

**To:** Vivien Emery – Planning Officer

**From:** Peter Brett Associates

**Date:** March 2019

**Subject:** **2018/0133/PPP - West Riverside and Woodbank House. Commentary on West Dunbartonshire Council's consultation response**

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We are in receipt of a request from West Dunbartonshire Council (WDC) to consider the proposed development in the context of the Development Plan Framework for the West Dunbartonshire area as Planning Authority which comprises

- Clydeplan (2017),
- The Adopted Local Plan (2010) and
- The Local Development Plan: Proposed Plan (2016)

Since the request was made in July 2018, WDC have published their updated proposed plan (2018). In the interest of completeness we have also considered the content of that plan and extracted policies relevant to the themes (general development control, retail impact, traffic) already highlighted by WDC.

WDC note that "*Our main issues centre around traffic implications on the trunk and local road networks and the potential impact that the development could have on the vitality and viability of Alexandria Town Centre*"

In general terms, whilst the applicant is happy to provide this information to WDC, who are a consultee to the application, it is important to note that the Local Development Plan against which this application is to be assessed is the Loch Lomond and the Trossachs Local Development Plan 2017 – 2021 which was adopted by LLTNPA in December 2016. The West Dunbartonshire Local Plan 2010, and the proposed plan version of the Local Development Plan, is not a material consideration in the determination of this application for planning permission in principle by the National Park Authority as planning authority.

With specific reference to the two main issues raised by WDC in their consultation response, the applicant notes as follows:

**Traffic Implications** – we are now in receipt of consultation responses from West Dunbartonshire Council as Roads Authority for the Balloch Area and from Transport Scotland, Trunk Roads Authority, the A82 being of relevance in this instance. Neither Authority have raised any specific concerns with the proposals and both consultation responses (appended to this document) recommend approval of the application subject to conditions. We confirm that the applicant is happy to accept WDC Road Services suggested conditions. Notwithstanding the policy response in table 1 below, there is not considered to be any traffic or transportation concerns that require to be further addressed by the applicant.

**Vitality and viability of Alexandria Town Centre** – The policies highlighted by WDC in this respect concern the potential for proposed retail developments to have a negative impact on existing town centres which benefit from policy protection. The applicant wishes to note that the proposed development at Woodbank House and West Riverside contains only ancillary retail at the refurbished tourist information centre, brewery or water park. The proposals are tourism and leisure led and are designed to be complementary to the existing (retail) uses at Loch Lomond Shores, Balloch and Alexandria. Notwithstanding the policy response in table 1 below, there is not considered to be any town centre viability or vitality concern that requires to be further addressed by the applicant.

WDC have also asked for a review of the proposal in the context of Clydeplan – Schedule 14. Again this has been completed in the table below as requested, however it should be noted that the provisions of Clydeplan do not apply to the National Park area, and the Clydeplan policies are not a suitable basis on which to form a decision on this application for planning permission.

*The SDP boundary comprises the administrative boundaries of these 8 local authorities except that part of west Dunbartonshire covered by the Loch Lomond and The Trossachs National Park Authority*

<https://www.clydeplan-sdpa.gov.uk/planning-authority/overview>

## Policy Review

The list of policies considered below are as follows:

Policy	WDC Comment	Policy Analysis
Clyde Plan		
Clydeplan: Schedule 14 Strategic Scales of Development	<i>This is an overarching policy and its relevance is in terms of any strategic issues in WDC area.</i>	<p>Schedule 14 sets out the scales of development <i>'likely to impact on the SDP vision and spatial development strategy'</i>. Developments are classified by type</p> <p>Of relevance is the category of 'other development' where proposals with a gross floorspace of &gt;5,000m<sup>2</sup> or an area &gt;2ha or generating &gt;500 vehicles per day are considered to be of a strategic scale.</p> <p>In this context, the proposals would be of a strategic scale. Within the SDP area, strategic scale development would require to be assessed in accordance with Diagram 10, however in this instance as the proposals are outside the SDP area it is not possible to say whether they might represent a departure from the SDP. It is not possible to use Clydeplan as a development management policy instrument to assess proposals outside of the Clydeplan area.</p> <p>With regard to the scale of development however it is worth noting that the proposals are for development on land which is allocated for visitor experience in the Development Plan. In that respect their scale is appropriate and has been planned for. The proposals cannot be considered a departure from Clydeplan in the same way that the National Park Development Plan cannot be considered a departure from Clydeplan. Clydeplan does not apply in to the National Park area.</p>
Adopted Local Plan 2010:		
GD1 - General Development Control	<i>"Which requires consideration to be given to potential impact on flood risk, traffic volumes and air quality"</i>	<p>Policy GD 1 is a general but wide-ranging policy that includes a number of sub clauses. In summary, it states that <i>"all new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located."</i></p> <p>Its primary use is as a mechanism for development management and in making decisions on the quality of proposals contained in applications for planning permission. It is directly equivalent to the National Park's Overarching Policy 2 which also contains a wide range of development control considerations to be reviewed during the decision-making process.</p> <p>An analysis of the proposals in the context of this policy is contained in the planning statement which accompanied the planning application. (see section 4 of the planning statement) It is not proposed to restate the content of that document here. With regard to the subject flood risk, we note that WDC's flood risk management team have response to the consultation noting that they have no comment to</p>

		make on the basis that there is no intention for construction on areas at risk of flooding. A copy of the consultation response is appended.
RET 1, RET 2 - Retail and Town Centre Strategy and Assessment		<p>Policy RET 1 advocates a sequential approach to site selection for retail, commercial Leisure cultural and public service developments. The Policy adopts a town centre first approach to developments of this nature introducing a need to prove that town centre location have been considered in preference to edge of centre and then put of centre locations.</p> <p>The proposals in this instance are for commercial leisure and cultural development in the centre of Balloch. The proposals occupy a large area of land, but are physically adjacent to the train station and the main high street of Balloch (Balloch Road). They are considered sequentially preferable to any locations that would be further removed from Balloch, and are supported by a positive allocation of the land for visitor and tourism uses in the National Park Development Plan.</p> <p>Policy RET 2 requires assessment of significant retail proposals against a list of criteria. The Local Plan defines significant retail as being proposals for in excess of 1,000m<sup>2</sup> of convenience floorspace or 2,000m<sup>2</sup> of comparison floorspace.</p> <p>In this instance it is not proposed to provide either convenience or comparison floorspace of this scale. Any retail offering within the development will be ancillary retail to the main tourism and leisure led development and no assessment of the proposals against Policy RET 2 is required</p> <p>In summary the proposals are town centre based and therefore compliant with the sequential approach to development of this nature (policy RET1). Furthermore, and they do not contain retail development of a scale that would require assessment under RET 2.</p>
T1 - Sustainable Access		<p><i>The Council supports measures to provide sustainable transport modes including footpaths, cycle routes and improved access to public transport. The Council will give favourable consideration to proposals which increase access to public transport services and path networks, particularly in respect of employment areas, provided there are no adverse impacts on the amenity of the surrounding area. The Council will encourage organisations to adopt Green Transport Plans in order to reduce road traffic</i></p> <p>The proposed development will see the introduction of improved cycle paths and footways which will tie-in with existing core path provision. The proposed development will deliver improved access and active travel opportunities throughout the site. Opportunities for walking and cycling permeability throughout the site was acknowledged by Sustrans in their consultation response letter dated 20<sup>th</sup> June 2018, and opportunities to further link the proposed development to the existing and proposed cycle and pedestrian routes have been fully considered.</p>
Local Development Plan (Proposed Plan) (2016):		

DS1 - general development - impact on flood risk, amenity, etc.		<p>This policy continues the objective to secure high quality development as articulated in policy GD1 of the 2010 Local Plan. As noted above it is directly equivalent to the National Park's Overarching Policy 2 which also contains a wide range of development control considerations to be reviewed during the decision-making process.</p> <p>An analysis of the proposals in the context of this policy is contained in the planning statement which accompanied the planning application. (see section 4 of the planning statement) It is not proposed to restate the content of that document here.</p>
SC1 - Retail development		<p>This policy continues the operation of a sequential approach to retail development as set out in Policy RET 1 of the 2010 Local Plan. The policy is based on a sequential hierarchy of centres as set out in its Table 5 or in opportunity areas set out in its Schedule 7. The policy has no direct bearing on the proposals for development as they are located outside of the WDC area.</p> <p>Notwithstanding the above the proposals are considered to be sequentially compliant as they are for commercial leisure and cultural development in the centre of Balloch. The proposals occupy a large area of land, but are physically adjacent to the train station and the main high street in Balloch (Balloch Road). They are considered sequentially preferable to any locations that would be further removed from Balloch, and are supported by a positive allocation of the land for visitor and tourism uses in the National Park Development Plan.</p>
SD1 - Traffic - impact on the road network		<p>Policy SD1 stipulates that development should avoid adversely affecting the road network by:</p> <ul style="list-style-type: none"> <li>• <i>Complying with Roads Development Guidelines and relevant parking standards;</i></li> <li>• <i>Avoiding unacceptable congestion; and</i></li> <li>• <i>Providing or contributing to improvements to the transport network that are necessary as a result of the development.</i></li> </ul> <p>The transport Assessment submitted with the application demonstrates compliance with the three points above and confirms that the proposals meet the requirements of Policy SD1. Following a review of this TA by West Dunbartonshire Council Roads Services, they have not raised any objections to the proposals.</p>
Local Development Plan (Proposed Plan) (2018): (Added by PBA)		
Policy SC1 - Sequential Approach		<p>This policy continues the principle of the sequential approach set down in RET 1 of the current Local Plan (2010). Proposal for retail, commercial and leisure investment are expected to adopt a sequential approach as set out within the proposed plan, which directs development initially to town centres, followed by edge of town commercial centres, other edge of town sites and finally out of town of sites which are accessible by public transport. Development proposals situated out-with these areas will not</p>

		<p>be supported if there are suitable opportunities located elsewhere in preferred locations, the proposal would lead to unacceptable impacts on a centre, or if the proposal is not accessible via public transport.</p> <p>As outlined above the proposed development is for a commercial, leisure and cultural development in the centre of Balloch and is well-served by existing public transport provision. The site is considered sequentially preferable to any locations that would be further removed from Balloch and are supported by a positive allocation of the land for visitor and tourism uses in the National Park Development Plan. The proposed development is therefore in full accordance with proposed policy SC1.</p>
<p>Policy SC5 – Ancillary Retail Uses</p>		<p>Proposals that incorporate ancillary retail uses will be supported where it can be demonstrate that they meet a local need, complement the primary use and have no negative impacts on the network of centres.</p> <p>Any retail offering within the proposed development will be ancillary retail to the main tourism and leisure uses, and will focus on meeting the needs of the leisure / tourist users (i.e. visitors to the proposed development). The ancillary retail offered by the proposed development is not designed to compete with the network of centres and is likely to complement the retail offers at Loch Lomond Shores, Balloch and Alexandria, and also the primary leisure and tourism uses proposed by the development. On this basis the proposed development fully complies with proposed policy SC5.</p>
<p>Policy CON1 – Transportation Requirements for New Development</p>		<p>Development proposals are required to accord with relevant transport guidance and strategies, or provide significant justification if the criteria within these strategies is not met by a proposal. Proposals are expected to meet travel demands though walking, then cycling, then public transport and finally through use of private vehicles. Active travel should be prioritised and new footpaths, cycle routes and public transport routes are vital. Electrical vehicle charging points are required as part of any major housing, retail, business or industrial development.</p> <p>A full transport Assessment (TA) has been undertaken as part of the proposed development and significant emphasis is placed on active travel options and public transport provision. The TA has been reviewed by Sustrans, West Dunbartonshire Council and Transport Scotland, all of whom have confirmed no objections to the proposals. The proposed development accords with relevant transport guidance and the regional and local transport strategies and meets the requirements set out in proposed policy CON1.</p>
<p>Policy CON3 – Core Paths and Natural Routes</p>		<p>Improvements to and reinstatement of core paths and the development of new routes to core paths, footpaths, bridleways or cycle paths are encouraged and supported. Any new routes should demonstrate they will not lead to nay adverse effects on the integrity of a Natura 2000 site. Developments which will lead to disruption or adverse impacts occurring on the aforementioned routes will not be supported, however where unavoidable, appropriate diversions will be required.</p> <p>The proposed development will see the introduction of improved cycle paths and footways which will tie-in with existing core path provision. The proposed development will deliver improved access and active travel opportunities throughout the site. Opportunities for walking and cycling permeability throughout</p>

# MEMO

		<p>the site was acknowledged by Sustrans in their consultation response letter dated 20<sup>th</sup> June 2018, and opportunities to further link the proposed development to the existing and proposed cycle and pedestrian routes have been fully considered.</p> <p>The proposed development therefore accords with proposed policy CON3.</p>
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Planning Application No: 2018/0133/PPP  
Applicant: Flamingo Land Ltd & Scottish

The erection and operation of a tourism and leisure led mixed use development including hotel, bunkhouse accommodation and self-catering holiday lodges; self catering boathouse accommodation; residential development; leisure and recreational facilities including swimming pool, water park, visitor reception and education/interpretation facilities; hot food/café restaurant uses; brewery; ancillary uses including retail; façade retention of Woodbank House and conversion of existing outbuildings; public realm enhancements including public square improvements, footpaths and cycleways; external activity areas including forest adventure rides, tree top walkway, monorail, events/performance areas, picnic areas and play areas; staff and service areas; landscaping; new access from Ben Lomond Way and Pier Road; and site development infrastructure (including SUDS, and parking).

Proposed Development:

Land At Pier Road, Ben Lomond Way And Old Luss Road, Known As West Riverside And Woodbank House,

Location:

Balloch

Type of Consent: -

Outline

Ref. No(s) of drg(s) submitted:

Proposal Acceptable?	Y or N
<b>1. EXISTING ROADS</b>	
(a) General Impact of Development	Y
(b) Type of Connection(s) (road junction/footway crossing)	
(c) Location(s) of Connection(s)	
(d) Sightlines (.....)	
(e) Active Travel Provision	
<b>2. NEW ROADS</b>	
(a) Widths (.....)	
(b) Layout (horizontal/vertical alignment)	
(c) Junction details (location/s/radii/sightlines)	
(d) Turning Facilities	
(e) Traffic Calming	
(f) Active Travel Provision	
(g) Provision of Utilities	
<b>3. SERVICING AND CAR PARKING</b>	
(a) Servicing Arrangements/Driveways	
(b) Car and Cycle Parking Provision (.....)	
(c) Maximum Parking Standards	
(d) Layout of Parking Bays/Garages	

Item Ref.	Comments
1a	This application seeks outline approval to erect and operate a tourist development as detailed above.
1b-e	Details of vehicular and pedestrian accesses should be provided, showing suitable links from the existing road network. This should also include any mitigation measure necessary to minimise any impact of increased traffic. These junctions should have suitable visibility splays and where necessary have measures to encourage active travel (e.g. improved pedestrian and cycle facilities, widened footways, lighting, traffic calming etc). The Transport Assessment should also demonstrate that all local roads can operate satisfactorily at peak times when the development is fully operational.
2a-g	Directional signage should also encourage vehicular traffic to avoid driving through the centre of Balloch.
2a-g	Any internal roads and parking areas would not be adopted by the Council, unless they service a suitably sized residential development (6 or more dwellings)**
3a, c, d	The layout of parking areas should conform to the requirements of the NRDG.
3b	The parking level should conform to the requirements set out in WDC Parking Standards.

<b>4. RECOMMENDATION</b>	No objections subject to conditions
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**5. CONDITIONS/REASONS FOR REFUSAL/DEFERMENT:-**

(i) See notes

**6. NOTES FOR INTIMATION TO APPLICANT**

(i) Construction Consent (S21)*	Required for new roads built on the residential development site.
(ii) Road Bonds (S17)*	Required if building works are to be undertaken before roads are complete
(iii) Road Opening Permit (S56)*	Required for tie into local road network and erection of signage
(iv) Transportation Statement / Assessment	Required for this development (supplied)
(v) Flood Risk Assessment	Flood Risk Statement required

\* Relevant Section of the Roads (Scotland) Act 1984

\*\* Relevant Section of National Roads Development Guide

\*\*\* Relevant Section of Traffic Signs Regulations and General Directions (TSRGD)

Signed  
Head of Land Services

Date 14/06/2018

Copies to: Planning  
HEED

Response On Development Affecting Trunk Roads and Special Roads

**The Town and Country Planning (Scotland) Act 1997**

**The Town and Country Planning (Development Management Procedure)  
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

**Town and Country Planning (Notification of Applications) (Scotland) Direction 2009**

To Loch Lomond & The Trossachs National Park Balloch	Council Reference:-	2018/0133/PPP
	TS TRBO Reference:-	SW/91/2018

Application made by Flamingo Land Ltd & Scottish per Mark Johnston, Peter Brett Associates, 160 West George Street, Glasgow, G2 2HG and received by Transport Scotland on 11 June 2018 for planning permission for the erection and operation of a tourism and leisure led mixed use development including hotel, bunkhouse accommodation and self-catering holiday lodges; self catering boathouse accommodation; residential development; leisure and recreational facilities including swimming pool, water park, visitor reception and education/interpretation facilities; hot food/café restaurant uses; brewery; ancillary uses including retail; façade retention of woodbank house and conversion of existing outbuildings; public realm enhancements including public square improvements, footpaths and cycleways; external activity areas including forest adventure rides, tree top walkway, monorail, events/performance areas, picnic areas and play areas; staff and service areas; landscaping; new access from ben lomond way and pier road; and site development infrastructure (including suds, and parking). located at Land at Pier Road, Ben Lomond Way and Old Luss Road, known as West Riverside and Woodbank House, Balloch affecting the A82 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Route Manager (A82) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
SOUTH WEST
150 Polmadie Road, Glasgow, G5 0HN
0141 218 3800
planning@scotlandtranserv.co.uk

Operating Company:-

Address:-

Telephone Number:-

e-mail address:-



**Transport Scotland Response Date:-** 13-Jul-2018

**Transport Scotland Contact:-** John McDonald

**Transport Scotland Contact Details:-**

Trunk Road and Bus Operations, Network Operations - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number: 0141 272 7386

e-mail: [development\\_management@transport.gov.scot](mailto:development_management@transport.gov.scot)

**NB - Planning etc. (Scotland) Act 2006**

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

**From:** Lucy Clarke  
**Sent:** 20 Jun 2018 17:03:50 +0000  
**To:** planningemail - Loch Lomond  
**Subject:** Response to application 2018/0133/PPP

Thank you for contacting Sustrans regarding planning application 2018/0133/PPP for the tourism and leisure led mixed use development in Balloch. I am responding on behalf of Sustrans with regards to the active travel provision as outlined in part one of the transport assessment attached to the application.

The transport assessment acknowledges the opportunity for walking and cycling permeability within the site, as well as to Balloch and nearby settlements, with reference to national and local planning policies that endorse this approach. Section 6.2.3 of the transport assessment advises that “it is intended that the existing cycle and walking routes will be widened to Sustrans standards for shared walking and cycling routes, where this is practicable to do so.” The quality standards that Sustrans endorses and that we use for our own projects are set out in the design guidance on the Sustrans website. The transport assessment doesn't reference specific design or quality standards for the proposed walking and cycling infrastructure, but we would advise that any deviations from the recommended standards may be detrimental to the level of service for all users and may fail to accommodate future growth in cycling and walking around or to/from the site.

Section 6.2.4 transport assessment advises that cycle route changes will be discussed with Sustrans. We would seek to ensure that National Cycle Network (NCN) route 7 that runs adjacent to the site at the bridge crossing of the River Leven at Balloch Road is maintained, and that access is provided along the route throughout the construction process. We request to be informed throughout the design and construction process of any proposed temporary or permanent diversions or closures of the NCN in advance. If other cycle networks in the area that link to the NCN are affected by the works, we would be keen to discuss how access to the NCN may be maintained through alternative route alignments.

Sustrans has been working in partnership with West Dunbartonshire Council to design improvements to the public realm in Balloch village centre. The project covers the length of Balloch Road from Pier Road to Ben Lomond Way with an objective of improving connections for pedestrians and cyclists between the public transport arrival points to Balloch, the village centre, Loch Lomond Shores Balloch Park and the planned future development on the West Riverside site. We would like to see collaboration between this project and the planned development to maximise the opportunity to encourage non-motorised access by residents, visitors and the development's employees, through the wider Balloch village area. We also have a grant funding programme for projects that will create high quality active travel infrastructure for everyday journeys, which may be appropriate to explore as part of the permeable walking and cycling network proposed for the development:

<https://www.sustrans.org.uk/scotland/community-links>.

If I can clarify any of the points provided above please feel free to contact me.

Regards,

Lucy Clarke  
**Network Delivery Coordinator**

Sustrans Scotland  
Rosebery house  
9 Haymarket Terrace  
Edinburgh  
EH12 5EZ

Web - [www.sustrans.org.uk](http://www.sustrans.org.uk)  
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**From:** Iain Hastings  
**Sent:** 13 Jun 2018 13:54:14 +0000  
**To:** planningemail - Loch Lomond  
**Subject:** Consultation on Planning Application - 2018/0133/PPP

Regarding Planning App 2018/0133/PPP

As there is no intention for construction on area's at risk of flooding we have no comment to make at this time.

***Iain Hastings  
Technical Assistant  
Flood Risk Management  
Roads & Transportation  
West Dunbartonshire Council  
Bridge Street  
Dumbarton  
G82 1NT***

***Tel: 01389 737655  
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