the proposals in front of you for determination today represent a project which:

- Complies with all of the appropriate local and national planning guidance
- We can afford to deliver at a time of constrained public finances
- We are capable of building and opening for use by the Summer of 2021
- We can afford to operate and maintain for its 40 year Design Life
- Will deliver an accessible, inclusive and modern leisure facility for the people of Helensburgh, Lomond and further afield.

As a project team we truly consider that we have brought forward the most efficient, effective and financially sustainable proposals for this first stage in the redevelopment of Helensburgh's Pierhead, and we look forward to your consideration and determination on the proposals before you today.

CONSULTEES

Roads and Amenity Services

Hugh O'Neill, Network and Standards Manager, Roads and Amenity Services; advised that he was a colleague of Mr Divertie, who was an experienced engineer. He highlighted that Mr Divertie had taken time out of this own personal time to monitor traffic levels in relation to the application. He confirmed that in the short time he had known Mr Divertie, he trusted his judgement and he commended his presentation. He advised that taking into account the opinions of the roads officers with their local knowledge, along with the backup reports, he recommended approval of application.

Helensburgh Community Council

It had been clarified at the start of the meeting that the Helensburgh Community Council submission would be made in two parts.

Peter Brown, Vice Convener of Helensburgh Community Council made the following presentation to the Committee -

Thank you chair, for this opportunity to speak on behalf of Helensburgh Community Council, which is a statutory consultee for this application. The Community Council here has two roles, as defined by the Argyll and Bute Council's objectives for its Community Councils:

- To ascertain, coordinate and reflect the views of the community which it represents. We have done this by undertaking a community survey to support the Council's Pre-Application Consultation.
- To take such action in the interests of the community as appears to it to be desirable and practicable. We have done so in the areas of the building location and flooding, because the flood risk assessment was not public before our survey, and the past history of this development is not general public knowledge.

All through the development process, the Community Council has supported the need to upgrade the existing swimming pool on the Pierhead. We ran our survey, though, to establish what the community felt, and polled 1,109 responses.

The overall feedback from this survey was that 55% of those polled rejected the detailed plans of the application in May. Within that, 53% felt the planned facilities would not meet

their needs, 62% did not want future retail development in the blank area on the plan, and 69% felt that the planned car parking provision was insufficient.

We engaged with the project team throughout this process, but very little of the feedback from the 1109 responses has made it into the finished plans.

In fact, of the 5 changes listed by the planning officer on page 12 of his report, only the addition of the café servery was due to public feedback.

Our overall position, therefore, is that the community needs and desires an upgraded leisure centre, but that this planning application is Not Good Enough, and there are ways in which this plan can change such that the community will welcome and endorse it.

These are the areas that I will cover.

- Location
- Flooding
- Leisure facilities
- Skatepark demolition
- Parking

And, as a spoiler, here are the Community Council's representations to the PPSL to make this application acceptable to the community.

First we need to talk about the biggest issue that will be mentioned today. All the other issues – parking, the skatepark, flooding, the design of the building, and so on, are important. But if this building is put in the wrong place then:

- It is in contravention of the approved Masterplan, which is part of the Local Development Plan, which means that the Council has to justify its decision for that contravention, or it can be called-in by the Scottish Government.
- It will be the most exposed public building in the West Coast of Scotland, and it will require even more than the £2million currently forecast to shore up the sea defences.
- It will have no connection to the town centre, which was supposed to be an objective of this project.

The primary reason accepted by the Area Committee in December for moving the building to its planned location was to avoid glare on the swimming pool, and that the pool has to face north and look out on the dull view of a car park. There is no basis for this reason. Darnton B3 have successfully designed swimming pools that face southwest – here's Maghull leisure centre in Liverpool from their website with a lovely amount of light coming from the southwest and protected from any glare issue by an overhanging canopy. Here's Kirkcaldy leisure centre, also from Darnton's website with a large window which looks southeastwards over the sea. Let's be clear – glare is not an issue with respect to the location of the leisure centre.

We say that its location contravenes the approved Masterplan. How can that be when the planning officer's report view was the following:

...lack of compliance with the approved 2012 Masterplan has been raised as a reason to object to the current proposals by a number of parties. ... The 2012 addendum <to the Masterplan> confirms that the general approach to overall site development is envisaged as follows: "a landmark building on the southern edge of

the site taking advantage of the waterfront location. Placing the building on this location allowed the remainder of the site adjacent the town centre to be considered for other development”.

Crucially, the planning officer has taken a quote which is not about the 2012 Approved Masterplan, but rather the *2011* Consultative Draft that was rejected by both the public and A&BC.

Specifically, this quote appears only as a reference to the previous, 2011, draft Masterplan in the context-setting of the 2012 document:

In 2010 it was determined that the design should be developed to improve the certainty of the assumptions regarding the project and to facilitate the next stage of procurement, whether taken forward as a traditionally funded project led by the Council or as a joint venture developer led project as part of a wider pier development. Gareth Hoskins Architects were commissioned to carry out an outline design for the building to RIBA stage C. The distinctive design proposes a landmark building on the southern edge of the site taking advantage of the waterfront location.

This RIBA Stage C Design was what the public were consulted on in 2011 as a potential masterplan – this is the diagram on the left here which, funnily enough, looks very similar to the current plan.

This draft Masterplan, though, was *rejected* by 55% of the public polled by A&BC in 2011 and the Council produced a revision which is the approved 2012 Masterplan – that’s the one on the right here.

The key change was to move the leisure centre away from the waterfront, and align it with the pier.

So between 2011 and 2012, the draft masterplan was rejected the public, it was revised, and the key reason given by the Council for revising the location in 2012 was in a report to A&BC in August 2012 from their Development and Infrastructure Services:

That the Pool/Community Leisure facility be retained on the Pierhead but drawn back from the head of the pier to help reduce exposure to the elements but still allowing for it to constructed prior to the demolition of the existing pool facility.

Therefore the planning officer’s dismissive concluding statement of

"That it is in a slightly different location to that shown in approved masterplan is not considered a material departure " is misleading. There was significant previous public and Council input into the 2012 Masterplan which led to the location in that Masterplan and the Council are now trying to move the building back to its previous, rejected, location.

We want the PPSL to recognize that this is a major departure from the Masterplan, and an unnecessary one, and that in moving the leisure centre to where it was intended in the 2012 Masterplan, you will save a large chunk of the £2M flood defence cost. By moving it away from the seawall, the sea defence would not have to be so high, there would be less infilling, and the building would be naturally more flood resistant. So, for less expenditure, the building would be more protected from flooding.

We need to talk about flooding properly now.

Firstly, it's relevant to look at the timeline of statements about the flood risk to the proposed building.

We got an early view of the Flood Risk Assessment, commissioned by the Council, which gave us the opportunity to review and research the issues that it left unexplored, with the key one being that it did not initially say how much wave overtopping would happen in the future.

We were therefore able to say in May, in our submission to the Council after the Pre-Application Consultation, that the flood defences would not defend the building for its 40 year lifespan.

We were able to build on that statement in our submission to this planning application, because we could see that the Finished Flood Level of the Plant Room was below the level required by both SEPA and the Council's Flood Risk Advisor.

In the Planning Officer's report to the PPSL in October, he included one set of conditions from the Council's Flood Risk Advisor (which I'll get onto in a moment), but these were revised on Thursday – just 2 days before this public hearing - to a radically different set of conditions, which explicitly bear out our concerns that we raised 6 months ago – the flood defence will not last for anything like the lifetime of the building.

In fact, the flood defences will only be sufficient until 2030, less than 10 years after the building is constructed.

Let's start with the planning officer's initial report to the PPSL in October, which included the Council's Flooding Advisor recommendation that the application be granted subject to three conditions, one of which was:

Detailed design of flood defences to be appropriate and fully account for wave overtopping through the lifetime of the development.

This was a very significant requirement, because the Flood Risk Assessment commissioned by the Council said that the planned flood defences will not be sufficient in the future, and that they will be overtopped due to climate change. But it didn't make explicit when that would happen.

The Flooding Advisor's new advice, as of Thursday, is that the flood defence proposal is only acceptable until 2030. That means that the building will be damaged, or in danger, from wave overtopping within 10 years of it being built.

We want the committee to be clear that the phrase "the defences be reviewed" means that the flood defences will need to be extended, and this will be a further significant cost. And this won't be in 40 years or 60 years – it could be as early as 10 years' time.

So how bad is the problem, well the Flood Risk Assessment commissioned by the Council said in June that wave overtopping levels in the future would be unacceptable, for people, cars or vehicles at the seawall. But there was no analysis of when the problem would occur, which is what HCC has been pushing for.

In the FRA, the consultant's analysis was that over 30 litres/s/m would be overtopping the flood defence by 2080.

This is a joint probability analysis, considering a range of sea level heights and wave heights, to establish the range of scenarios that will happen in the future.

2080 is a long way away, as we heard at the Area Committee, so we need to interpolate between now and that figure of 32 litres/s/m.

Here, the lifetime of the building is the period in the orange rectangle – 40 years up to 2061. The red line is the amount of overtopping at the seawall, and blue line is how much water will hit the building, which is 1/6th of the red, since the building is to be a mere 6.3 metres away from the seawall.

The dashed vertical line marks the year 2030, the year that the Flood Risk Advisor has said the flood defence will fail.

At that time, there will be over 6 litres per second per metre coming over the top of the flood defence in a major storm. And 1 litre of that will be hitting the front of the building itself.

That doesn't sound very much, does it? Let me make a brief demonstration. This 4-pint milk carton is 2.2 litres, so 3 of these will come over the top of every metre of the flood defence every second of a storm. So therefore, in each second of a storm, this much will land at the front of 3 metres of the leisure centre – <deposit 3x4-pints across 3 desks>. That's 1 second of a storm. The same will happen in the next second, and I simply can't do it quickly enough.

And remember, this sea water will not be gently placed in front of the building – it will be blown by the kinds of storms that we get here.

In just one hour of a storm, we'll get 7,200 of these bottles of sea water landing on top of each metre of flood defence. That's 360,000 bottles across the 50 metres of seafront directly in front of the leisure centre, or over **1 million litres** of sea water. Lying on top of the raised flood defences.

That's a lot of water, in fact it's **twice** the water that will be in the main swimming pool.

And 1 litre of that 6 litres will be hitting the front of every metre of the building itself every second, and that is the level which is defined as being hazardous (unacceptable) for a building structure. That's from the industry standard called Eurotop.

So the leisure centre ***will*** be damaged by a major storm within 10 years of its construction. That's what the Council's Flood Risk Advisor has said in his revised report on Thursday.

The flood defences as currently designed will not be sufficient for wave overtopping beyond 2030, and will need to be extended.

That means that the £2M which is to be spent on flood defences will only provide 9 years of safety, at a cost of £220,000 per year.

And when these defences have to be raised and reconstructed again in the near future, it's not just a case of adding a few boulders at the front. The entire boundary of the pierhead site would have to be reviewed and reworked. That's further significant capital cost, just to defend a building that doesn't have to be right at the seafront.

Inexplicably, the Council's Flooding Advisor has asked for the PPSL to impose a condition as stated here. That is, that the "site operators" of the building, car park and coastal defences are to be responsible for the flood defences for the next 40 years. The operator of the leisure centre, of course, will be Live Argyll. Why should the chair of a charitable trust that is charged with operating our leisure centres and libraries be on the hook for the cost of flood risk consultants, and civil engineering to stop flooding of a council-owned building?

And the second clause of that condition makes this a hospital pass, because the UK Climate Projections are going to be revised this month. So Live Argyll will have to pay tens or hundreds of thousands of pounds as soon as they take on this building.

So I want the members of the committee to be quite clear – the flood defence that you are voting on here, which is forecast to cost £2million, is not enough to protect this building beyond 2030. You will be aware that this is not a decision for today, or for tomorrow, but is a decision for the next 40 years. If you choose not to move the leisure centre, and vote for this application as it stands, you have committed to millions more being spent raising the flood defence even further to try to stop the sea causing significant damage to the building.

We ask the committee to change the proposed condition to take responsibility for the flood defences, rather than Live Argyll, and to require the flood defences to be designed from the outset to last at least half the lifetime of the building.

Let's move on to the facilities of the leisure centre.

The content of the leisure centre has been dismissed by the planning officer as not being a material planning consideration.

It is noted that many objectors have raised concerns relating to internal operations of the pool... the degree to which it would be "fun" and attract families.... These are not material planning considerations...

That is wrong. As the Council's own Planning and Regulatory Services Handbook says material planning issues can also include "The needs of an area", and specifically lists "social or leisure facilities".

This is the leisure building which will be at the centre of Helensburgh for the next 40 years. How is it possible to reject or approve that building without considering what facilities it will provide? If it does not provide what the area needs, then it should not be built.

53% of our survey rejected the content of the building, saying that what was being provided did not meet their needs. Why is this being swept under the carpet?

This planning application has the same functions that we already have at the current swimming pool and Victoria Halls. Yes, there will be proper disabled access and changing facilities, but that is what any 21st Century building is required to have.

Let's be clear. This building brings No Additional Leisure Benefits. You are being asked to spend £18M but you have been given no quantitative evidence to say how, or even whether, it will improve the town. The material planning consideration is that there is nothing new to bring, and keep, families in this area, and this building will therefore have a negative economic impact on the town.

We want the PPSL to justify the £18M price by imposing a condition to require an Economic Impact Assessment to be written, to review the benefits of what is being proposed, and that this Assessment must be published and accepted by the PPSL before development commences.

One leisure element that has been considered by the planning officer is the removal of the skatepark. To be clear, Helensburgh Community Council actively supports the Skatepark Project because a skatepark is a feature for young people, and the town is desperately short of such features.

We've seen this morning that the applicant has added a Photoshopped circle labelled "temporary skatepark" to the plan picture. I've read all of the plans for this application, and that isn't in any of the plans on the public portal, so that isn't part of the official application, as far as I'm aware. I'm therefore proceeding on the basis of the application as submitted.

Firstly, the planning officer's report states:

The removal of the skate park is development (demolition), but is 'permitted development' by virtue of class 71 of the (sic) GDPO and therefore this aspect of the scheme requires no planning permission.

It seems highly unlikely that this is correct, given that class 71 of the General Permitted Development Order is not about demolition, but is about the creation of Toll Roads.

Secondly, the planning officer continues with this paragraph about the skatepark.

An area of land has been identified for a future skatepark/play use and in the proposed site plan this is annotated under Area 4. Objectors state that no firm commitment is contained within the current application as to when and how this will be replaced. The current application does not seek to develop this northern area of the site, only to alter ground levels as part of flood prevention works. The reinstatement of a skatepark following groundworks is a matter which will require to be addressed under the terms of the Masterplan at a future date when the remainder of the site is re-developed and more detailed proposals are subject to future application(s).

Let's take this a statement at a time.

"An area of land has been identified for a future skatepark/play use and in the proposed site plan this is annotated under Area 4".

Let's be clear about that - Area 4 on the proposed site plan is labelled as a vague statement of "Landscaping / Skate park / Play park".

And Area 4 isn't even an "area". There is no definition of the boundary of area 4 – it is simply a number in a large area that is not part of this planning application.

“Objectors state that no firm commitment is contained within the current application as to when and how this will be replaced”.

The planning officer does not deny the community’s objection - that there is no commitment in this application to the development of a skatepark.

The planning officer doesn’t mention this, but it has been said that the Area Committee made a commitment to the skatepark project about the location of their site.

The Decisions that were voted-on by the Area Committee about the waterfront plan in June are here – they were not amended by any of the Councillors to include an explicit Decision about a commitment on the skatepark and, as one ex-councillor would say, if it’s not in the Decisions then it’s not going to happen.

The planning officer finally makes quite clear that any new skatepark is a question for a future planning application, and that’s borne out by the proposed site layout document -

the one that the architects and builders use - there is quite simply nothing there. Area 4 does not exist – it is the blank area that is left for future development.

That is not a commitment.

What the community wants to see is the PPSL committing to the skatepark by including two conditions in the planning consent to:

- outline specifically the land which is available for the skatepark
- and that a concrete skatepark will be planned and implemented before the leisure centre is in use.

I’d like, finally, to address parking.

69% of our survey respondents believed that the proposed reduction in parking was not appropriate for the town centre. To recap, the existing pierhead car park has 511 spaces and the planning application will reduce that to 265.

Also, the existing 7 coach spaces will be reduced to just two.

and, as can be seen from this Google map, the coach spaces are well used.

The AECOM parking report commissioned by the Council admits there will be will be a shortfall of 88 spaces, but suggests that car parking in the Civic Centre and the Park-and-Ride will offset this loss.

- If visitors cannot park in the centre of the town, they will go elsewhere.
- If residents cannot park in the centre of the town, they will go elsewhere to shop and use leisure facilities.

The existing 7 coach spaces will be reduced to just two.

The AECOM car park report recommends that coaches can park in residential streets such as Princes Street, King Street and Station Road.

- If coach companies cannot park in the centre of the town, they will choose to take their passengers to where they can – Inverary, Arrochar or Aberfoyle.
- If coaches park in residential streets then this endangers pedestrians, and residents should not expect commercial coaches parked outside their houses. This will simply create a different car parking problem in other streets.

We ask the PPSL to reconsider the coach parking loss, which will have the biggest impact on the town, and impose a condition to reinstate the existing 7 coach spaces on the pierhead as part of the development.

In conclusion, Helensburgh Community Council continues to support the upgrade of our existing swimming pool, but the planning application as currently proposed has raised widespread concerns. These concerns can be addressed by modifications and conditions on the application as currently proposed. And, let's be quite clear, the Community Council is not asking for any changes that would impose a delay to the existing plan.

What we want the committee to address is the following:

- The location of the leisure centre is wrong, and goes against the explicit reasoning of the 2012 Masterplan. Money could easily be saved on the flood defences by moving it to the 2012 Approved location and, as a bonus make it more flood proof.
- As it is proposed, the building will be exposed, and will require further expenditure on flood defences above and beyond the £2M currently forecast.
- The features in the leisure centre are fundamental to the success of this building, and an Economic Impact Assessment is required to ascertain whether it will meet its aims.
- The loss of the skatepark is a major impact of this development, and this plan needs to include a commitment to replace it.
- The loss of parking will impact the town centre, and the committee must retain the existing coach parking.

Nigel Millar, Convener of the Helensburgh Community Council, sub committee called Architecture and Design Helensburgh advised that the remit of Architecture and Design Helensburgh had been to look at the design aspects of the application from two dimensions – from the building itself and from the site overall. Mr Millar explained to the Committee why they placed such emphasis on good design in Helensburgh and that an indifferent building on the site would not be in keeping with that. He advised that Helensburgh was one of the most attractive towns and most vibrant urban landscapes, and that the site is one of Scotland's 6 most visible sites from the air. There had been a lot of activity on the site including a very successful fireworks display in the previous few weeks. He advised that the Council aim for the waterfront development was for a vibrant development which added to the town centre and which benefitted both residents and businesses. He advised that an indifferent building on site would not achieve the aims of the Council. Mr Millar advised that there had been 1109 responses to the Community Council pre application survey which had taken place in March 2018 and that there had been a large number of negative comments, the top two being that the proposal was lacking in facilities and that it was an uninspiring design. The Council's Project Team had run a pre-application survey with 199 responses and Mr Millar highlighted that the results of this survey did not contain any detailed breakdowns as did the community council survey. He showed a random sample of the survey results done by the project team. Mr Millar told the Committee that Architecture and Design Helensburgh were part of the Community Council and had been launched in 2016. It was made up of professional

architects, professional town planners and those with a passion for good design. He advised that they regarded themselves as professional and plan led and said that everything they did was based on policies and with plans that reflected government policies and the views of the community itself. He advised that the agreement they had held with planners had fallen apart to large extent. Mr Millar explained how the design statement assessments had been carried out and how they had been able to make statements on the design not being good enough. He demonstrated the scores on each of the 6 design characteristics. He then explained the Scottish Government Standard tool, which had been developed by Glasgow City Planning Department advising that it took into consideration the site as well as the building. He advised that the two lowest scoring areas were traffic and parking, and identity and belonging.

In terms of the relationship between Architecture and Design Helensburgh he explained that their key aim was” to build an effective and constructive working relationship between Architecture and Design Helensburgh and Argyll and Bute Council in promoting and delivering well designed, sustainable development in Helensburgh taking forward its legacy of renowned architecture, superb landscape and environmental assets”. He advised that they had been very lucky to be involved with Hermitage Park development where partnership working, engagement and involvement of the community had taken place. He advised that there had been no discussion between Architecture and Design Helensburgh and Argyll and Bute Council following submission of their feedback to the pre application consultation in March 2018.

In conclusion Mr Millar advised that they were positive about a new leisure centre on the pier site but they felt like it should promote and inspire physical wellbeing for all ages and abilities, enhance Helensburgh’s Waterfront and Town Centre, take full advantage of its prominent site, add to the character of the town and make reference to Helensburgh’s past. He advised that they wanted a leisure centre which was of a more distinctive and imaginative design and that it would be better located further up the pier site and orientated east to west, which would break up the site to make it more interesting and attractive and reduce flood prevention costs. He advised that design was important, that people were attracted to good design and that they try to promote good design in Helensburgh. He thanked the Committee for the opportunity to speak.

SUPPORTERS

Councillor Ellen Morton

Councillor Ellen Morton gave the following presentation -

Thank you for allowing me to speak as a local elected Member in support of the application. I understand Chair that under current judicial guidance an Elected Member who is speaking at a hearing either for or against an application should leave after all submissions have been made but before any debate begins or decision is taken. If that is correct I should be grateful if the governance officer could advise me when we reach that point and I will leave then and would ask that my departure is recorded in the minutes.

I know that the Members of the Committee are well versed in assessing complex applications such as this one so I will try to focus briefly on key points.

The first is the extent to which this application is in accordance with many agreed Council plans and strategic priorities. It accords with the Local Development Plan, it meets many of the Council’s agreed corporate strategic objectives, it is consistent with the Masterplan for the area; it also supports the delivery of housing development and the Maritime Change Programme by making Helensburgh a more attractive place to live and work; it

promotes healthy exercise, social inclusion, and supports the vitality and economy of the town centre.

The second area I wish to draw to the attention of the Committee is the number of consultations which have taken place over many years about how best to develop this site, culminating in this detailed application now before you.

You can see from the history laid out at section (C) [of the papers you have before you] that proposals for the use of this key site have been coming forward for 20 years - so we did not begin with a blank sheet of paper. From earlier consultations we knew the community wanted a new swimming pool located right in the heart of the town and it wanted the current pool retained in use until the new pool was ready; it wanted space for a skatepark; it did not want any high rise development and it wanted as much car parking as possible to be retained.

The application you are considering is based on the masterplan agreed in 2009 and as modified and approved in the 2012 addendum and delivers on all those key elements, including;

- Improvements to existing flood defences;
- public realm improvements;
- reconfigured and rationalised car parking and bus/coach drop-off;
- the provision of a new purpose built leisure centre, including swimming pool;
- the demolition of the existing leisure centre building, subsequent to the new facility being brought into operation;
- the safeguarding of specified areas for future developments, by others, including: landscaping / skate park / play park

Following the PAC consultation process and after engagement with numerous local organisations changes were made to the original proposals and the application now before you reflects this. For example, the current proposal includes a servery in the café as that was requested; the space for spectators in the pool was increased significantly but done in such a way as to not impact significantly on the day –to-day costs of running the pool; changes were made to the coach parking arrangements.

I should also like to highlight that there are no objections from any of our statutory consultees other than Helensburgh Community Council. I would particularly draw the Committee's attention to the fact that:

- SEPA has confirmed that they have no objection to the flood prevention proposals;
- Historic Environment Scotland has confirmed that the proposal does not impact on any listed or potentially listed structure such as the wooden pier

SNH, Marine Scotland, Scottish Water and West of Scotland Archaeology Service similarly have raised no concerns.

All the technical issues have also been resolved now which is also reflected in the statements from a wide range of professional services within the Council, with Roads, Environmental Health, Flooding, Biodiversity and Outdoor Access raising no objection to these plans subject to mitigation measures as have been set out before you. I particularly draw attention to the further parking mitigation which will come forward before construction work can begin.

Based on comments made directly to me by local residents and constituents I am absolutely certain that the community wants to see these proposals approved and action taken to improve a site that is currently dilapidated and to replace a building that is no

longer fit for purpose. These plans will bring significant benefits to the town and to the wider Lomond area. The site has been a mess for years and every previous attempt to find a solution acceptable to residents has failed.

This proposal offers us a brand new swimming pool, a much larger studio pool which will allow for training and warm ups at the same time as the main pool is in use for other activities; there will be a big increase in spectator capacity (without creating an unaffordable heating cost); enhanced gym facilities and the addition of studios which will allow a wide variety of sports and other leisure activities to take place.

One of the most meaningful improvements delivered through these plans is the development of true accessibility. There will now be provided:

- Changing places changing facility (the first in Argyll and Bute)
- Pod access to the main pool, allowing direct wheelchair access; as well as low rise steps and handrail so for the first time ever our most disabled children at Parklands School and those staying at Ardlui Respite Centre will be able to access a swimming pool in Argyll & Bute.
- A studio pool with a moveable floor that will offer the chance to deliver specialist sessions such as heating the pool for arthritis sufferers
- Please allow me to explain the term changing places in this context and the importance of this.
- At the moment an older child or adult with severe physical impairment has no appropriate toileting facility anywhere in Helensburgh and Lomond and often has to be laid down on the toilet floor to be changed, totally undignified for that person and a strain on carers. A Changing Places facility is a space large enough to accommodate the disabled person in a wheelchair plus 2 carers; the toilet is positioned so that there is space for one carer to get on either side of the adult to assist; there is a rise and fall changing bed so that the person can slide from the wheelchair on to it then be raised into a more comfortable position for the carers to work from; there will be space for a screen so that the carers can move behind that, giving a degree of dignity and privacy to the disabled person. Think how much better that will be than being man handled on a toilet floor.

I appreciate though that *this* Committee's focus is the building itself, its location and the use of land.

The pool is located at the seaward end of the car park – which the majority of local residents supported - where the users of the building will have spectacular views over the Clyde. It is designed to allow light to flood the interior space which traditionally works well in a waterside location. The materials will be of high quality and there will be significant landscaping work done to create an attractive area.

In terms of public realm, there will be space provided on the site for a skate park (and we will work with our skaters and their supporters to find funding for an upgraded permanent facility); there will be hard and soft landscaping so that the appearance of the whole site will be transformed; and the path round the outer edge of the site will open up the centre of the town to the waterfront and provide a safe, level space for walking or for children to learn to ride their bikes.

This application will transform this site, transform the centre of Helensburgh, and contribute to the local economy by retaining and increasing footfall in Helensburgh town

centre, while at the same time providing greatly improved swimming, leisure and sports facilities in a way which will benefit our whole community.

I urge the committee to approve the application.

Patt McCann, Live Argyll

Mr McCann advised that he was the Business Operations Manager for Live Argyll who would manage the new building. He advised that Live Argyll supported the proposal and that its central location would be easy for users to access. He advised that the large swimming pool would cater for an increase in swimmers which would help develop a programme with swimming galas and events. The smaller pool would allow for activities such as lessons, aqua fit classes, disability and sensory sessions. He advised that the learn to swim programme was the largest in Argyll and Bute, with 822 children taking part and a waiting list of 225. He advised that the current facility could not cope with demand and that the new leisure centre had an intelligent internal design that resolved those issues. He advised that the new fitness suite allowed for a gym double size of current gym and 2 fitness studios which would allow for a timetable of fitness classes and which would allow for a variety of other social events. He advised that the Café would be vastly improved and would provide an ideal social hub. He advised that the most important thing for the trust was that there was no slippage in timescale for new building as the existing building was at the end of its life. If there was slippage and the current centre had to close before the new facility was finished it could result in gaps in the facility for the people of Helensburgh. He explained that if the application was to go ahead they would be waiting 2 and a half years from now until the new facility was finished which was a long enough time to wait.

NEUTRAL REPRESENTATION

John Penniston

Mr Penniston advised that he was on the Helensburgh Skate Park Project, that he was a business owner in Helensburgh and was in support of any improvements to the town. He advised that the skate park had been in use from 2005 for skateboarding and bmx-ing and was well used but was now tired and in need of regeneration. He noted that the development plans had impacted on the Skate Park and noted that the improved access was going to take the skate park out of usage with no clarity over how it would be addressed. He advised that he had heard a lot of points made in support and against the proposal but he was there in a neutral capacity to ask that the needs and wishes of the young people were taken into consideration. He asked that it be taken into consideration when the use of the park will end and where it will be moved to. He said that they were not looking for funding but asked for recognition within the planning process so that they could take the project forward within the context of the proposal.

OBJECTORS

Norman Muir

Mr Muir advised that his objection was to the decision made by the Area Committee in December 2017 to change the location of the leisure centre to the southern extremity of the pier head and that the public consultation had confirmed the support of the community to place the leisure centre midway across the site. He advised that the reasons offered by the area committee for changing the location of the centre in 2017 were –

- To minimise solar glare on swimmers
- That the architects had considerable experience in building leisure centres

- That it was an opportunity to make the best use of an iconic location with views over the river Clyde
- To make more of the operational space within the building

The change in location had given rise to questions like why did the Area Committee take the decision to change the location, why was there no in depth investigation before the Area Committee decision was made and why place it at the end of the pier head where it would be subject to storms. In relation to its integration with the town centre he questioned why it was placed at the furthest distance possible from the town centre and questioned the insurance implications were for placing it on the pier head exposed to weather extremities. He advised that the troubling aspect was the withholding of information from the public. On 17 March 2016 a report was considered by the Area Committee with costs and was excluded from the public, on 9 August 2016 the PID document was considered by the Area Committee and was excluded from the public and on 16 August 2016 was approved by the Policy and Resources Committee and was excluded from the public. He advised that those exclusion notices were understood but had never been lifted and that the PID had only become available to the public in May 2018. He said that it was important to note that during the consultation period, neither the Kaya report or the car parking review and strategy were available to the public. He expressed concern about the lack of engagement between the council and the community and said that it was a publicly funded project which had been conceived by council, planned by the council and brought to a conclusion by the council. The community voice had been ignored and discouraged. He said that a consensus could have been achieved to reconcile any differences. He asked that the Committee reverse the decision taken in December 2017 and relocate the leisure centre to the original position; and that they reconsider the benefit to the town.

Peter Brown

Mr Peter Brown as an individual then made the following presentation to the Committee - Thank you chair. I'm speaking now as a concerned resident, and these are my personal comments on specific details of the application.

My comments today focus around the numbers 6.25metres and 5.4metres.

Why are these significant?

Firstly, 6.25metres is the minimum distance that the Flood Risk Assessment requires the leisure centre to be from the seawall, and SEPA's official response repeated this requirement, on the basis that this will protect it from flying spray. This is based on a calculation, which is one quarter of the offshore wavelength.

According to the plans, it will actually be sited 6.30m from the seawall. That is only 5 centimetres more, or 2 inches in old money, than the required minimum. That's a margin of error of less than 1%.

That's a lot less than any other contingency in this project, in particular the financials, and places a huge reliance on the official guidance in this area, which is called Eurotop – the Wave Overtopping of Sea Defences and Related Structures Assessment Manual. In particular, it's hugely optimistic because Eurotop says explicitly that this is approximate guidance.

What's more of a concern is that, inexplicably, the Flood Risk Assessment has used the wrong formula, and this has been ratified by the Flood Risk Advisor and SEPA...

The 0.25 times the wavelength calculation comes from section 7 of Eurotop, which is about vertical and steep seawalls. That's not the kind of sea defence that is being proposed here.

What is worrying is that a rubble slope is being proposed, a significantly bigger rubble slope than we have at present, and therefore section 6 of Eurotop is the relevant part, and it has quite a different formula.

This considers the amount of water that will travel up and through the air beyond a rubble seawall, and note in the diagram here that the crucial distance is the one after the seawall, not from the start of the crest.

This formula is a particularly fun one, but luckily Eurotop provides a simple summary for the most common case of rubble wall, which is what we need to consider, and it's quite clear 10% of the volume of water travels almost two wave heights through the air beyond the seawall.

Why is this relevant? Here we have a cross-section of the walkway at the front of the plant room at the seaward side of the leisure centre.

The 6.3metres that I said the leisure centre would be built is from the seaward side of the crest of rubble. It will be only 3.75m from the landward side of the seawall.

A simple calculation, therefore, based on the wave height allowing for climate change shows that just over 10% of the water volume can be expected to hit the leisure centre as airborne spray in an extreme weather event. That's more than the 5% that the Flood Risk Assessment has assumed at present and, to make it concrete, means that 100,000 litres of water will hit the front of the leisure centre in one hour of the storms I mentioned earlier.

Those of you with good eyesight will also have noticed that annotation which says that the Finished Floor Level at the plant room doors will be 4.7m.

But it's the case that the first condition that the Council Flood Advisor originally imposed on the build, in the Planning Officer's first report in October, is that the finished floor levels of the building should be a minimum of 5.4m.

Just on Thursday last week, as part of the revision of the flooding conditions, the Council's Flood Advisor modified the condition to say that 5.4m was required for most of the building, but it's OK for the plant room to be at 4.7m Above Ordnance Datum. And that this would be OK as long as the Plant Room has raised equipment and a flood proof access door.

This is another dramatic change to the flooding conditions. So it needs to be examined closely.

Firstly, it's not just that the door to the plant room will be at 4.7m above ordnance datum – the entire plant room will be 70 cm below the public areas, and at 4.7m. This is the room that will have the electrical supplies, chemical water treatment works, and air conditioning units. The most critical part of the building, and it will not be at the level that the Council Flood Advisor (or SEPA) required originally. And there will be an escape door from it which opens out to the sea at 4.7m.

I haven't seen any data on this, since this advice was revised so recently, so the committee would be right to question some of the details. The Plant Room equipment is now required to be on 30cm plinths. Why is it 30cm? No explanation is given in the Council's Technical Note on this, also published just on Thursday.

To fill the plant room to 30cm depth of water would take 80,000 litres of water.

And, at the storm conditions that I was talking about earlier, that will come over the 60m length of the seawall in front of the leisure centre in five and a half minutes. Now not all of that water will find its way into the Plant Room, because it's going to have a "flood proof" access door.

But that door is on the downhill slope from the 5.4m level at the west end of the seaward side of the leisure centre – this is looking at it from the sea. So at least half of the 1M litres of water that I talked of before will arrive to the left of that door, and have to make its way along the walkway to drain back to the sea. Any breach in that "flood proof" access door is going to be critical.

The new flooding condition raises more questions than it answers. Here's a few of them – what about the doors to the chemical stores, which will also be at 4.7m. And in the middle of the plant room floor is a massive void which goes down to 3.1m – that's the pump pit. How can a pump possibly be raised on a plinth when it's required to be lower than the 4.7m floor level.

Oh, and the plant pit is correct to a 'dry duct' that leads around the side of the main pool which is also down in the basement of the building.

There are plenty of unanswered questions about these critical parts of the building which, with the Plant Room and its access door at the most exposed location, are at risk of flooding. If anything is left lying on the flood of this vulnerable location then the leisure centre will be closed because its infrastructure is unnecessarily fragile. The "flood proof" access door feels like a sticking plaster on a plan that hasn't been properly thought through.

Indeed, Scottish Planning Policy 7 about Planning and Flooding contains a reference in paragraph 46 about Development Control to say explicitly that flood protection equipment that may delay water ingress for only a short period is unlikely to make a proposal acceptable.

In short, it would be a courageous decision to approve the Plant Room as proposed without answers to the questions that I've just posted.

Finally, another comment on 5.4metres. Here's the designer's view of the infilled area at the Clyde Street end of the car park and how it would be viewed from seaward. As you can see, to get the car park infilled up to 5.4m, it almost comes to the same level as the roof of the existing toilet block on the pier. You can just about see people outside Wilkies trying to peer over this huge mass to try to look out to the sea. Make no mistake – this amount of infilling, which is a vain attempt to try to stem the inevitable onslaught of the sea, will have a huge visual impact on the front of Helensburgh.

In conclusion then,

- It's clear that the leisure centre is being positioned too close to the seafront, and it will be affected by a significant amount of airborne spray, which has not been accounted for properly.
- The Plant Room is going to be exposed to a level of flood risk greater than the rest of the building, and the flood mitigation conditions do not answer all the problems that this presents.
- And trying to raise the car park to 5.4m will be a huge impact on the front of Helensburgh, as well as huge financial cost.

John Tacchi

Mr Tacchi thanked the Chair for the opportunity to speak. Mr Tacchi highlighted that it was a development with a project life span of 40 years and that it was far more important that they got it right rather than got it sooner. He advised that the recent stages of the process had appeared rushed. He agreed that Helensburgh did need renewed leisure facilities but they did not have a well-managed and agreed development. He asked the Committee to take note of the user feedback and how it affected the aim to show the town of Helensburgh at its best. He advised that the Council's failure to generate strategic vision had risked the investment and that this was a fundamental omission. He said that the key question was if this like-for-like existing development would attract additional customers and businesses to the town. He highlighted that there was no business plan attached to the proposal. He highlighted that the feedback from Helensburgh Community Council was that the present proposal did not meet the requirement of future users. He said that the aim was to create a safe and comfortable space with a visible link to Colquhoun Square, and he then made reference to the Sugar Boat, which was a ship wreck in the Firth of Clyde. He said that the key linking element of landscaping that related the new building to the town centre was not included in the proposal, and therefore the proposal may well have been sited on the Sugar Boat. He concluded by saying that some had said that the town needed the proposal now and that it was a good enough replacement but he believed that the proposal should be withdrawn and should only be put back in once it was suitable as good enough was not good enough.

Vivien Dance

Mrs Dance advised that she was objecting on behalf of the Chamber of Commerce as this had been the only facility which had allowed them to make a representation. She advised that they had been forced to submit an objection so that their voice could be heard. She advised that the Chamber of Commerce had a huge number of members from the town centre and Lomond side and now they had been recruiting charities and voluntary groups because it was recognised that their objective was to protect commerce. She advised that everyone should move away from the "them and us" stance, (them as in the council and us being everyone else). She advised that 6 members of the Committee were not from Helensburgh and Lomond and that the site visit they had carried out in the morning was not enough to inform them of how alive and very successful Helensburgh was. She referred to the panel of Councillors that were present, noting that they were there to secure the future of the town, and said that she was amazed at the leeway the chairman had given to many speakers that had given a presentation on emotive issues rather than concentrating on planning issues. She advised that their objection was not to delay or put back the swimming pool as they knew that the site was an eyesore, but that they were looking for a development on seafront that provided sustainability beyond belief as Helensburgh would compete with other towns that were aiming to bring people to their towns. She advised that they wanted to attract people to Helensburgh to spend money in their businesses adding that the occupancy of businesses in Helensburgh was about 95%, that the businesses were alive and vibrant and that no other town could compete with that. She suggested that the decision taken on the proposal may reduce the occupancy. She

advised that they were looking for amendments to the development and were not looking to oppose it. She advised that in terms of the positioning of leisure centre local businesses saw it as a negative effect. She referred to the removal of 9 disabled parking bays across from "The Journey" and noted that there were no plans to replace these parking spaces near the town centre. She added that the changing places changing facility would mean that these spaces would be used by those at the pool leaving no provision for the town centre. She referred to there being no provision for electric vehicles and added that there were currently 4 charging places where drivers of electric cars currently had to queue and wait to charge their vehicles. She told the Committee that the reduction in car parking was just a numbers game and that the development was about bringing new people to park there. She told the Committee that she had it in writing from 3 coach companies that had indicated that they would not visit the town if there was no dedicated parking and she said that Helensburgh could not compete with other towns if they did not have dedicated facilities for coaches. She referred to the offer made by Campbell Divertie to meet with community council and other parties to discuss parking going forward as there was currently no detail. She highlighted that economic development was a feature of the whole facility and asked the Committee to consider the economic damage the proposal could make to the town in its current form. She commended the 7 points made by the Community Council to consult with others during their presentation. She concluded by saying that they "dont want to say we told you so, we want to say we made it so".

Stuart Noble

Mr Noble proposed that the application was rejected or that amendments were made to it. He said he had concern over the areas marked white on the plans, nearest West Clyde Street. He advised that there had been a failure to consider the area as a whole and that nothing had been mentioned about what was going to happen to that area marked in white. He referred to the part which had been set aside for possible retail units and advised that there was a belief amongst residents that the council was looking to raise £1.5m from the construction of retail units on the site. He advised that there had been some people quite concerned about extra retail units. He advised that the whole area in white on some of the plans was an area to be up filled with type 1 aggregate, which was a good mix of angular aggregate and sand sized particles, used for building paths, and suggested that they may have been getting left with something that was unfinished. He asked how long it would be left in that state for. He suggested that either the plan was rejected or was passed with amendment, with much more thought given over the area marked in white. He referred to a failure to consider how the application complied with masterplan which aimed for new centre to be of such high standard it would attract visitors to the town but the proposal was more of a 'like for like' of the existing leisure centre. He asked the Committee to reject the proposal or to pass it with serious amendment.

Ellen Renton

Ms Renton advised that she was representing herself, neighbours, colleagues and friends and that she had no specialist expertise and no presentation. She pointed on the map to where she lived in Toward Place, which was as near as you could get to the pier in Helensburgh. She advised that she saw the pier every day and that she had a front water facing flat. She advised that she had seen every variety of weather and assured the Committee that most people in Helensburgh were well acquainted with the weather and that it was a sheer fail placing a multi million investment where it was proposed. She advised that during storm Frank, the waves had covered the pier and the waves had lapped a three storey building. She advised that during storm Ali, she had watched a cruise ship being tossed about the sea like a cork. She said that people who don't come from Helensburgh could be excused for not knowing that they dealt with these conditions.

She advised that this needed to be taken into account and that she found it extremely disappointing that Argyll and Bute Council were giving the impression that they were not listening to Helensburgh. She advised that she was behind Mrs Dance's plea that the Council needed to start acting and listening to the concerns of very experienced people. She said that every single person who had spoken on the proposals were connected to Argyll and Bute, but only the people who had something against the plan were from Helensburgh. She highlighted that there was a big divide here that needed to be overcome. She referred to the detailed statement by the planning officer, advising that no one was in argument about the need for a leisure centre but they did not want the current plan and the proposed centre. She highlighted that the location of pool was not a good idea in extremely bad weather due to the height the water reached. She referred to the design of the pool advising that it was a bog standard design which was very similar to the existing pool and was very boring in today's standards. She referred to their being no plans for the skateboard park advising that they had been experiencing vandalism in town due to a reduced police presence and that they needed better and more provision for youngsters, not less. She advised that the old plans were so much better than those which were currently being presented. She told the Committee that she had asked what had happened to the old plans and had been told that the original plans could no longer be afforded. She referred to the Council ignoring the results of the consultation highlighting that the inclusion of spaces for retail spaces was highly unpopular amongst residents. She suggested that the placement of the leisure centre at end of pier and the part of the site closest to town being left as open space had meant that the community had come to conclusion that the Council had other plans for that space. She advised that she was personally concerned about the use of car park on pier and that she supported the view that buses should be able to park, but not the MOD buses, which they had been doing at present. She advised that the people in town were disappointed about the lack of joined up thinking about problems. She told the Committee that the Waverley would now experience problems as the pier was temporarily closed and asked why people weren't exhibiting joined up thinking to resolve it. She said that the town people could not sort it out, that it was up to the Council and other relevant bodies, but in eye of the town it was one pier so why could they not sort it at the same time. As a resident she referred to the brand new shop fronts on Helensburgh front and asked what plans were included to save them from the noise and mess during construction, she asked how it would affect residences and businesses.

John Black

Mr Black advised that he was an objector and that he supported the need for a new leisure centre, only the proposal was in the wrong place. He advised that he agreed with much of what Councillor Morton had said and that his representation was not an attack on officers and their proposals. Mr Black advised that he believed that buildings should be built with a longer lifespan than 40 years and informed the committee that in Dunfermline stands a swimming pool that had been built over 100 years ago and was still there and in use. He highlighted that Hermitage school had been replaced twice since he had attended the school. He told the committee that he had lived on East Clyde Street in Helensburgh, and at times, could not open the front door due to adverse weather conditions. Mr Black made reference to the construction of the south pier car park. He advised that the land was intertidal land which would normally be owned by the crown state and that the site was one of special marine interest which was a concern with the planning of this proposal.

Mr Black advised the Committee that in 2006 the Scottish Government had provided the Council with funding to examine what Helensburgh needed, from this a local partnership had been set up with elected members, amongst others and that three of these elected

Members had been involved in the CHORD project, which in his view had damaged Helensburgh. The Local Partnership had appointed consultants to look at the best use of the space. Mr Black made reference to a number of proposals which had been put forward for the site, including supermarkets, swimming pools, retail, housing, and said that during the process each of these suggestions had been gradually eliminated with them being left with a swimming pool proposal sited in the wrong place. He told the Committee there was an alternative space in Helensburgh where all these things could be provided. Mr Black made reference to there being no consultation with the public until March 2018. He advised that the 2009 plan had been adopted and that in the 48 page report provided in 2009, there had been mention of flood risk; he questioned why this was only being picked up now. He added that a quarter of the proposed budget was for flood risk to protect the pool, which would raise the level of existing eyesore and stick something on top of it. He mentioned that Argyll and Bute Council had to be sure they did own the land before they make proposals as this had not been the case during a previous proposal. He told the Committee that Argyll and Bute was part of a wider flood risk review which was not due to be published until 2022, which was after the proposed development would be completed. He referred to their being little mention of the actual pier and that this should have been an integral part of the proposal. He advised that the pier was now temporarily closed. He said that the proposal was in wrong location and that the idea of anyone walking along pier to access the centre during a storm would be dangerous. Mr Black suggested that as this was a landmark proposal for Helensburgh, there was a better place to put it and asked the Committee to reject the proposal.

MEMBERS QUESTIONS

Councillor Trail stated that he heard today that no reasonable person would build the leisure centre in the proposed area. The Mr Gordon responded that he would view himself as reasonable and responsible with over 40 years' experience in the design of leisure centres and award winning buildings. He stated that they have spent a lot of time and consideration over the technical details allowing for the building to act as a beacon towards the town centre, with a panoramic view over the Clyde offering a unique experience for all users of the building. He confirmed that he practiced in Glasgow and fully understood the weather needs and conditions of Helensburgh hence the orientation and use of a building as natural screen towards the car park. In respect of the flooding considerations he stated that he has consulted a raft of consultants and taken their advice on board and therefore had no qualms regarding the proposed flood defences.

Councillor Trail continued by asking if during the planning process did the architects ever consider moving the building to the alternative location. Mr Gordon confirmed that they did along with other situational options for the building and stated that in the proposed plans they would anchor the building down in the south-west corner and encage the area and that placing the building where it is in the current plans not only allows the building to act as a physical screen but as a meteorological buffer.

In relation to flooding Councillor Moffat stated that she felt uncomfortable with what she heard stating years ago she spent 5 years living in Helensburgh and during the storms witnessed cars afloat in the car park due to the volume of rain, so she asked the applicant that if they were to consider moving the building from the end of pier to the site proposed by objectors would this change the level of flood risk, Mr Gordon confirmed it would not.

Councillor Colville commented that the position of the building does not fit with that of the original master plan. He asked the applicant to give a reasonable explanation as to why this was no longer the case. Mr Gordon answered that the master plan was approved with the building orientated on western edge of the pier, but is now situated further north..

He stated that the purpose of a master plan is to allow a coherent approach, but is not a detailed planning application, and therefore is not set in stone and he was comfortable that the information before him was in relation to still an essentially southern landmark building and was therefore comfortable with physical re-location of the building and that the proposal in the planning application can all be delivered.

Still directing his questions to Mr Gordon, Councillor Colville stated that the retail unit was not part of the planning application presented today but he was conscious about the situation and design and how future application to address this grey area will influence the overall design of the site and questioned if the architects would wish to control or enhance or dictate what goes into that space. Mr Gordon responded that he has paid due respect to the decision making process which identified the retail space and would like to think any future architecture would do as he has done and design something sympathetic to the area.

Councillor Trail sought and received confirmation from Mr McCann of Live Argyll that as operators for the leisure centre they would plan to keep the building open for as long as possible should storms be forecasted.

Councillor Douglas asked the applicant for confirmation surrounding the funding required for the removable floor. The applicant confirmed that at this time there is no budget allowance for the cost and that they are looking at how this can be funded and brought forward to balance capital, operational and maintenance costs but do believe these will be outweighed by flexibility and business sense.

Councillor Douglas asked Mr Cameron about provisions in place for flood defences should there be a need in the future to adapt the current proposals stating that the report talks about issues that can be reviewed but once a building is up it is limited to what can be reviewed. Mr Cameron confirmed that they would not need to wait to 2030 to make any changes to the defences as measures will be put in place as part of the existing construction which will allow for the opportunity to modify if necessary. He confirmed that there would be limitations of adaptations to a building but not to flood defences themselves which are designed to be adaptable.

Councillor Douglas questioned Mr Cameron on insurance costs if the building would be at risk of flooding and he confirmed that insurance levels would meet Scottish Government recommendations and the building would be insured for 1/75 chance of a storm so much more than 1/200 level so would therefore be low risk in terms of insurance costs.

Mr Brown took the opportunity at this stage to speak to a presentation on still water level not being an issue but that wave overtopping was but by his calculations wave overtopping would be acceptable if the building was moved back as in 2012 masterplan.

Councillor Redman sought and received confirmation from Mr McCann that the current building was at the near end of its natural life and could not go beyond 2021 and that a new facility is required as soon as possible.

Councillor Freeman sought and received confirmation from Mr McCann that Argyll and Bute Council would be responsible for the area after its construction.

Councillor Freeman asked Mr Gordon who had the final decision on the orientation of the building in the proposals before them. He responded that the design team was a multi-disciplinary team who participated in a collaborative process, and that ultimately the orientation was the architect's decision after considering the expertise of internal officers and external consultants.

Mr Gordon confirmed to Councillor Freeman that there will be no mechanical ventilation in that plant room at floor level, only filtration systems which are ok if they get wet due to flooding. Mr Cameron also confirmed that current circumstances are unusual as the climate change scenarios are about to change and could change by an uncertain degree possibly in the next few weeks when updated figures are released. But hopefully there will be no more conditions where flood risks are reviewed as time goes on as once the figures are out measures can be put in place.

Mr Gordon confirmed to Councillor Colville that the 17 person lift has safety failsafes and alarms to prevent the lift from moving if over occupied.

Councillor Douglas questioned the applicant about the consultation process stating that Helensburgh Community Council had 1109 responses and asked how many people did Argyll and Bute Council consult with. The applicant said there was a 2 stage process starting off with 37 focus groups, 32 of which participated and that the PAC process included the community council figures also. In addition there was 199 direct responses from individuals over 3 days of events.

Councillor Douglas continued that there were different groups present at the hearing and that if the consultation process had been right the community council would not reject the proposals. The applicant responded that they believed the location to be the correct solution. Mr Brown added that after consultation the only change taken on board was that the café servery was put in.

The Chair asked Mr Ramage if he was aware of the conditions in the Clyde estuary and that Helensburgh is in a completely different position being exposed to elements and if he thought Greenock and Gourock were just as bad as Helensburgh. He responded that he thought they were very similar and that the Kirkcaldy leisure centre location has similarities with the environmental conditions such as it is south facing centre on an esplanade and a very exposed site, yet they have managed to deal with all issues there successfully working with a multi-disciplinary team and he has every confidence in the consultants. He confirmed that there is a roadway between the building and the esplanade in the Kirkcaldy scenario and that the flood prevention methods proposed here are adequate to deal with the situation in Helensburgh.

Mr Divertie confirmed to the Chair that 48 car parking spaces could easily be transferred to coach parking should this be decided upon.

SUM UP

PLANNING

The Planning Officer stated that Section 25 of the Planning Act requires that all decisions be made in accordance with the development unless material considerations indicate otherwise. Primacy is accorded to the provisions of the development plan which is always the starting point for assessing development proposals.

She confirmed that in this case the adopted LDP is the 2015 LDP and that it is still a fairly up-to-date plan which has undergone scrutiny by a government reporter and should be afforded significant weight in the decision making process as it is as an expression of council policy and that the proposal is also supported by a masterplan of which there has been much discussion about how the proposals accords with the 2012 masterplan for the site. This masterplan provides further detail on the policies of the LDP however it is not set in stone and does not preclude a degree of flexibility being exercised. She was of the view that this proposal does accord with the principles of the masterplan. Whilst the

orientation and location of the leisure building adjacent to the Clyde with parking in between and the proposed retail approximately in the position of the existing swimming pool.

She said she heard the architect confirm that he considers that the building has taken full account of its exposed location and that issues around flooding have also been debated at length and that officers were comfortable that these have been fully addressed in consultation with the council's flooding advisors who have expertise in this area. These issues are covered by the conditions as detailed in supplementary report number 1 and this will be capable of addressing any further requirements of the UK Climate Projections which are due to be published soon. This will ensure that the building will be developed in a safe manner which takes full account of the flood risk.

Mr Cameron nor Mr Divertie had anything further to add.

APPLICANT

Mr Gordon

Mr Gordon commented on climate change, focusing on flooding and that his background was in programme and project management putting teams together to meet statutory requirements and guidelines placing his personal and professional indemnity on the line. Therefore when he says something meets the requirements there is a degree of security. Currently in a unique position as the new climate change guidance will be published this month but fundamental the legal responsibility as owners of land and building to assure safety will remain as he will look at the proposals when new guidance comes out and continue as the new guidance is published with a legal responsibility to comply in years to come and not just now.

In regards to the economic impact assessment the business case was developed in accordance with the HMRC greenbook guidance in going out to tender for the contract as well as an operational model.

With regard to engagement and public consultation he stated that he tried to work very closely with the public which included processing a participation request initially, and through separate meetings with the community council established a satisfactory working relationship. They might not agree but he did try to engage best he could with community councils and the community as a whole. He stated it was difficult to get people to come along and engage but that he did what he could to maximise what people bring to the process and not just young people and elderly but all groups.

He further commented that electric vehicle charging points would be installed so there would be no loss of amenity as the building would have the infrastructure in place to install a charging point at an alternative date should demand increase.

STATUTORY CONSULTEES

Mr McNeill

Mr McNeill confirmed that Roads Officers had longstanding local information and could be relied upon and that the Committee please be minded that Roads are comfortable for focus group to be established should there be a need established to take the process forward.

Mr Brown

Mr Brown agreed with Mrs Dances' earlier comments that he was objecting to being an objector as he would love improved facilities but the masterplan must be improved. Referring to pictures on the projector he stated that public consultation was not started early enough and if it had been the community would feel bought into this. The Community council worked hard to get people to engage and the team spent long hours on this.

Mr Miller

Mr Miller stated that it was a good design in overall assessment of the project but there was the possibility of regret and shame and that the town would suffer a disservice if the current design was used. He referenced landmark designs as depicted on his presentation in other locations in Scotland. He stated that he and his representatives want a landmark building to take advantage of the potential of the site by moving the building back as far as possible and the building be brought back into the town to become part of town. Even at this late stage he wished Members would take a step back to consider what has been said today.

SUPPORTERS

Councillor Ellen Morton and Mr Peniston were no longer present.

Mr McCann

Mr McCann stated that the focus groups and consultation exercise had acknowledge what people want but there was a limited budget and he believed current proposals were workable with improvements which he very much supported and stated that they cannot afford timescales to slip any.

OBJECTORS

Mr Muir

Mr Muir stated that he and his representatives only met Project Officers on a periodic basis to determine what was going on and felt that the project had not been transparent.

Mr Tachhi

Mr Tachhi expressed his disappointed in not being engaged in the setting up of the masterplan and expressed that he did not see the point in public consolation if suggestions can be waved away. He felt that the current swimming pool was linked with the town and will now be moved as far away as it possibly can with hard landscape.

Mrs Dance

Mrs Dance stated that she was currently a long standing business woman representing the Helensburgh and Lomond Chamber of Commerce and agreed with the Chair that Helensburgh is different to Gourrock and Greenock and should therefore be treated differently to address the town's issues. She stated that confidence in public consultation processes is at an all-time low in all local authorities and today they were in danger of

seeing why people don't engage as there is no point if no one will listen or share their views.

In relation to the flood defences proposed she stated that they need guaranteed flood defences and questioned who would maintain them and who would fund the adaptable defences to allow future climate change issues as Members can not commit future council funding as funding is determined on a year by year basis. She stated the Committee cannot give that assurance yet they are in your power.

With regard to parking she stated she has spoken to coach companies who have expressed that they will go elsewhere if onsite parking is not guaranteed. She gave the example of Lomond Shores issuing incentives in abundance to encourage coaches to visit there and that they will not bring their business to Helensburgh if they can only drop off their passengers and park elsewhere.

The masterplan was approved in 2012 after considerable debate but Mrs Dance commented they did not know what they were voting for as they were invited to comment on a masterplan in principle not knowing what they were viewing and not knowing that the council had reserved the right to tell them that they were planning to move the pool.

Mrs Dance stated that this building should be a fitting legacy and not problems left to someone else in the future. She commented that under CHORD when the contract came to an end consultants then walked away from project and so consultants here today could do the same given the known shortage in funding. She stated that the Committee need to take on what 1109 real people commented on and hoped they all don't go away from here holding their heads in shame.

Mr Noble

Mr Noble made reference to the area marked in white on the plans before them and commented that this amounted to a third of total area under consideration which will be covered in type 1 aggregate stones. He felt this was a potential to become a waste land particularly if washed away.

Mrs Renton

Mrs Renton stated that having listened to all arguments she would say she is in agreement about the need for a refurbished pier and leisure centre but having heard noteworthy arguments against the planned position she does not agree where the building is planned to be put. She remarked that the plans are still just as feasible if the building is closer into the town and on an altered access. She felt that if the people responsible for making the decision ignore the arguments today she could not see that it would be due to a certain degree of intransigence. Personally she felt that the pier is no more suitable in winter for retail than a leisure centre stuck out on edge and that this needs to be looked at again.

Mr Black

Mr Black thanked the Committee for attending the site visit and listening diligently. He stated that current facilities need to be replaced commenting that he was a sailor and with prevailing winds south-west storm surges and high tides he understood the impact of weather and with the new guidance next week on climate change. He stated that the

decision today will set the direction of Helensburgh forever and he urged the Committee to reject it for a better solution.

The Chair established that all those present had received a fair hearing.

DEBATE

Councillor Trail commented that the quality of the presentations were exemplary. He said he could feel the frustration in relation to engagement of the community stating it is easy for people to engage once plans are in front of them but this is difficult at the early stages of the process and questioned how this could be changed. In relation to flooding there is no guarantee that any building would not flood but that they can just reduce risk to an acceptable level and the consultant suggested that the low risk had been met. In relation to the location and orientation of building he commented that he would love to be able to propose a continuation to see if the Committee could get agreement but felt that they would not. He said he thought that the proposals were best with the long length of pool facing the North which seemed to him as a good idea with the servery looking down West Gareloch. He confirmed that he felt that the location at end of pier car park would mean not having a dead space is probably the right place and on that basis he is in support of the application before him.

Councillor Colville stated that of all planning hearings he has attended he has never seen so much in-depth, professional and so well presented representations which gave him cause for thought all day long. He explained how he was fortunate that a lot of money had been spent on the Aqualibrium in Campbeltown but the biggest criticism he receives in relation to this is why was so much public money spent on that building when locals just wanted a pool. He raised concerns about the white area but commented that this was not part of this planning application and that he believed the architects had put their reputation on the line and stated he supported the application.

Councillor Moffat stated that she came thinking that this was a simple binary decision and was very saddened that it does mean for all the work people have put in that one side will be disappointed. She felt that the current proposals were not the best or the preferred site for this building and that there must be an option for a more modern and better than one understanding the serious financial repercussions and that will not be deemed by bad weather as unsafe for use. Therefore she stated that she could not give consent to this application.

Councillor Douglas also felt that the standard of presentations was very good. She commented that it is very difficult to be on the Committee and as new information come out it was a shame that things had come to this and was down to who delivers the best argument. She had no problem with the building itself but the location was a problem and the information due in couple of weeks needed to be given due thought. She felt she could not put her name to this with the current flood risks but felt it best to wait until the new statistics come through.

Councillor Freeman stated his concerns over flood risks and who would carry the financial burden. In his view they had waited long time and he did not think they should be forced into a decision. He stated that as the masterplan is not set in stone he has drafted an amendment to continue consideration to the December PPSL whilst options for a competent amendment can be investigated. He further added that the presentations were excellent.

Councillor MacMillan stated that he support the application.

Councillor Taylor commented on the excellent quality of representations. He noted the issues on how to treat the landmark site which is begging for development and a much needed facility, but questioned the retail impact and stated that the coach parking would have to be addressed with community influence and engagement and therefore for him he needed to take more time.

Councillor Redman agreed with what had been said by the Committee that this was a binary decision and as a new pool is needed and there is no third option so he was in support of the application.

Councillor Forrest wished to pay tribute to all the excellent presentations. She stated that she was not content that the flooding issue had been addressed fully and stated a wish to put a pause on the situation to look at the new figures when they come out.

The Chair commented that you can never please everybody and that he too was finding it difficult to come to decision. In support of what Councillor Trail said he wondered if there was a compromise to be found but he also did not think there could be and stated that he would go with the recommendations to approve the application. He commented that all the presentations were excellent but no matter where the building is situated it will not cure the flooding risk completely and that mitigation measures is all that can be done.

Motion

That planning permission be granted subject to the conditions and reasons as detailed in the report.

Moved by Councillor Kinniburgh and seconded by Councillor Colville.

Amendment

To move a continuation to a future meeting of the committee to allow members to seek advice to put forward a competent amendment reflecting the UK Climate Projections changes due at the end of the month and other relevant issues raised in the hearing

Moved by Councillor Douglas, seconded by Councillor Freeman

On a show of hands vote the Amendment was carried by 6 votes to 4 and the Committee resolved accordingly.

Decision

To continue consideration to a future meeting of the committee to allow members to seek advice to put forward a competent amendment reflecting the UK Climate Projections changes due at the end of the month and other relevant issues raised in the hearing

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 9 October 2018, supplementary report number 1 dated 15 November 2018 submitted)