

**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 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 12/00417/PP

**Planning Hierarchy:** Local Application

**Applicant:** Dunbritton Housing Association

**Proposal:** Formation of roundabout on A814 to provide access to new housing development

**Site Address:** Hermitage Academy, Campbell Drive, Helensburgh

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**DECISION ROUTE**

**Local Government Scotland Act 1973**

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**(A) THE APPLICATION**

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

Formation of roundabout on A814 to provide access to new housing development

**(ii) Other specified operations**

None

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**(B) RECOMMENDATION:**

It is recommended that planning permission be approved subject to the conditions and reasons given overleaf.

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**(C) HISTORY:**

97/00950/DET – Erection of sports changing facility and club house on Land at Hermitage Academy, Campbell Drive, Helensburgh was granted planning permission on the 6 October 1997.

00/01220/DET – Formation of ramp on Land at Hermitage Academy, Campbell Drive, Helensburgh was granted planning permission on the 11 October 2000.

00/01626/NID – Notification for Intention to Develop in the form of Upgrading of existing playing fields including perimeter fencing & floodlighting on Land at Hermitage Academy, Campbell Drive, Helensburgh was approved on the 7 December 2000.

06/02411/DET – Demolition of existing school buildings and construction of mixed residential development with associated roundabout access from the A814 on Land at

Hermitage Academy, Campbell Drive, Helensburgh is pending consideration. This is an earlier proposal for this site, by the same applicant and is currently awaiting withdrawal.

07/01955/DET - Demolition of the existing school and construction of a mixed residential development of 166 dwellings, including 43 affordable homes, with roundabout access from A814 was approved, subject to conditions, on 20 July 2008.

08/02182/VARCON - Variation to condition no.16 of 07/01955/DET to allow for phased introduction of affordable housing was approved on 4 February 2009.

12/00319/PP - Erection of residential development comprising of 49 units for affordable housing (2 three storey flats - blocks incorporating 36 units and 13 two storey semi-detached houses) is pending decision.

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**(D) CONSULTATIONS:**

Roads Helensburgh and Lomond (23.03.12) – no objection

Helensburgh Community Council (4.04 12) - The roundabout is at a main entry point at Helensburgh which HCC defines as a Key Environmental Feature. Consequently, its design is a material consideration in the assessment of this application. HCC recommends strongly that the design does more than merely sustain the adjacent urban landscape. It should look to enhancing the landscape. To this end HCC is looking for a roundabout which stands out and is distinctive.

Throughout Scotland and abroad there are many examples of roundabouts as design features in their own right and/or with landscaping and not simply a traffic management tool. As such we are recommending that the Council seize the opportunity and build a roundabout which recognizes that it merits special attention.

Rather than make its own proposal or rely on the good taste of local Councillors or Planners the HCC recommends strongly that any design is selected on the basis of a competition targeted at the skills, commitment and creativity of local residents and organisations. A competition should be organised by the Council but which engages with local residents in setting design criteria.

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**(E) PUBLICITY:** Regulation 20 Advert Local Application (expiry date 30.03.2012)

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**(F) REPRESENTATIONS:** None

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**(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
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No

A Site Access Statement has been submitted which confirms that the existing road network within the surrounding area has the capacity to accept the potential increased levels of traffic and that the roundabout is a safe and satisfactory junction layout at this location.

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**(H) PLANNING OBLIGATIONS**

(i) **Is a Section 75 agreement required:** No

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

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**(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 Structure Plan' 2002

STRAT DC 1 – Development within the Settlements

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment

LP ENV 19 – Development Setting, Layout and Design

LP TRAN 4 – New and Existing Public Roads and Private Access Regimes

Appendix A – Sustainable Siting and Design Principles

Appendix C – Access and Parking Standards

(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.**

Argyll & Bute Sustainable Design Guidance (2006)

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** No

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**(L) Has the application been the subject of statutory pre-application consultation (PAC):** No

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

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**(N) Does the Council have an interest in the site:** Yes, as landowner.

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

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

Planning permission is sought for the formation of a roundabout on the A814 to provide access to new housing development on part the former Hermitage Academy site. A separate application for the development of part of this site has been submitted by the same applicant under reference 12/00319/PP and is pending determination. The application site is located within the settlement boundary of Helensburgh were there is a presumption in favour of development subject to a number of site specific criteria being met.

The former school site is allocated for redevelopment for residential purposes by virtue of housing allocation H-AL 3/1 in the adopted local plan, which provides for 160 units with 25% affordability. The site was the subject of a detailed planning permission for a 166 dwelling development served by a roundabout access in April 2008 (07/01955/DET). That permission has not been implemented due the applicant company having gone into receivership. Although the roundabout was approved as part of that consent which remains valid, it cannot be implemented independently of the approved development due to the effect of pre-commencement conditions associated with the development as a whole. Accordingly this separate application has been submitted which would enable construction of the roundabout without the complication of it being tied into a detailed consent for residential development which is not be pursued, but which is now intended to be the subject of a revised scheme. The extant permission is a material consideration in the determination of this application.

As it is proposed to construct a new roundabout on an existing road, the key issue relates to road safety with any impact on amenity considered minimal. In policy terms Policy LP TRAN 4 is applicable. Policy LP TRAN 4 deals with development utilising new and existing public roads and refers to standards appropriate for road construction consent. A Site Access Statement has been submitted which confirms that the existing road network within the surrounding area has the capacity to accept the potential increased levels of traffic and that the roundabout is a safe and satisfactory junction layout at this location to serve the scale of development envisaged in the housing allocation of the adjoining land.

As indicated above, the new roundabout is to provide access to the whole of the housing development on the former Hermitage Academy site, the applicants' intention being to develop part of the site to provide social housing. The Area Roads Manager has indicated no objections although he has advised that, in the interests of road safety, the construction of the roundabout should be complete and operational as part of the public road network prior to the occupation of the first house on the development for which the roundabout is proposed.

Application 12/00319/PP for the first phase of that associated housing development has been submitted and is currently being assessed. There are a number of concerns regarding design and it may be withdrawn and not resubmitted or determined prior to a decision being taken on this proposal. As such, it is considered that the most appropriate way to deal with the advice from the Area Roads Manager is to ensure that a condition is attached to any subsequent housing proposal to be served by the roundabout, requiring the roundabout to be complete and operational prior to the occupation of the first dwellinghouse. Given this, it is considered that the proposal may be assessed as a stand-alone development, in which case it accords with Local Plan policy, does not prejudice the assessment of any related housing development, and is recommended for approval.

Given the valid points raised by Helensburgh Community Council about the appearance of the roundabout, it would be appropriate for it to have a specific design feature, art work or landscaping provided it does not constitute a road safety hazard. The suggestion of a design competition could be problematic as the applicant has time constraints in

terms of funding, but a condition requiring the submission and implementation of a scheme would be appropriate.

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

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

As it is proposed to construct a new roundabout on an existing road, the key issue relates to road safety with any impact on amenity considered minimal. In policy terms Policy LP TRAN 4 is applicable. Policy LP TRAN 4 refers to standards appropriate for road construction consent. A Site Access Statement has been submitted which confirms that the existing road network within the surrounding area has the capacity to accept the potential increased levels of traffic and that the roundabout is a safe and satisfactory junction layout at this location to serve the scale of development envisaged in the housing allocation of the adjoining land. It is considered that the proposal is acceptable and accords with Local Plan policies.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

N/A

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**(T) Need for notification to Scottish Ministers or Historic Scotland:** No

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**Author of Report:** Howard Young

**Date:** 29/03/2012

**Reviewing Officer:** Richard Kerr

**Date:** 30/03/2012

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

**CONDITION AND REASON RELATIVE TO APPLICATION REF. NO. 12/00417/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 15/02/12 and the approved drawing reference numbers L(20) 008 unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. Within 4 months of the roundabout being first brought into use, it shall be completed by means of a scheme of surface treatment, landscaping and/or artwork in accordance with a scheme which shall be submitted in advance and approved in writing by the Council as Planning Authority.

*Reason: In order to secure an appearance appropriate to the locality in the interests of visual amenity.*

**NOTES TO APPLICANT**

1. The length of the permission: This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 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.
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. The Area Roads Manager advises that a Roads Construction Consent will be required prior to the commencement of any construction works.