

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 21 September 2016 at 2.00 p.m.

Present: Councillors Denis Agnew, Gail Casey, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Attending: Peter Hissett, Strategic Lead – Regulatory; Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader Development Management; Raymond Walsh, Network Co-ordinator; Nigel Ettles, Section Head - Litigation and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors Jim Finn and Patrick McGlinchey.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 31 August 2016 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 29 August 2016, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

A report was submitted by the Strategic Lead - Regulatory in respect of the following planning applications.

New Applications:-

- (a) **DC16/102 - Erection of residential development comprising 44 dwellings and associated works at the former Bonhill Primary School site, Main Street, Bonhill by Cube Housing Association.**

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair invited Mr Jack Fordy, Bonhill & Dalmonach Community Council, to address the Committee. Mr Fordy made his views on the application known and was heard in answer to Members' questions.

The Chair then invited Mr Gordon Smith, representing the applicant, to give a presentation on the application. Mr Smith was then heard in support of the application and in answer to Members' questions.

After discussion and having heard the Planning & Building Standards Manager and the Network Co-ordinator in answer to Members' questions, the Committee agreed that it was minded to grant planning permission and delegated authority to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 herewith, and subject to:- (1) the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a developer contribution towards the green network; and (2) a further condition restricting the movement of key plant accessing/egressing the site during construction of the development, 30 minutes either side of Bonhill Primary School opening and closing.

- (b) **DC16/157 - Removal of condition 5 (retail type restrictions) of permission CB88/152 in respect of unit 6 at Clyde Retail Park, 75 Livingstone Street, Clydebank by VALAD European Diversified Fund (Jersey) 16 Limited.**

The Planning and Building Standards Manager was heard in further explanation of the report.

After discussion and having heard the Planning and Building Standards Manager in further explanation and in answer to Members' questions, Councillor O'Neill, seconded by Councillor Sorrell, moved:-

That the Committee grant planning permission subject to the conditions set out in Section 9 of the report, as detailed in Appendix 2 herewith.

As an amendment, Councillor Agnew, seconded by Councillor McColl, moved:-

That the Committee refuse planning permission on the grounds that this would change the concept of the retail park, and could in the longer term adversely affect the type of business use which had been intended for the retail park.

On a vote being taken, 3 Members voted for the amendment and 4 Members voted for the motion which was accordingly declared carried.

ANNUAL REVIEW OF QUARRIES AND LANDFILL SITES

A report was submitted by the Strategic Lead - Regulatory providing an update on the annual monitoring of the two quarries and two landfill sites in the West Dunbartonshire Council area, and the progress made on the renewal of restoration bonds for two of the sites.

The Committee agreed:-

- (1) to note the outcomes of the site visits outlined in Appendix 1 to the report;
- (2) to note the progress made on the renewal of restoration bonds for Dumbuckhill Quarry and Rigangower; and
- (3) that a further update would be provided to the Committee in August 2017.

The meeting closed at 2.48 p.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 29 AUGUST 2016

Present: Councillors Jim Finn and John Mooney

Attending: Bernard Darroch, Lead Planning Officer

Apologies: Councillors Gail Casey and Lawrence O'Neill

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

a) Cherry Tree Court, Hill Street, Alexandria

DC16/106 - Modification of planning obligation relating to occupancy restriction (Planning Ref. VL3801) (flats 9, 10 and 11) at Cherry Tree Court, Hill Street, Alexandria by Volbis Limited.

APPENDIX 2

DC16/102 - Erection of residential development comprising 44 dwellings and associated works at the former Bonhill Primary School site, Main Street, Bonhill by Cube Housing Association.

Minded to GRANT permission subject to the following conditions, and an additional condition restricting the movement of key plant accessing/egressing the site during construction of the development, 30 minutes either side of Bonhill Primary School opening and closing:-

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
4. Prior to the commencement of development details of the design and location of the bin stores, cycle storage, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved prior to the occupation of the approved properties.
5. No unit shall be occupied until the vehicle parking spaces associated with that unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of the first property.
7. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.

8. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - a) a detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
 - b) an assessment of the potential risks (where applicable) to:
 - human health;
 - property (existing and proposed), including buildings, pets, service lines and pipes;
 - ground waters and surface waters.
 - c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
9. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.

11. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.
12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
13. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
14. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
15. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
16. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
17. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.

18. The existing boundary wall and railings shall be retained. No works to remove or alter any part of the boundary wall other than the formation of a new vehicular entrance shall be undertaken unless approved in writing by the Planning Authority.
19. Prior to the commencement of development, details of measures to protect the trees adjacent to Main Street during construction work on site shall be submitted for the written approval of the Planning Authority. The approved tree protection measures shall thereafter be implemented prior to any construction/ground works commencing on site.
20. Twelve months after occupation of the first 30 flats within the development, a parking review shall be undertaken to ascertain levels of car ownership and whether there are any parking related issues within the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority. If required by the review, additional parking spaces shall be formed on site (up to a maximum of 12 parking spaces as per the WDC Parking Standards (2016)) in accordance with the agreed recommendations and the details shown on Drawing No. SK(160627)010. Thereafter, yearly parking reviews shall be carried out and the findings submitted for the written approval of the Planning Authority. Five years after the completion of the development, a final review shall be undertaken and the findings submitted for the written approval of the Planning Authority, unless the additional parking spaces have by that time already have been formed.
21. Prior to the commencement of development, a tracking plan shall be submitted for the written approval of the Planning Authority which demonstrates how the site will be serviced by large vehicles for bin collection and deliveries.
22. Prior to the commencement of development, details of the new vehicular access onto Main Street shall be submitted for the written approval of the Planning Authority. This information shall include details of any alterations required to be made to the boundary wall. Thereafter the new vehicular access shall be formed in accordance with the approved details prior to the occupation of any dwelling within the development.

DC16/157 - Removal of condition 5 (retail type restrictions) of permission CB88/152 in respect of unit 6 at Clyde Retail Park, 75 Livingstone Street, Clydebank by VALAD European Diversified Fund (Jersey) 16 Limited.

Permission GRANTED subject to the following condition:-

1. This consent approves the removal of planning restrictions relating to the sale of food and drink from Unit 6 of the Clyde Retail Park as contained in condition 5 of planning consent CB88/152 but the restrictions relating to the sale of cars and petrol remain in place.

Informatives

1. For the avoidance of doubt, the following classes of retailing will not be permitted as the principle use of any unit within the Clyde Retail Park: food, drink, cars, petrol, with the exception of Unit 6, edged red on the Location Plan, which is permitted to retail food and drink (Class 1 Convenience). It will be permitted within each individual unit, to sell food and drink as a service to customers of the principle use.