

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

---

**Reference No:** 16/00643/PPP

**Planning Hierarchy:** Major Application

**Applicant:** CALA Management

**Proposal:** Site for residential development including roads, infrastructure, open space amenity and affordable housing

**Site Address:** Land East of Hermitage Academy, Sawmill Field, Helensburgh

---

**DECISION ROUTE**

**Local Government Scotland Act 1973**

---

**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Erection of residential development;
- Construction of roads;
- Formation of amenity open space.

**(ii) Other specified operations**

- Connection to public water supply;
  - Connection to public sewerage system.
- 

**(B) RECOMMENDATION:**

It is recommended that planning permission be approved subject to conditions.

---

**(C) HISTORY:** None

---

**(D) CONSULTATIONS:**

**Council's Roads Engineer** (dated 5/5/16 and 28/7/16): No objections subject to conditions. The updated response also had no objections subject to conditions based upon a revised Transport Assessment and access regime submitted as a result of layout changes due to SEPA requirements.

**Scottish Water** (dated 2/4/16): No objection.

**Scottish Environment Protection Agency (dated 20/6/16):** Following the submission of a revised Flood Risk Assessment, SEPA has removed its initial flood risk objection to the proposal.

**Council's Flood Risk Assessor (dated 14/7/16):** Following the submission of a revised Flood Risk Assessment, the Council's Flood Risk Assessor has no objections subject to conditions.

**Council's Education Service:** No response to date.

**West of Scotland Archaeology Service (dated 22/3/16):** The site has the potential to produce sub-surface deposits associated with occupation during a number of periods. As the location of any former or future finds cannot be determined at this stage, the best way to deal with the issues raised is to undertake an archaeological evaluation of the development area. In the event that a prior evaluation is not carried out, a suspensive condition is recommended. The use of such a condition allows the potentially complex archaeological issues to be addressed in detail after the principle of the development has been accepted, but of necessity limits the opportunities to amend designs or operations to achieve the preferred preservation of remains in situ.

**Helensburgh Community Council (dated 3/5/16 and 9/8/16):** We are aware that all that has been submitted is an "Application in Principle" with the only drawing showing a basic layout of the site. From what we have seen so far there are some comments we feel might apply to this site.

1. Using the Council's own density formula we consider the site to be overcrowded.
2. The range of house types / sizes appears limited thereby limiting the social mix and cohesion within the development.
3. The house designs appear to show a "could be anywhere" CALA development. On the other hand the splendid development at Colgrain Steading just along the A814 shows what can be achieved with flair and imagination.
4. While we applaud the 25% affordable housing/starter homes we deplore the "ghettoisation" of the site by appearing to put them hard up against the main road.
5. Based on other CALA developments we would expect the proposed housing density to be in the LOW range of 10-19 dwellings per HA. Recent CALA developments fill HCC with alarm as they appear to shoe horn as many houses on the site as possible. The company's design philosophy appears to be one of large homes and very small gardens.
6. Much of Helensburgh's present and future prosperity depends on protecting and enhancing its wonderful architectural and design heritage. Particularly so as this site is one of HCC's Key Environmental Features as contained in the current LDP thus requiring a high standard of design. Looking at recent CALA developments in Helensburgh, Cardross and elsewhere a common feature is their bland, could-be-anywhere uniformity with little variety in the building designs.
7. The sketch layout of the site appears to favour vehicle traffic over the needs of other users - pedestrians : children : mothers with children : the elderly and cyclists. The HCC rule of thumb is for developments where it is safe for children to play in the streets.
8. The local landscape of large developments such as this should integrate the homes with the open spaces and play areas contained in it to help create a strong sense of community among residents while respecting personal privacy.
9. HCC strongly proposes that the company prepares a Development/Design Brief (LDP 5.1.4) and would be more than happy engage in this.

*Comment; Whilst these are valid consideration is respect of the development as a whole, Members are reminded that this Planning Permission in Principle application only seeks*

*approval for the principle of the development at this stage, and that matters of layout and design would be considered separately by way of an Application(s) for Approval of Matters Specified in Condition, at which time the community council would have further opportunity to respond to the details of the development as they emerge.*

---

**(E) PUBLICITY:**

The application has been Advertised in the local newspaper (Regulation 20 Advert Major Application) with an expiry date of 07.04.2016

---

**(F) REPRESENTATIONS:**

Two letters of objection and one letter of representation have been received from the following:

**Objection:**

Hugh McNiven, Iona Stables, Cardross G82 5HG (dated 5/4/16);  
Dr H Thompson and Mrs P. M. Thompson, Mill House, Camis Eskan, Helensburgh (dated 21/3/16 and 31/5/16).

**Representation:**

David B. Price, 5 Cedarwood Court, Main Road, Cardross G82 5BT (dated 24/3/16, 3/6/16, 15/7/16 and 29/7/16).

**Summary of issues raised:**

- The easterly access to the site gives no consideration to the busy vehicular access to Iona Stables. The proximity and intended right hand turn lane would greatly restrict the sight line of any vehicles travelling in an easterly direction to the hazard of vehicles awaiting to access Iona Stables.

*Comment: The introduction of a 30mph speed restriction and the final junction layout including right turning facility requires to be submitted for approval and the detail will be fully considered at the AMSC stage.*

- The site is part of the flood plain of Ben Bouie and like the Hermitage Academy site, will require careful and detailed thought. We wish to make it clear that neither the applicant or the landowner have access over any of the land at Mill House or to the Red Burn. If that makes the assessment of flood risk difficult then so be it. Any measurements taken on our property are therefore done by trespassing and should be dismissed as illegal.

*Comment: This point is noted.*

- Concern about the lack of information about how sewerage is to be discharged.

*Comment: This application is for planning permission in principle. Scottish Water has not objected to the application and drainage issues will be considered in detail at the AMSC stage.*

- How do the developers intend to solve the problems given that the mains water, main gas and telephone line are all underground in this area?

*Comment: Scottish Water has not objection to the proposal. The provision of mains gas and telephone lines to the site is not a material consideration in the determination of this planning application.*

- The wildlife in this area has already been seriously affected by the school and Waitrose developments and the afforestation of the fields of Camis Eskan Farm.

*Comment: There are no local, national or international designations on the site. The Extended Phase 1 Habitat Survey has not revealed any particular constraints in terms of biodiversity.*

- Concern about how a safe access will be formed onto the A814. Any new accesses must not be allowed to impinge on long term existing accesses.

*Comment: In the interests of road safety the proposals submitted have included measures to support the existing accesses.*

- It is suggested that a full-scale roundabout at the Iona Stables / Price Avenue be formed to access the site.

*Comment: While the land to the south of the site has been allocated for business use, at present there are no proposals for this site. However the Road Network Manager in conjunction with the developer have acknowledged this potential land use therefore the junction layout for the access to serve the residential development will set aside land to allow the provision of a roundabout should the business allocation be taken up.*

- Part of the boundary of the site comprises a ha-ha which has a vertical wall dropping approximately 4 feet to the lower ground level. It will be necessary to have access to this wall for maintenance purposes.

*Comment: This is a civil matter between the parties involved.*

- There must be appropriate protection of the neighbouring ground from the visual aspects of "grotty suburban back garden syndrome". This is particularly important as the view is from a higher level due to the Ha Ha.

*Comment: The objector's land is not on the inventory of designed landscapes and therefore the view from it view is not something that can be protected by the planning system. At AMSC stage the need for boundary treatment would be determined in response to the submitted layout.*

- In view of the scale of the Cala development some planning gain should be provided. This could be in the form improvements to the presently rather shabby and disappointing approach from the east of the town. The roundabout suggested would make an ideal focal point for such improvements with for example natural stone walling around its outside extended perimeter. Such quality walling to be combined with generous relatively mature trees and shrub planting.

*Comment: The provision of planning gain would normally be informed through the Local Development Plan or secured in order to mitigate an aspect of a proposed development which does not fully comply with policy. A condition requiring the provision of attractive*

*hard and soft landscaping is proposed.*

- Questions the findings of the Flood Risk Assessment and confirms that no access will be given to the Red Burn.

*Comment: The applicant's flooding and drainage consultant has commented on the contents of this letter. While they accept that there is no access to the Red Burn they advise that there are alternative routes available to take flows to the Red Burn. It is accepted that flows currently enter the site the east and flow across the site to the south west forming part of the Red Burn catchment. The proposals are to intercept and divert flows, the details of which shall be presented at the detailed application stage. The details in relation to the Mill Stream have been fully accepted and considered by SEPA.*

- The changed accesses to the site brought about by the requirements of the revised Flood Risk Assessment taking the access further east on the site increases the argument that there should be a single full scale roundabout opposite the existing entrance to Iona Stables.

*Comment: In order to accommodate the existing access on the opposite side of the road, a more robust junction layout will be provided which includes a right turn facility.*

- Potential contamination issues should be considered when positioning any access point south of the A814.

*Comment: This issue would be addressed at the time that a more detailed proposal is submitted at the AMSC stage.*

---

## **(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** Yes, dated March 2016
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** Yes  
Planning Statement dated March 2016 prepared by Geddes Consulting.  
Transport Statement dated March 2016 prepared by Transport Planning Ltd., revised July 2016.  
Extended Phase 1 Habitat Survey dated February 2015 prepared by EnviroCentre.  
Flood Risk Assessment (dated May 2016)

---

## **(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:** No

---

- (I) **Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
- 

(J) **Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

'Argyll and Bute Local Development Plan' adopted March 2015

LDP STRAT 1 – Sustainable Development  
LDP DM1 – Development within the Development Management Zones  
LDP PROP 2 – The Proposed Allocations  
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment  
LDP 8 – Supporting the Strength of our Communities  
LDP 9 – Development Setting, Layout and Design  
LDP 10 – Maximising our Resources and Reducing our Consumption

Supplementary Guidance

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity  
SG LDP ENV 6 – Development Impact on Trees / Woodland  
SG LDP ENV 8 – Protection and Enhancement of Green Networks  
SG LDP ENV 14 –Landscape  
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance

SG LDP HOU 1 – General Housing Development including Affordable Housing  
SG LDP HOU 2 – Special Needs Access Provision in Housing Developments  
SG LDP HOU 3 – Housing Green Space  
Sustainable Siting and Design Principles  
Delivery of Affordable Housing

SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)  
SG LDP SERV 3 – Drainage Impact Assessment (DIA)  
SG LDP SERV 5 (b) – Provision of Waste Storage and Collection Facilities within New Development  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development

SG LDP TRAN 2 - Development and Public Transport Accessibility  
SG LDP TRAN 3 – Special Needs Access Provision  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 5 – Off-Site Highway Improvements  
SG LDP TRAN 6 –Vehicle Parking Provision

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Scottish Planning Policy 2014  
Argyll & Bute Sustainable Design Guidance (2006)

**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** Yes. A screening opinion was issued on 11/3/16 advising that an Environmental Impact Assessment would not be required.

---

**(L) Has the application been the subject of statutory pre-application consultation (PAC):** Yes – A report dated March 2016 has been submitted giving details of the pre-application consultation process. This confirms that the process has been undertaken in accordance with Part 2 of The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013.

---

**(M) Has a sustainability check list been submitted:** No

---

**(N) Does the Council have an interest in the site:** Yes. A Local Member is the owner of the site.

---

**(O) Requirement for a hearing (PAN41 or other):** No

---

**(P) Assessment and summary of determining issues and material considerations**

The application is for planning permission in principle (PPP) for a residential development within the settlement boundary within the Main Town of Helensburgh on a site allocated for housing within the adopted Argyll and Bute Local Development Plan. A PPP application only deals with the principle of the development proposed and does not deal with the detail of layout, design, landscaping etc. It is considered that the proposal would accord with development plan policy subject to conditions requiring the submission of further details at the Approval of Matters Subject to Conditions (AMSC) stage.

---

**(Q) Is the proposal consistent with the Development Plan:** Yes

---

**(R) Reasons why planning permission or a Planning Permission in Principle should be granted**

This application is for planning permission in principle for a residential development on a site which is an allocation for housing within the current Argyll and Bute Local Development Plan, which was adopted in March 2015. The principle of residential development is fully in accordance with the development plan and there are no material considerations which would indicate that the decision should depart from the policies of the recently adopted development plan.

---

**(S) Reasoned justification for a departure to the provisions of the Development Plan**  
Not applicable.

---

**(T) Need for notification to Scottish Ministers or Historic Scotland:** Not required.

---

**Author of Report:** Sandra Davies      **Date:** 28.07.2016

**Reviewing Officer:** Richard Kerr      **Date:** 29.07.2016

**Angus Gilmour**  
**Head of Planning and Regulatory Services**

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO.16/00643/PPP**

1. Plans and particulars of the matters specified in conditions 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15 and 16; below shall be submitted by way of application(s) for Approval of Matters Specified in Conditions in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the details contained within the approved plans and particulars.

*Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.*

2. Pursuant to Condition 1 – no development shall commence in respect of any individual plot until plans and particulars of the site layout, design and external finishes of the development have been submitted to and approved by the Planning Authority. These details shall incorporate proposed finished ground floor levels relative to an identifiable fixed datum located outwith the application site. Thereafter the development shall be implemented in accordance with the duly approved details which shall have regard to special needs access requirements and protection and enhancement of green networks established by policies SG LDP TRAN 3, SG LDP HOU 2 and SG LDP ENV 8.

*Reason: To ensure that the development has a layout and design which is compatible with its surroundings and in accordance with Local Development Plan policy.*

3. Pursuant to Condition 1 – no development shall commence until a scheme for the provision of affordable housing that is in accordance with the provisions of the Council's Development Plan Policy and Supplementary Guidance on Affordable Housing has been submitted to and approved in writing by the Planning Authority. The scheme shall:
  - a) Provide that a minimum of 25% of the approved dwellings are affordable homes;
  - b) Define those dwellings that are to be used as affordable homes;
  - c) Establish the timing of the provision of the affordable homes relative to the phasing of the development, which shall ensure that the last 25% of the dwellings within the development;
  - d) Establish the arrangements to ensure the affordability of the affordable homes for both initial and subsequent occupiers.

The development shall be implemented and occupied thereafter in accordance with the duly approved scheme for affordable housing.

*Reason: To accord with the provisions of the development plan in respect of affordable housing provision.*

4. Pursuant to Condition 1 – no development or ground breaking works shall commence until an archaeological field evaluation has been undertaken and submitted to the Planning Authority for approval, the results of which shall inform as necessary the layout of the development to be submitted for the purposes of the Approval of Matters Subject to Conditions.

This archaeological field evaluation shall be prepared by a suitably qualified person and shall consist of a trial trenching programme of a distributed sample of 8% of the full application area. The West of Scotland Archaeology Service shall be notified at least 14 days in advance of the evaluation in order to facilitate monitoring of the work evidence of which to be submitted along with the archaeological field evaluation as part of the Approval of Matters Specified in Conditions submission. If archaeological remains on the site are confirmed proposals for their preservation shall also be included.

*Reason: In order to protect archaeological resources.*

5. Pursuant to Condition 1 – no development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:
  - i) Existing and proposed ground levels in relation to an identified fixed datum;
  - ii) Existing landscaping features and vegetation to be retained;
  - iii) Location design and materials of proposed walls, fences and gates;
  - iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted. This shall include additional tree planting along the Cardross Road frontage of the site;
  - v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

*Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.*

6. Pursuant to Condition 1 – no development shall commence until details for the provision and maintenance of proposed areas of communal open space and equipped play area(s) within the development have been submitted to and approved by the Planning Authority. The details shall comprise:
  - i) A plan showing the location and extent of communal open space and equipped play areas;
  - ii) Provision to satisfy the minimum standards set out in the Development Plan; 6sqm of equipped play space and 12sqm of informal open space per dwelling unit;
  - iii) Specification of play equipment to be installed, including surface treatments and any means of enclosure, designed in accordance with the provisions of BS5696 (Play Equipment Intended for Permanent Installation Outdoors);
  - iv) Proposals for the timing of the implementation of the play area(s) in relation to the phasing of the development;
  - v) A maintenance schedule for communal open spaces and equipped play areas in accordance with the provisions of BS5696 including details of on-going inspection, recording and procedures for detailing with defects.

The communal open space and equipped play area(s) shall be provided in accordance with the duly approved details and shall be retained and maintained to the specified standards thereafter.

*Reason: In order to secure provision of communal open space and equipped play areas within the development in accordance with the minimum standards set out in the Development Plan.*

7. Pursuant to Condition 1 – no development shall be commenced until the following plans and particulars have been submitted to and approved by the Planning Authority in

consultation with the Road Network Manager. Thereafter the development shall be carried out in accordance with the approved details. Such details shall incorporate:

- i) a Method Statement detailing the proposals for safely accessing the development site during the construction phase. This shall include the provision of a right turn facility from the A814 into the site. Thereafter the construction site access shall proceed in accordance with the approved Method Statement.
- ii) details of the new vehicular access. This shall serve both the site and the existing access opposite (Iona Stables) and have suitable visibility sightlines including a right turn facility from the A814. The access located shall provide sufficient capacity to accommodate future improvements to allow access into the allocated business site to the south. This access shall be completed to the satisfaction of the planning authority prior to the occupation of the first house hereby permitted;
- iii) details of provision to accommodate public transport within public road network of the development site;

*Reason: In the interests of road safety.*

8. Pursuant to condition 1 – no development shall commence until full details of the internal road layout within the development have been submitted to and approved in writing by the planning authority. The internal roads shall be constructed in accordance with the principles of Designing Streets.

*Reason: In the interests of road safety and good place making.*

9. Unless otherwise agreed in writing by the planning authority in consultation with the Council's Road Network Manager no dwelling house shall be occupied unless and until the existing 30 miles per hour (mph) speed restriction on the A814 has been extended and brought into effect to a location at the eastern end of the site, the exact location to be agreed in consultation with the Council's Road Network Manager.

*Reason: In the interests of road safety.*

10. Car parking provision shall be provided in accordance with the Argyll and Bute Council supplementary guidance policy SG LDP TRAN 6. Parking provision shall be constructed and made available for use prior to the first occupation to the dwelling(s) to which it relates and shall be maintained thereafter for the parking of vehicles.

*Reason: In the interests of road safety.*

11. Pursuant to condition 1 – no development shall commence until details for the arrangements for the storage, separation and collection of waste from the site, including provision for the safe pick-up by refuse collection vehicles, have been submitted to and approved in writing by the Planning Authority. Thereafter the duly approved provision shall be implemented prior to the first occupation of the dwellings which it is intended to serve.

*Reason: In order to ensure that satisfactory arrangements have been made for dealing with waste on the site in accordance with Policy SG LDP SERV 5 (b).*

12. Pursuant to condition 1 – no development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Planning Authority. The provisions of this plan shall be adhered to during the construction period unless any subsequent variation thereof is agreed in writing by the Planning Authority.

*Reason: In order to ensure the minimisation of waste generated during construction in accordance with policy SG LDP SERV 5 (b).*

13. Pursuant to condition 1 – no development shall commence until a scheme for the retention and safeguarding of trees during construction has been submitted to and approved in writing by the planning authority. The scheme shall comprise:
- i) Details of all trees to be removed and the location and canopy spread of trees to be retained as part of the development;
  - ii) A programme of measures for the protection of trees during construction works which shall include fencing at least one metre beyond the canopy spread of each tree in accordance with BS 5837:2012 “Trees in Relation to Design, Demolition and Construction.”

Tree protection measures shall be implemented for the full duration of construction works in accordance with the duly approved scheme, unless otherwise agreed in writing by the Planning Authority.

*Reason: In order to protect trees on and overhanging the site in the interests of amenity and nature conservation in accordance with supplementary guidance policy SG LDP ENV 6.*

14. The details of any further application pursuant to Condition 1 shall be wholly compliant with the recommendation of the Flood Risk Assessment (dated May 2016) submitted in support of the application for planning permission in principle.

The finished ground floor level of dwellings within the development shall be a minimum of 5.05 metres relative to Ordnance Datum and all built development shall be located outside the river and coastal 1 in 200 year floodplain unless otherwise agreed in writing with the Planning Authority.

*Reason: In order to ensure appropriate mitigation for flood risk.*

15. Pursuant to condition 1 – no development shall commence until a Drainage Impact Assessment has been submitted to and approved in writing by the Planning Authority. This shall include details of post-development overland flow pathways. Any overland flows leaving the site shall be no greater than pre-development amounts. Surface water drainage and SUDS shall be designed in accordance with CIRIA C753 and Sewers for Scotland 3<sup>rd</sup> Edition.
- The duly approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the occupation of the development and shall be maintained as such thereafter.

*Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.*

16. Pursuant to condition 1 – no development shall commence until full details of the design and appearance of the proposed SUDs facility has been submitted to and approved in writing by the Planning Authority.

*Reason: In order to ensure that the SUDs facility is both a functional and attractive feature.*

## NOTES TO APPLICANT

1. This consent constitutes a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended and as such does not authorise the commencement of development until matters requiring the further consent of the Planning Authority have been satisfied.

Application(s) for Approval of Matters Specified in Conditions must be made in accordance with the provisions of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 within the time limits specified in Section 59 of the Act.

Having regard to Regulation 12, application(s) for the Approval of Matters Specified in Conditions must be submitted within 3 years from the date of which Planning Permission in Principle was granted. The exception being where an earlier submission for the Approval of Matters Specified in Conditions was refused or dismissed on appeal, in which case only one further application in respect of all outstanding matters requiring further approval of the Planning Authority may be submitted within a period of 6 months from determination of the earlier application. Any elements of the Planning Permission in Principle for which further approval of the Planning Authority has not been sought within the time periods summarised above will no longer be capable of being implemented within the terms of this permission.

The development to which this planning permission in principle relates must commence no later than 2 years from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained), whichever is the later. If the development has not commenced within this period, then this planning permission in principle shall lapse.

2. In order to comply with Sections 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start. Failure to comply with this requirement constitutes a breach of planning control under Section 123(1) of the Act.
3. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
4. Your attention is drawn to the consultation response on this planning application from Scottish Water dated 2<sup>nd</sup> April 2016.
5. Japanese Knotweed has been reported on or near this site. It is a highly invasive weed that is capable of structural damage. Disturbance will cause it to spread and its movement is controlled by legislation. Under the Wildlife and Countryside Act 1981 it is illegal to cause it to spread in the wild. You are strongly advised to survey the site for the presence of Japanese Knotweed at an early stage and before any site clearance work and, if found, to formulate plans to control or eradicate it. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plants may extend laterally up to 7 metres beyond this.
6. Road Construction Consent under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers and a financial security Road Bond provided prior

to the formation of the road network within the development site.

7. In order meet obligations under wildlife legislation and to protect any breeding birds on the site, any vegetation removal should be undertaken outside the bird nesting season (March – August). If vegetation removal is planned during the bird nesting season a suitably qualified ecologist should inspect the area for the presence of nests up to a maximum of one day prior to removal. If an active nest is discovered vegetation cannot be removed and must be left in situ until the young have fledged.

## **APPENDIX A – RELATIVE TO APPLICATION NUMBER: 16/00643/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Settlement Strategy**

The application site covers an area of approximately 5.8 hectares and is located at the east of the settlement of Helensburgh. The site is bounded by the south by the A814, Cardross Road which is the main road which connects the town to Dumbarton and the east. Helensburgh's Secondary School, Hermitage Academy, bounds the site to the west beyond the Red Burn. The adopted Argyll and Bute Local Development Plan under LDP PROP 2 identifies the site as Housing Allocation H2005 – Helensburgh East – Sawmill Field, Cardross Road, with the capacity for 145 units to include 25% affordable housing. Policy LDP DM1 – Development within the Development Management Zones is supportive of 'large scale' development within the Main Towns. Policy LDP 8 – Supporting the Strength of Our Communities is supportive of new sustainable development proposals and states that the Council will maintain a five year effective housing land supply at all time. As previously mentioned this site represents one of the allocations which contributes to the overall housing land supply identified in the LDP.

In their supporting planning statement, CALA Homes (West) have noted that that the site is allocated for 145 units and based upon a net developable area of 4 ha; this would represent a net density of over 36 dwellings per hectare. The developer argues that this may be inappropriate for the Sawmill Field site, taking account of its location on the settlement edge, and its role in providing a new eastern entrance into the town and suitable transition between urban and rural characters. In addition, there are no existing or proposed high density land uses adjacent to the site. CALA Homes (West) argue that a lesser net density of 25 to 30 dwellings per hectare would be an appropriate level of development for this site. The principle of a residential development with 25 to 30 dwellings per hectare is likely to be acceptable in layout and visual terms, however, this could represent a loss of somewhere between 25 and 45 units from that envisaged by the allocation. As this PPP application does not state specific numbers of dwellings proposed, detailed consideration will be given to this issue at the AMSC stage.

Policy LDP STRAT 1 requires developers to have regard to sustainable development principles when preparing planning application submissions. Some of the elements of this policy would not apply, as this is an allocation within the LDP with no existing buildings on the site. However, other elements of the policy including the utilisation of public transport and active travel networks, biodiversity, landscape character and flooding have all been considered during the processing of this planning application. These issues are assessed more fully in this appendix against the more detailed supplementary guidance policies.

Policy LDP 10 seeks to maximise resources and reduce consumption. This requires developments to accord with the settlement strategy, utilise sustainable design principles, minimise waste, avoid areas subject to flood risk and minimise impact on biodiversity. These matters are considered in more detail under the relevant supplementary guidance.

#### **B. Location, Nature and Design of Proposed Development**

As this is a Planning Permission in Principle (PPP) application, limited information has been submitted on the detailed design of the proposal. The proposed layouts shown are for indicative purposes only and have been submitted in order to demonstrate that the proposed development would be capable of being achieved in a manner consistent with Local Development Plan policy requirements. Policy LDP 3 requires that developments should protect, conserve or where possible enhance the established character of the built environment. Policy LDP 9 – Development Setting, Layout and Design requires *inter alia* that development is sited and positioned so as to pay regard to the context within which it

is located, that the layout and density shall effectively integrate with the urban, suburban or countryside setting, and that the design of the development is compatible with its surroundings. Based upon the limited detail submitted, it is considered that site would be capable of accommodating a development which could satisfy Policy LDP 9.

Policy LP HOU 2 requires special needs provision in housing developments. This requires proposals to make provision for the disabled, the frail and elderly, young children and prams and pedestrians and cyclists. As this is a PPP application a condition is recommended to ensure that future details are such as to satisfy the requirements of this policy.

In housing developments where 20 or more units are proposed, Policy SG LDP HOU 3 requires the provision of associated housing green space of both a casual and formal nature. This comprises a minimum of 12m<sup>2</sup> per unit of casual open space and a minimum of 6m<sup>2</sup> per unit of equipped children's play space. This policy also requires the developer to maintain and provide public liability insurance for the play space. The indicative plan indicates that there would be sufficient space on the site to accommodate these requirements in order to satisfy Policy SG LDP HOU 3. An appropriate condition is recommended in order to secure these requirements.

### **C. Natural Environment**

The application site does not contain any international, national or local nature designations. The Inner Clyde SSSI, Ramsar and Special Protection Area for Birds is located approximately 0.2 km from the site, although the development of this site would have no consequences of significance for that.

An Extended Phase 1 Habitat Survey has been submitted in support of this planning application. The aim of the survey was to identify all broad habitat types within the site boundary and it included a search for suitable habitat for and evidence of protected species. In total, four habitats and two boundary features were identified and the report recommends that no further habitat survey is necessary. No evidence of badger or otter was identified during the survey and no further survey work relating to these species is considered necessary.

Japanese knotweed was found along the south eastern boundary of the site and an informative relating to this would be attached to the decision notice.

While there was no evidence of protected habitats or species on the site, the report recognises that the site could provide potential for commuting and foraging wildlife. In this respect the report makes a number of recommendations on how negative impacts on wildlife could be reduced. Through the provision of this Extended Phase 1 Habitat Survey it is considered that policies LDP 3 and SG LDP ENV 1 have been complied with.

### **D. Archaeological Issues**

Local Development Plan Policy LDP 3 and Supplementary Guidance Policy SG LDP ENV 20 presume in favour of retaining, protecting, preserving and enhancing the existing archaeological heritage and any future discoveries found in Argyll and Bute. The West of Scotland Archaeological Service (WoSAS) has advised that the site has the potential to produce sub-surface deposits associated with occupation during a number of periods. WoSAS has further advised that the best way to deal with the issues raised is to undertake an archaeological evaluation of the development area in advance of the application being determined. This would allow the character and extent of any

archaeological remains to be determined and allow the likely costs of appropriate mitigation to be determined. This would consist of a trial trenching programme consisting of a distributed 8% sample of the full application area.

WoSAS has also stated that if this is not possible, a suspensive condition is recommended. While this would allow complex archaeological issues to be addressed, this approach would limit opportunities to amend designs or operations to achieve the preferred preservation of the remains in situ.

As this application is for a planning permission in principle, there is an opportunity to require an archaeological evaluation which, if archaeological remains were to be uncovered, could inform the design and layout of the proposed development before it proceeds to the stage of an AMSC application. A condition is therefore proposed which requires a trial trenching programme as advised by WoSAS. This approach would be in accordance with the provision of the above policies where they relate to archaeology.

#### **F. Impact on Woodland**

Whilst the site itself is an open field, it is bounded to the north and east by Tree Preservation Order 01/13 – Camis Eskan House. Policy SG LDP ENV 6 resists development which is likely to have an adverse impact on trees. As this is a PPP application it is unclear whether the development would have any impact on any overhanging trees. As a precaution and in order to ensure that the proposal accords with policy SG LDP ENV 6 a suitable condition is recommended to safeguard trees overhanging the boundary.

#### **G. Landscape Character**

The site is currently in active agricultural use in the form of an open field bounded by trees. The site slopes gently from north to south. The Argyll and Bute Greenbelt Landscape Study dated February 2010 undertaken by Ironside Farrar concluded that the site was of moderate – low scenic quality, although it has a strong rural character. It also noted that it was an important gateway to Helensburgh and was well defined by robust boundaries on all sides. By virtue of its inclusion within the LDP as a housing allocation, it has already been accepted that this is a suitable housing site in landscape terms and subject to an acceptable layout and good landscaping secured at the AMSC stage, the proposal would accord with policy SG LDP ENV 14.

#### **H. Affordable Housing**

Policy SG LDP HOU 1 states that housing developments of 8 units or more will generally be expected to contribute a proportion (25%) of units as on-site affordable housing. The allocation schedule confirms that 25% affordable housing is required for this specific site. Further details on the delivery of affordable housing is contained within the council's Supplementary Guidance note "Delivery of Affordable Housing". The applicant's supporting planning statement contains a statement on affordable housing. It is noted that the applicant plans to provide 25% affordable housing on site, with the number of units being dependent on the finalised overall number of units, which will not be determined until the AMSC stage of this proposal. It is noted that the applicants intend that the affordable housing will be located along the frontage of the development which faces on to Cardross Road. It is also noted that the applicant is willing to build these units and transfer these to a Registered Social Landlord at a value to be agreed by the District Valuer. The affordable homes would be similar in design and materials to the remainder of the development. The LDP SG advocates a sequential approach to the delivery of affordable housing and provision by a Registered Social Landlord is a preferred approach which in accordance with Development Plan policy and guidance. A condition is proposed in order to ensure the acceptable delivery and phasing of affordable housing.

## **I. Road Network, Parking and Associated Transport Matters.**

Policy SG LDP TRAN 2 requires development proposals to have regard to selecting and orientating development sites such that advantage can be taken of existing or potential public transport services. Regular bus services are accessible from the application site with bus stops on Cardross Road within easy walking distance. In addition, Craighendoran Train Station is within a 10 to 15 minute walk from the site. This policy also requires that the internal provision is made for pedestrians and cyclists. This issue will be considered fully at the AMSC stage.

Development layouts are required to special needs access provision when arranging development layouts. Policy SG LDP TRAN 3 addresses the special needs of the disabled, older people, the very young, pedestrians and cyclists whilst also requiring suitable provision to be made for service vehicle access and turning. This issue also requires to be addressed at the AMSC stage and a condition is proposed.

In accordance with policy SG LDP TRAN 4 the proposal will require to be served by an adopted road network. The housing development would be accessed from the A814 at the eastern end of the site. Therefore, the distance between the new access and the existing Iona Stables access on the other side of the road will require minor off-site road improvements, to ensure safe right turn movements at both locations.

Early discussions took place with the developer with regard to the construction of a roundabout in order to support the Business Allocation across the road. However, a roundabout design necessitated the requirement for land outwith the red line boundary and beyond the public road boundary. In addition there are currently no firm proposals on the proposed layout and level of development within the business allocation site, therefore, the option to construct a roundabout at this stage was not considered viable. In order to ensure that the residential development access did not have a detrimental impact on the opportunity to create a vehicular access, land within the housing allocation has been set aside should a future roundabout be required. This ensures the opportunity for the development of the Business Allocation by retaining scope to construct a roundabout.

The Road Network Manager has no objections subject to conditions and the proposal accords fully with policies SG LDP TRAN 4 and SG LDP TRAN5.

## **J. Green Networks**

Policy LP ENV 8 encourages developments to contribute towards the creation, retention and improvement of green networks within and surrounding Helensburgh. Developers are expected to demonstrate that their developments safeguard and enhance the environmental integrity and functionality of the green network. There are no core paths in the vicinity of the site and access to the shore is blocked by the A814 and the railway line. At the detailed AMSC phase consideration will however be given to facilitating links between the development and cycle track and footways.

## **K. Flooding and Drainage Issues**

Policy LP SERV 2 relates to the incorporation of natural features and sustainable urban drainage systems. It encourages developers to incorporate existing ponds, watercourses or wetlands as positive environmental features in developments. The policy also notes that proposals for SuDS measures compliant with technical guidance are required in relation to all development prior to determination.

Policy LDP SERV 3 requires SuDS to be incorporated in developments and requires a Drainage Impact Assessment (DIA) for this scale of development. The SuDS facility on this site is shown on the indicative plans as being located in an area identified as being at risk of coastal and fluvial flooding. The Council's Flooding Consultant notes that the supporting information indicates that there is an option to locate a SuDS basin within the 1 in 200 floodplain on the south western part of the site. It is unclear where the ultimate discharge point for the basin would be and it is understood there may be access issues with the Red Burn which may be considered as a discharge point. In these circumstances, and given the proximity of the coast, it is recommended that options outside the floodplain be confirmed and the appropriate level of treatment confirmed with SEPA.

SEPA initially objected to this application but removed their objection subject to built development being removed from the functional floodplain. This approach is in accordance with Policy LDP SG SERV 7 which states that development on the functional flood plain is considered to be contrary to the objectives of the plan.

Both SEPA and the Council's Flooding Consultant have not objected to the proposal subject to conditions. It is considered that there are technical solutions to the drainage issues on the site and appropriate conditions are proposed.

#### **L. Waste**

Policy LDP SERV 5(b) requires detailed application for medium or large scale developments to provide details of the arrangements for storage, separation and collection of waste to be submitted. The policy also requires the submission of a Site Waste Management Plan which shall ensure the minimisation of waste during the construction phase. A condition is recommended to ensure that this issue is fully addressed at the AMSC stage.