

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton, on Wednesday, 14 February 2024 at 10.00 a.m.

**Present:** Councillors Ian Dickson, Gurpreet Singh Johal, Daniel Lennie, Karen Murray Conaghan, Lawrence O'Neill, Chris Pollock and Sophie Traynor.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; James McColl, Development Management Team Leader; Amy Melkevik, Lead Planning Officer; Cameron Clow, Planning Policy Officer; Nigel Ettles, Section Head – Litigation (Legal Officer); and Nicola Moorcroft, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors June McKay and Hazel Sorrell.

**Councillor Gurpreet Singh Johal 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. Councillor Karen Murray Conaghan declared, for the purposes of transparency, that she had been contacted, as Ward Councillor, regarding Planning Application Reference DC23/177/FUL but had not discussed the application.

### **OPEN FORUM**

The Committee noted that no open forum questions had been submitted by members of the public.

### **MINUTES OF PREVIOUS MEETINGS**

The Minutes of Meetings of the Planning Committee held on 6 December 2023 (ordinary) and 17 January 2024 (special) were submitted and approved as correct records.

## NOTE OF VISITATIONS

A Note of Visitations carried out on 15 January 2024, a copy of which forms Appendix 1 hereto, was submitted and amended to remove Councillor Chris Pollock from the list of attendees.

## PLANNING APPLICATIONS

Reports were submitted by the Planning, Building Standards and Environmental Health Manager, in respect of the following Planning applications:-

- (a) **DC23/210/PPP: Erection of three dwelling houses (in principle) at Old Carman Water Works Site, Cardross Road, Renton, Dumbarton by Mr J McDougal.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager and the Development Management Team Leader were heard in further explanation, and in answer to Members' questions.

The Chair invited Mr Jeremy Watson, objector, to address the Committee. Mr Watson was heard in respect of the application and in answer to Members' questions.

After discussion, Councillor O'Neill, seconded by Councillor Lennie, moved:-

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

As an amendment, Councillor Murray Conaghan, seconded by Councillor Chris Pollock, moved:-

That the Planning application be refused due to over-development of the site.

On a vote being taken, 2 Members voted for the amendment and 5 Members voted for the motion, which was accordingly declared carried.

- (b) **DC23/177/FUL: Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.**

At this point, Councillor Ian Dickson, declared an interest in this item, being a member of the Beechwood and Wheatcroft Residents Associations and left the meeting during consideration of this item.

Reference was made to a site visit which had been undertaken in respect of the above application. The Development Management Team Leader, was heard in further explanation, and in answer to Members' questions.

The Chair invited Mr Harry Scammell, objector, (on behalf of Beechwood and Wheatcroft Residents Association) to address the Committee. Mr Scammell was heard in respect of the application and in answer to Members' questions.

The Chair invited Jack Fordy, objector, (on behalf Bonhill and Dalmonach Community Council) to address the Committee. Mr Fordy was heard in respect of the application and in answer to Members' questions.

The Chair invited Mr Waseem Hussain (Applicant's Agent) to address the Committee. Mr Hussain was heard in respect of the application and in answer to Members' questions.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager and the Development Management Team Leader, in further explanation, and in answer to Members' questions, the Committee agreed:-

- (1) that it did not have enough information to make a decision, on this application, at this moment in time; and
- (2) that this matter be continued at a future meeting of the Committee to allow the Applicant to address the Committee and answer any questions Members may have.

### **ADJOURNMENT**

The Chair adjourned the meeting for a short recess. The meeting reconvened at 11.55 a.m. with the Elected Members listed in the sederunt present, including Councillor Dickson.

- (c) **DC23/202/FUL: Application under Section 42 of the Town and Country Planning (Scotland) Act 1997, as Amended, in relation to Condition 17 (approach to risk assessment and any associated required remediation strategy/plan) attached to Planning Permission, in Principle, reference DC20/088 at Land at Former Dunglass Oil Terminal Dumbarton Road, Bowling by West Dunbartonshire Council.**

The Development Management Team Leader was heard in further explanation, and in answer to Members' questions. After discussion, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 4 hereto.

- (d) **DC23/205/FUL: Application under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 7, relating to the timing**

**of footpath delivery at Farm Road, Duntocher, Clydebank by Barratt Homes West Scotland.**

The Development Management Team Leader was heard in further explanation and in answer to Members' questions. After discussion, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 5 hereto.

- (e) DC22/185/FUL: Change of use of ground for the siting of three holiday lodges including a waste water treatment plant and ancillary car parking (being a revised design from that approved under Planning Permission ref: DC21/096/FUL) at Former Maryland Water Pumping Station, Garshake Road, Dumbarton by Mrs Mary Gillies.**

The Planning, Building Standards and Environmental Health Manager and the Development Management Team Leader were heard in further explanation, and in answer to Members' questions.

After discussion, Councillor O'Neill, seconded by Councillor Singh Johal, moved that:-

- (1) the Committee agree to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 6 hereto; and
- (2) an additional condition be added, that a barrier, 1.8m in height is sited close to the entrance of the development site.

As an amendment, Councillor Murray Conaghan, seconded by Councillor Chris Pollock, moved:-

That the original Planning permission be revoked and this Planning Application be refused.

On a vote being taken, 3 Members voted for the amendment and 3 Members, voted for the motion. There being an equality of votes, Councillor O'Neill, Chair, used his casting vote in favour of the motion which was accordingly declared carried.

- (f) DC22/072/FUL: Residential development, landscaping and associated Infrastructure at Hawthornhill Road, Dumbarton by Persimmon Homes.**

The Development Management Team Leader was heard in further explanation, and in answer to Members' questions. After discussion, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 7 hereto.

## **CLYDEBANK BUSINESS PARK PLANNING GUIDANCE**

A report was submitted by the Planning, Building Standards and Environmental Health Manager, seeking approval of the finalised version of Planning Guidance relating to Clydebank Business Park for use in making planning decisions.

After discussion and having heard the Planning Policy Officer in further explanation and in answer to Members' questions, the Committee agreed to approve the finalised version of Clydebank Business Park Planning Guidance contained in Appendix 1 of the report.

## **DRAFT PAY DAY LENDING AND BETTING SHOP PLANNING GUIDANCE**

A report was submitted by the Planning, Building Standards and Environmental Health Manager, seeking approval to consult on draft Planning Guidance relating to Pay Day Lending and Betting Offices.

After discussion and having heard the Planning Policy Officer in further explanation and in answer to Members' questions, the Committee agreed to approve the publication of the Draft Pay Day Lending and Betting Shops Guidance (Appendix 1 to the report), for consultation, for a minimum of 8 weeks and that all background information supporting the guidance to be distributed with the consultation.

## **VALEDICTORY – ALAN WILLIAMSON**

Councillor O'Neill requested that formal thanks be recorded and sent to Alan Williamson (who left his role, as Development Planning and Place Team Leader, in January 2024), for his dedicated service, work and commitment to the Planning Committee and to wish him well in his new role with Inverclyde Council.

## **VALEDICTORY – JOSHUA DOYLE**

Councillor O'Neill requested that formal thanks be recorded to Joshua Doyle, who is due to leave his role, as Placemaking Co-ordinator, at the end of February 2024, for his dedicated work for the Planning Committee and to wish him well in his new role.

The meeting closed at 13.25

PLANNING COMMITTEE

NOTE OF VISITATIONS – 15 JANUARY 2024

**Present:** Councillors Gurpreet Johal, June McKay, John Millar, Chris Pollock and Clare Steel.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager and James McColl, Development Management Team Leader.

SITE VISITS

Site visits were undertaken in connection with the undernoted planning applications:-

**Former Playdrome site, Abbotsford Road, Clydebank**

**DC23/149/FUL:** Erection of 128 residential homes, associated roads, infrastructure and open space on existing brownfield site, (former Playdrome site) by Miller Homes

**EXXON Site - Land at Former Dunglass Oil Terminal, Bowling and Dunglass roundabout and areas of the site at Dumbuck.**

**DC23/113/MS:** Details relating to the first Approval of Matters Specified by Condition (AMSC) application (Phase 1 and 2 works only) for conditions 1(a), 1(d), 12, 23, 24 and 30.

**DC23/210/PPP: Erection of three dwelling houses (in principle) at Old Carman Water Works Site, Cardross Road, Renton, Dumbarton by Mr J McDougal.**

**GRANT full planning permission subject to the following conditions:-**

1. No development shall commence until such time as approval of the detailed design, layout and other matters associated with the development (hereinafter called "the matters specified in conditions") has been granted by the Planning Authority. Any application(s) for approval of matters specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
  - a) the siting, design, external appearance and external materials of all buildings and other structures;
  - b) the means of access to the site;
  - c) the layout of the site, including all car and cycle parking areas;
  - d) the details of and timetable for the implementation of the hard and soft landscaping for the site;
  - e) details of the management and maintenance of the areas identified in (d) above;
  - f) full details of the design and location of all boundary walls and fences;
  - g) the provision of surface water drainage works incorporating Sustainable Drainage Systems (SuDS). For the avoidance of doubt, the submitted details shall be in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland;
  - h) the disposal of sewerage;
  - i) details of existing and proposed site levels;
  - j) details of the storage and collection of waste and recycling from the new dwellinghouses;
  - k) details of required sightlines and visibility splays;
  - l) biodiversity enhancement measures to be incorporated into the development;
  - m) full details of the incorporation of low and zero carbon infrastructure into the development;
  - n) details of the provision for electric vehicle charging
2. Notwithstanding condition 1 above, prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site inclusive of hard surfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in accordance with the approved material details and palette.

3. Notwithstanding conditions 1 and 2 above and unless otherwise first agreed in writing by the Planning Authority, the design and layout of the development shall generally follow the indicative details submitted and approved inclusive of siting of the dwellinghouses, one and a half storey design, pitched roof, light coloured render and use of timber cladding.
4. That with the first application for matters specified by condition application, full details of the design and implementation of the works to the hairpin bend in Cardross Road shall be submitted for the written approval of the Planning Authority. Works shall then proceed as approved.
5. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated 24 March 2023 shall be followed.
6. Notwithstanding condition 5 above, no removal of and vegetation shall take place during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority and nesting bird survey undertaken not more than 48 hours prior to the commencement of site clearance works, the findings of which shall be submitted to the Planning Authority.
7. Notwithstanding condition 3 above and prior to the commencement of works on site, full details of mitigation in respect of Black Grouse shall be submitted to and approved in writing by the Planning Authority and the agreed mitigation measures implemented as approved. The development shall then proceed as approved.
8. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
9. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
10. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.

11. 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, crops, livestock, pets, woodland and service lines and pipes
    - groundwater and surface waters
    - ecological systems
    - archaeological sites and ancient monuments
  - c) An appraisal of remedial options, including a detailed remediation strategy based on the preferred option.
12. No development (other than 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.
13. 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.

14. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
15. If the remediation plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale 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 by the Planning Authority.
16. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use.
17. Prior to the commencement of development on the site, full details of any external lighting within the site shall be submitted to and approved in writing by the Planning Authority. The lighting shall thereafter be installed as approved.
18. The applicant shall undertake a noise assessment to determine the impact of noise from nearby noise sources on the proposed development using the principles set out in British Standard BS 4142:2014 – “Methods for rating and assessing industrial and commercial sound”, or a method agreed by the Planning Authority. Where the Level of Significance as described within the Scottish Government Document: “Technical Advice Note Assessment of Noise”, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from industrial/stationary noise shall be submitted to, and approved by, the Planning Authority. The approved scheme for the mitigation of noise shall be implemented prior to the occupation of the houses and shall be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of mitigation measures shall be prepared by a suitably qualified person.

19. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
20. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:  
  
Mondays to Fridays: 0800-1800  
Saturdays: 0800-1300  
Sundays and public holidays: No working
21. 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 BS6472 '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. This 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.
22. During the period of construction no commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 08:00 or after 18:00.
23. 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 has been 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.

**DC23/177/FUL: Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.**

**GRANT full planning permission subject to the following conditions:-**

1. The planning permission for the wind turbine hereby granted shall be for a maximum period of 25 years and 6 months from the date of the permission. This period consists of a 25 year period of operation of the turbine followed by a 6 month period for removal of the turbine, ancillary equipment, associated hard standing and access track and restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below.
2. Unless otherwise agreed in writing by the Planning Authority, should the turbine cease to generate electricity for a continuous period of 6 months, the turbine, ancillary equipment, associated hard standing and access track shall be removed. Restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below, shall thereafter take place within 6 months.
3. All external colours of the turbine and associated equipment cabinet shall be agreed with the Planning Authority prior to the commencement of works and shall be implemented as approved.
4. No turbine, transformer building or any other above ground infrastructure shall be illuminated or display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.
5. Within one year of the date of this consent, the turbine operator shall submit an Outline Decommissioning, Restoration and Aftercare Scheme (the Outline Decommissioning Scheme) for the Turbine development, for the written approval of Planning Authority. The Outline Decommissioning Scheme shall include (but not necessarily be limited to) details of:
  - a) Works for the decommissioning and removal of the turbine (together with the foundations to a depth of at least one meter) and all above ground ancillary infrastructure and equipment;
  - b) The treatment of any ground surfaces including access tracks, hardstanding areas and any sub-surface elements including cabling to restore the site to its former condition, or other such condition as is agreed in writing by the Planning Authority;
  - c) Environmental management provisions, including waste management;
  - d) A decommissioning timetable;
  - e) Appropriate aftercare following site restoration; and

- f) How and when the Outline Decommissioning Scheme will be reviewed during the operational life of the development. The approved Outline Decommissioning Scheme shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.
6. No later than 12 months prior to the decommissioning of the development, or the expiration of the 25 year period of operation (whichever is earlier), a detailed Decommissioning, Restoration and Aftercare Scheme, which takes account of the latest version of the Outline Decommissioning Scheme (approved under Condition 5) and which also takes into account of the current best environmental practice, shall be submitted to and approved in writing by the Planning Authority. The development shall be decommissioned, the site restored and aftercare thereafter in accordance with the scheme approved as part of this condition, unless otherwise agreed in writing in advance by the Planning Authority.
7. Unless otherwise agreed in writing by the Planning Authority, if the wind turbine fails to generate electricity for a continuous period of 12 months, the turbine shall be deemed to have ceased to be required, and a scheme that takes cognizance of Condition 6, setting out how the wind turbine and associated infrastructure will be removed from the site, the ground restored and aftercare carried out, shall be submitted for the written approval of the Planning Authority no later than one month after the date of the expiry of the 6 months. The scheme approved shall be implemented within 12 months of the date of its approval.
8. In order to ensure compliance with Condition 7, the wind turbine operator shall submit 12 monthly generation and output figures to the Planning Authority to evidence that the turbine is continuing to generate electricity and the 12 monthly reporting cycle shall commence from the date the turbine is commissioned (turned on).
9. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated December 2022 shall be followed to the satisfaction of the Planning Authority.
10. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine and all associated construction material shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented as approved. The statement shall include the following information:
- a) The intended turbine transportation route including swept path analysis, timings and methodology.
  - b) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.
  - c) Any alteration to the public road network.
  - d) Details of the construction compound including staff car parking.
  - e) Details of proposed signage during the delivery and construction period.

- f) Any necessary mitigation.
  - g) Details of the type, weight, frequency and number of delivery and construction vehicles inclusive of those delivering all associated construction materials, for example, hardcore and associated tonnage.
  - h) Details of wheel washing facilities.
  - i) A condition report based on a joint survey of the proposed route to ensure that all temporary alterations and any damage to the road network are made good.
11. No development shall take place within the development site until the developer has secured the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicant and agreed in writing with the Planning Authority in consultation with the West of Scotland Archaeology Service prior to the commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given the Planning Authority in writing prior to any works on site.
12. Prior to the commencement of development full details of the surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Drainage Systems within its design, and shall thereafter be implemented as approved.
13. In accordance with ETSU- R- 97 (Simplified Method) the noise from the wind turbine shall not exceed an LA90(10min) of 35dB at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 10 metres per second at 10m height as measured within the site.
14. Prior to the installation of the turbine, the developer shall submit a report for approval by the Planning Authority which demonstrates compliance with the noise limits in Condition 13 above. The report shall be prepared in accordance with reference to the Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 and associated supplementary guidance notes.
15. Prior to the installation of the turbine, the applicant shall provide written confirmation to the Planning Authority that the noise from turbine operation will be broad-band with no discernible tonal characteristics.
16. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority from the occupant of a dwelling regarding noise from the wind turbine operation, the wind turbine operator shall, at the wind turbine operator's expense, employ an independent consultant approved by the Planning Authority to assess the level of noise emissions from the wind turbine at the complainant's property following

procedures to be agreed with the Planning Authority. The wind turbine operator shall provide to the Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information shall be provided within 28 days of the date of the written request of the Planning Authority unless otherwise extended in writing by the Planning Authority. The wind turbine operator shall take such remedial action as required by the Planning Authority.

17. Wind speed, wind direction and power generation data shall be continuously logged and provided to the Planning Authority in a format to be agreed at its request and within 28 days of such a request. Such data shall be retained by the operator for a period of not less than 12 months.
18. No development shall commence on site until details of a nominated person have been submitted in writing to the Planning Authority for the development who will act as a point of contact for local residents (in connection with conditions 13 - 17), together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with the Planning Authority in connection with any noise complaints made during the construction, operation and decommissioning of the wind turbines.
19. During the period of construction, all works and ancillary operations (including piling) which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

|                              |            |
|------------------------------|------------|
| Mondays to Fridays:          | 0800-1800  |
| Saturday:                    | 0800-1300  |
| Sundays and public holidays: | No working |
20. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
21. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. No further development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter

be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

22. Before any further plant and machinery is used on the premises it shall be enclosed with sound insulating material in accordance with a scheme which shall first be approved in writing by the Planning Authority. The sound insulation measures shall thereafter be retained.
23. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority following a complaint alleging shadow flicker nuisance, the wind turbine operator shall at the wind turbine operator's expense:
  - a) Employ an independent consultant approved by the Planning Authority to assess the conditions likely to be causing the incidences of shadow flicker to which the complaint relates.
  - b) Within 28 days of receipt of the written request from the Planning Authority, the wind turbine operator shall submit to the Planning Authority, the independent consultant's report on shadow flicker, detailing any amendments to the operation of the wind turbine necessary to mitigate any further incidences of shadow flicker, for the written approval of the Planning Authority. The turbine shall thereafter operate in accordance with the amendments to operation as approved.
24. Notwithstanding the approved plans, and prior to any works on site, a further submission which demonstrates an understanding on how the proposal enhances biodiversity beyond the current baseline shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.

**DC23/202/FUL: Application under Section 42 of the Town and Country Planning (Scotland) Act 1997, as Amended, in relation to Condition 17 (approach to risk assessment and any associated required remediation strategy/plan) attached to Planning Permission, in Principle, reference DC20/088 at Land At Former Dunglass Oil Terminal Dumbarton Road, Bowling by West Dunbartonshire Council.**

**GRANT full planning permission subject to the following conditions:-**

1. Prior to the commencement of works associated with any part of the development (apart from remediation works), an application(s) for approval of detailed design matters shall be submitted for the written approval of the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, all applications for the approval of matters specified in conditions shall be accompanied by:
  - a) Development platforms and site layout plans showing the position of all buildings, roads, access arrangements, parking areas, footpaths, waterfront walkway, green corridors, open space, boundary treatments and drainage infrastructure.
  - b) Block and layout plans showing existing, proposed and finished floor levels and elevations of each building, showing dimensions, and palettes of external materials.
  - c) Applications that include proposals for buildings, will provide details of cycle parking, shelter and storage provision, electric car charging points, shower, changing and drying facilities and any other facilities and measures which promote and support active and sustainable travel.
  - d) Landscape and streetscape plans showing the locations and species of all proposed trees, shrubs, hedges, palettes of hard landscaping materials and street furniture. Where applicable, all trees and planting shall be sited at least 10 metres in distance from the railway boundary located within the application site. Where it is agreed for trees, shrubs are to be planted adjacent to the railway boundary located within the application site, these shall be positioned at a minimum distance from the boundary which is greater than their predicted mature height.
2. Any applications(s) for approval of matters specified in conditions for any phase or part of the development submitted under Condition 1 shall also accord with the elements of approved 'design and construction' and 'operational phase' management plans and strategies associated with Conditions 3, 4, 6, 7, 8, 10, 11, 13, 14, 15, 16 that are relevant to the development being proposed.

3. Prior to the submission of the first application for the approval of matters specified in conditions, a Phasing Plan including details for the subsequent delivery for each phase of the development alongside timescales for implementation of the various phases shall be submitted to and approved in writing by the Planning Authority. The Phasing Plan shall contain a strategy for the submission of a series of future detailed applications as under Condition 1 above including the delivery and implementation of the approved zones (including the waterfront walkway, green spaces and green network corridors). The approved Phasing Plan including any measures there within shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates of the approved phasing plan shall be subject to the written approval of the Planning Authority and implemented thereafter as approved.
4. Prior to the submission of any application for matters specified in Condition 1 (parts B, C or D), a design strategy to establish the principles for the design and locations of street furniture, railings, bollards, signage, bins, substations, generators and cycle parking shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, each application for approval of matters specified in conditions submitted shall adhere to the principles and requirements approved through the design strategy.
5. Unless otherwise agreed in writing by the Planning Authority, prior to the submission of any application for matters specified in Condition 1 (A, B, C or D), a Preliminary Options Appraisal Report including a condition survey and scheme of repairs for the conservation, repair and reuse of Dunglass Castle (including the house, garden, walls) and the Henry Bell Obelisk in both in the short term and long term shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of any buildings to be located within Zones A and B as identified on Parameters Plan (Drawing No. 30953/4504/002 Rev F), details of the final chosen option for Dunglass Castle (including the house, garden and castle walls) and the Henry Bell Obelisk shall be submitted to and agreed in writing Planning Authority. These details shall include a programme of works including timescales for obtaining relevant permissions alongside timelines for the delivery and completion of the works for the Dunglass Castle (including the house, garden, walls) and the Henry Bell Obelisk. Thereafter this shall be implemented as approved in accordance with the approved final strategy.
6. Prior to the submission of the first application for the approval of matters specified in conditions, a Soil Management Plan and Earthworks and Materials Movement Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), these submissions shall include:
  - Details of the assessment criteria and sampling frequency that would adequately demonstrate suitability for use.

- A Waste Management and Recycling Strategy to address on-site waste and materials.

The approved plans and strategies shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. These shall remain in place for the duration of the construction phase of the full re-development of the site. Any modifications or updates required shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

7. Prior to the submission of the first application for the approval of matters specified in conditions, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in Chapter 15 (Schedule of Mitigation and Monitoring) if the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019)', the CTMP shall include details of measures for minimising the disruption of the construction works on existing local bus services along the A82 and A814. As part of such details it shall also demonstrate continuity of access along the A82 and A814 at all times, to allow for the continued operation of local bus services, except where otherwise agreed by the Planning Authority. The approved CTMP including any measures therewithin shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the duration of the construction phase of the full redevelopment of the site. Any modifications or updates required for the approved CTMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
8. Prior to the submission of the first application for the approval of matters specified in conditions, a Flood Risk Management Plan, a Construction Flood Response Plan and a Construction Drainage Plan shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019)', the Construction Drainage Plan shall include confirmation that all foul drainage installed within the application site shall discharge into the public sewer network at all times. The approved plans including any measures therewithin shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for these approved plans shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
9. Prior to the occupation of any part of the site, all measures agreed in accordance with Condition 8 above which are associated with addressing flood risk shall be implemented. This shall also include those measures set out in Section 5.3.5 of the approved 'Environmental Statement Non-technical Summary (September 2019)' and Chapter 7 and figure 7.2 'Conceptual Flood Mitigation Strategy' of the approved 'Environmental Statement Volume 1 Main

Text (Dated: September 2019)' .Once implemented, all of these measures shall be maintained thereafter unless otherwise agreed in writing by the Planning Authority.

10. Prior to the submission of the first application for the approval of matters specified in conditions, a Lighting Strategy and an Otter Mitigation Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the Lighting Strategy shall provide specific confirmation that night lighting will be avoided during the months of September to March inclusive where such lighting would illuminate areas of inter-tidal habitat of the Inner Clyde Special Protection Area (SPA) to levels in excess of 1 Lux (i.e. the maximum natural night-time background light level). The approved strategies, including any measures therewithin shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for these approved strategies shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
11. Prior to the submission of the first application for the approval of matters specified in conditions, a Landscape Framework and Strategy shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved Environmental Statement Volume 1 Main Text (Dated: September 2019), the Landscape Framework and Strategy shall be prepared in accordance with the approved 'Landscape Framework Objectives' document (Dated October 2020) and shall update the approved masterplan and parameters plan for the site. The approved Landscape Framework and Strategy including any measures therewithin shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for this approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
12. Unless otherwise agreed in writing by the Planning Authority, as part of any applications for approval of matters specified in conditions, and with regard to the requirements of condition 1 above, a supporting report which evidences how the relevant development proposals complies with and delivers the requirements and aims of the 'Landscape Framework and Strategy' approved under Condition 11 above.
13. Prior to the submission of the first application for the approval of matters specified in conditions, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. Beyond the details and scope set out in in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), the CEMP shall also include a timetable and programme for all noise and vibration generating works

associated with the construction of the development including the use of plant and machinery and vehicle movements. The timetable shall set out how the construction works will be programmed to minimise noise and vibration generation during the months of September to March inclusive and associated disturbance on wintering redshank and other qualifying features of the Inner Clyde Special Protection Area. Any noise generating works and/or operations agreed in consultation with the Planning Authority as being unavoidable during the period specified shall be accompanied by a schedule of mitigation detailing the measures that will be put in place to mitigate those impacts that will be caused by noise generating works and operations. The approved CEMP including any measures there within shall be implemented on site and shall remain in place for the duration of the construction phase of the full re-development of the site, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for the approved CEMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

14. Prior to the submission of the first application for the approval of matters specified in conditions, a Written Scheme of Archaeological Investigation and Programme of Archaeological Works shall be submitted to and approved in writing by the Planning Authority. Notwithstanding the details and scope set out in Chapter 15 (Schedule of Mitigation and Monitoring) of the approved 'Environmental Statement Volume 1 Main Text (Dated: September 2019), this investigation shall be subject to a full Risk Assessment considering all areas of the site not previously covered by permission DC18/013 for the Remediation Strategy for the site. If required by the Risk Assessment, the scope for the Written Scheme of Archaeological Investigation shall be extended beyond the boundary of Zone F of the site and may include other areas. The approved written investigation and programme of works including any measures there within shall be implemented on site and shall remain in place for the duration of the construction phase of the areas subject to the investigation, unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for the approved written investigation and programme of works shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
15. Prior to the submission of the first application for the approval of matters specified in conditions, an Energy Strategy shall be submitted to and approved in writing by the Planning Authority. Further to the approach and overarching aims set out in the approved 'Energy Masterplan' (Dated, May 2020) document, the Energy Strategy shall include details for the delivery and implementation of on-site low carbon and renewable energy solutions, building specific technologies and features alongside any other measures aimed at increasing energy efficiency on the site. The approved strategy including any measures there within shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.

16. Prior to the occupation of any part of the site, a Travel Plan including measures to minimise the impact of traffic and to promote sustainable and active travel choices for staff and visitors shall be submitted to and approved in writing by the Planning Authority. The Travel Plan shall include the details and requirements as set out in Section 7 of the approved 'Transport Assessment (Dated April 2019). The approved Travel Plan including any measures there within shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved Travel Plan shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
17. Unless otherwise agreed in writing by the Planning Authority, no development shall commence on site until the approach to undertaking an assessment of the risks to all new receptors, such as people and buildings, that this development will introduce has been submitted to and agreed in writing by the Planning Authority. The assessment of the risks to all new receptors shall then be undertaken in accordance with the approved approach unless otherwise agreed in writing by the Planning Authority. If the risk assessment identifies any unacceptable risks on any part of the site then a remediation strategy will be submitted to and approved in writing by the Council as Planning Authority prior to development works commencing on that part of the site. The report shall be prepared by a suitably qualified person.
18. Unless otherwise agreed in writing by the Planning Authority, prior to the submission of any approval of matters specified in conditions applications AMSC), a full Site Investigation and Risk Assessment for areas of the AMSC site not previously covered by the Remediation Strategy to be undertaken in accordance with permission DC18/013 shall require to be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
19. In the event that contamination, which has not previously been identified and assessed, becomes evident at any time during the development of the site, it shall be reported in writing to the Planning Authority within 1 week. If such contamination can be dealt with without departing from the principles and outcome of an already approved remediation strategy then works can continue on the affected part of the site. If the contamination would result in a departure from the principles and outcome of the approved remediation strategy and if requested by the Planning Authority, works shall cease and/or an investigation and risk assessment shall be undertaken and an amended remediation strategy shall be submitted to the Planning Authority for approval. The amended remediation strategy, once approved in writing by the Planning Authority, shall be implemented as approved prior to the recommencement of works in the affected area.
20. Prior to the occupation of any part of the site and unless otherwise agreed in writing by the Planning Authority, the proposed upgrade of Dunglass Roundabout Junction of the A82 (T) with the A814 to traffic signal control shall

be constructed in accordance with approved plan 'Eastern Access' (Drawing No. 30953-STN- 00-XX-DR-D-0021 Rev P01).

21. Prior to the occupation of any part of the site and unless otherwise agreed in writing by the Planning Authority, the proposed upgrade of the Dumbuck signalised junction of the A82 (T) with the A814 shall be constructed in accordance with approved plan 'Western Access' (Drawing No. 30953-STN-00-XX-DR-D-0020 Rev P01).
22. Development proposals affecting the route of NCN7, shall include arrangements for the temporary diversion of the NCN7. Such details shall be accompanied by measures which seek to mitigate the impact of the diversion such as the provision for wayfinding signage and the use of distinctive materials alongside other measures of route design required to ensure that the diverted route remains clear, attractive and intuitive to users. Thereafter the approved temporary diversion and associated mitigation measures shall be undertaken in a timescale agreed in writing by the Planning Authority. The mitigation measures shall be maintained on site for as long as the temporary diversion of the NCN7 remain in place.
23. Development proposals that propose to alter the route of NCN7 shall include details for the final arrangement of post-development reconfiguration of NCN7 at the western end of the site. These details shall include the final route and positioning of NCN7. Thereafter, the approved details shall be implemented as approved in a timescale agreed in writing by the Planning Authority.
24. Any development proposals that will permanently affect the route and function of existing bus stops shall be accompanied by a report assessing and reviewing the impact of the proposed road layout upon existing bus stop locations (including those stops situated along the A82 and A814). If required, the report shall include details for any new bus stops required or details for relocation of existing bus routes. The approved report, including any identified findings and measures shall be implemented in a timescale agreed in writing by the Planning Authority.
25. Prior to the commencement of any development on site, a trespass proof fence of minimum 1.8 metres in height shall be installed along the boundary of the railway line within the application site. Prior to its installation, details of the proposed trespass fencing including its location and design shall be submitted to, and approved in writing by the Planning Authority. The approved trespass fence shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, the approved trespass fence shall remain in place for the duration of when construction works are taking place on the part of the site impacting the railway.
26. No development shall take place, between the months of September to March inclusive, until an independent Ecological Clerk of Works (ECoW) or on-site Ecologist (with ornithological experience) has been appointed by the developer/applicant to oversee, monitor and ensure the effectiveness of all

ecological mitigation measures to protect the integrity of the Inner Clyde Special Protection Area and other ecological designations. The Planning Authority shall be notified in writing once this person has been appointed. Thereafter, the ECoW shall remain in place for the duration of the construction works associated with that part of the development, unless otherwise agreed with the Planning Authority.

27. Further to Condition 26, prior to appointing the ECoW, a 'scope of works' and 'terms of reference' for that person shall be submitted to and approved in writing by, the Planning Authority. This specifically shall detail the role and remit of the ECoW and the circumstances and timescales during the construction phase whereby they will require to be present within the application site. As a minimum, this shall detail that the ECoW shall:
  - Be kept adequately informed of and ensure compliance with the construction timetable and programming (including any variations to such details) to be agreed under the terms of approved CEMP alongside all other ecological mitigation measures and proposals which are to be in place for the lifetime of the construction work associated with the redevelopment of the site.
  - Have the capacity and authority to halt/postpone any construction works taking place during the sensitive over-wintering months (i.e. from September to March inclusive) and until such time as they believe the operations concerned will not result in any redshank, cormorants, goldeneye, oystercatchers, red-breasted merganser (or any other notified bird species) being displaced from feeding or roosting within the identified Inner Clyde Special Protection Area or within the designated Site of Special Scientific Interest (SSSI).
28. No development shall commence, between the months of September to March inclusive until a screening and protective barrier has been installed along the boundary between the Inner Clyde Special Protection Area (SPA) and the area proposed for development works within the application site (southern boundary of the water/foreshore edge boundary of the works area). Prior to its erection, details of the proposed screening barrier including its location, extent, design and level of obscurity shall be submitted to, and approved in writing by the Planning Authority. The approved screening barrier shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, the approved screening barrier shall remain in place for when construction works are taking place within the part of the site impacting the SPA.
29. Further to Condition 28 above, in the event that any such screening barrier is to be replaced by more permanent screen planting, details of such proposals shall be submitted to and approved in writing by the Planning Authority prior to the removal of the screening barrier (between the months of September to March inclusive). Such proposals shall include details for planting along the edge of the development site area (referred to as the 'Green Corridor' on the

approved Masterplan and Parameters Plan) combined with tree/scrub retention and appropriate reinforcement planting along the route of the new/upgraded road and along the edge of the existing railway line. The approved screen planting details shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority.

30. As part of any applications for approval of matters specified in conditions, and with regard to the requirements of condition 1 above, up-to-date protected species surveys insofar as required in relation to the area of proposed development and associated ecological features shall accompany development proposals within the site. These surveys shall be carried out by a suitable qualified ecologist at the appropriate time of year and will be provided to update the baseline information provided through the Environmental Statement and ecological surveys provided as part of this application. Furthermore, should the results of such surveys show them to be necessary, any such applications shall also be accompanied by the relevant species protection plans to identify any license requirements.
31. Prior to the commencement on any development on site, details of measures to protect retained trees and areas of woodland on the site during construction shall be submitted to and approved in writing by the Planning Authority. The details shall include specific details for the establishment of buffer zones for the protection of trees and area of woodland along and within the site boundary. Thereafter, unless otherwise agreed in writing by the Planning Authority, the approved measures shall be implemented and shall remain in place for the duration when construction works are taking place on site.

- (d) **DC23/205/FUL: Application under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 7, relating to the timing of footpath delivery at Farm Road, Duntocher, Clydebank by Barratt Homes West Scotland.**

**GRANT full planning permission subject to the following conditions:-**

1. No development shall commence on site until such time as approval of the detailed design and layout of the residential development (hereinafter called “the matters specified in conditions”) has been granted by the planning authority. Any application for approval of matters specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:
  - a) the overall site layout;
  - b) the orientation, size, height, design and external appearance of the proposed houses;
  - c) the means of drainage and sewage (including perimeter drainage) which shall incorporate the principles of Sustainable Drainage Systems (SuDS);
  - d) details of the full access arrangements (including a swept path analysis to demonstrate the suitability of the road layout within the site for refuse vehicles) ;
  - e) provisions for car parking;
  - f) boundary walls/fences to be erected and/or retained;
  - g) existing and proposed site levels and floor levels;
  - h) hard and soft landscaping for the site;
  - i) the provision of private open space within each house plot to West Dunbartonshire Council’s Residential Design Guidance Standards; and
  - j) provisions for the storage and collection of waste arising from the development.
2. Prior to the commencement of development on site, details of the measures to be taken to protect the existing trees on the site, as identified in the Tree Survey and Arboricultural Report, dated September 2019, shall be submitted to and approved in writing by the planning authority. The approved measures shall thereafter be fully implemented during the course of all construction works on the site. None of these trees shall be felled, lopped or topped except as otherwise approved by the authority.
3. Further to Section 4.2 of the approved Extended Phase 1 Habitat Survey (dated 15 August 2019) the further badger, otter, water vole and bat surveys and assessments shall be carried out and submitted for approval by the planning authority as part of the detailed application(s) for the matters specified in conditions. If no works have commenced on site by 1 August 2021, a new habitat survey shall be undertaken and submitted as part of the detailed application(s). This shall either confirm that the findings and

recommendations of the original survey remain valid or alternatively outline further recommendations as required based on current circumstances.

4. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.
5. Further to Appendix 4: 'Flood Risk Assessment' of the approved Engineering Assessment and Drainage Report (dated September 2019), any modification or alterations to the indicative masterplan layout of the proposed residential development (as shown on approved plan 'Masterplan' (Drawing No. 5914(2) S005 Rev E) shall be subject to a further Flood Risk Assessment. This shall be submitted as part of the application(s) for the approval of matters specified in conditions.
6. No development shall commence on site until a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include the following information:
  - a) a site management plan including details of the management/storage of soil and construction materials, of the storage of all waste materials, and for the parking of all vehicles associated with the construction operations;
  - b) a construction method statement, detailing the hours of construction operations and deliveries, measures to prevent the transmission of noise to adjoining residents, and measures to control the spread of dust from the site;
  - c) details of wheel-washing arrangements;
  - d) a construction traffic management plan; and
  - e) details of construction stage sustainable drainage measures, including provision for
  - f) the prevention of pollution of groundwater or surface watercourses.
7. Unless otherwise agreed in writing by the Planning Authority, none of the houses within the development shall be occupied until bus stops and shelters have been provided on Craigielea Road, in locations to be agreed with the Council, as Roads Authority, and Strathclyde Partnership for Transport. Furthermore a footpath linking these stops with the development shall be provided prior to the occupation of the 64<sup>th</sup> dwellinghouse in the development site.
8. That the development shall be implemented in a continuous programme of construction commencing with the northern field as Phase 1 and concluding with the southwestern field as Phase 2.

**DC22/185/FUL: Change of use of ground for the siting of three holiday lodges including a waste water treatment plant and ancillary car parking (being a revised design from that approved under Planning Permission ref: DC21/096/FUL) at Former Maryland Water Pumping Station, Garshake Road, Dumbarton by Mrs Mary Gillies.**

**GRANT full planning permission subject to the following conditions:-**

1. No individual shall reside in the tourist accommodation for more than 28 consecutive days. In addition, no individuals shall reside in the tourist accommodation for more than 60 days in the calendar year. To this effect, a permanent log book shall be kept of all visitors who stay at the tourist accommodation for the lifetime of the development. This shall note the names and addresses of all visitors. The log book shall be made available for the inspection of the Council as Planning Authority, if requested.
2. Prior to the commencement of development, full details of the parking arrangement will be provided to the Planning Authority for written approval. Thereafter, the approved parking arrangement shall be formed and available prior to the lodges hereby approved being first brought into use. The spaces and access arrangements shall thereafter be kept available for the lifetime of the development.
3. Prior to the commencement of development, full details of the surface and foul drainage shall be provided to the Planning Authority for written approval. Thereafter, the approved arrangements shall be implemented prior to the lodges hereby approved being brought into use. The drainage arrangements shall thereafter be maintained for the lifetime of the development. For the avoidance of doubt, the arrangement will incorporate sustainable drainage arrangements (SuDS).
4. Prior to the lodges hereby approved being first brought into use, the lodges operator shall submit a Management Plan to the Planning Authority for their written approval. The Management Plan shall include details of day to day site management and maintenance and how potential noise and guest behaviour issues are to be dealt with, should they arise. Thereafter, the site will operate in accordance with the approved Management Plan for the lifetime of the development unless otherwise agreed by the Planning Authority.
5. Prior to the commencement of works, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Planning Authority. Where appropriate, these details shall include proposed finished and existing grounds levels and contours, hard surfacing materials and lighting. Thereafter, the approved details shall be fully implemented in accordance with the approved details prior to the lodges being brought into

use, unless otherwise agreed by the Planning Authority. Any trees, shrubs, or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

6. The 1.6m high wall to the north of the gable end of unit 1 and the 1.1m high wall along the front edge of the former water tank shall be finished in timber cladding to match that across the wider site.
7. Prior to the commencement of development on site, the finishing materials to be used shall be submitted to the Planning Authority for written approval. Thereafter, the approved materials shall be implemented as approved.
8. If there is a requirement to either re-use site one material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013 material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac and odours. On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use.
9. the presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works. The approved details shall be implemented as approved.

**DC22/072/FUL: Residential development, landscaping and associated Infrastructure at Hawthornhill Road, Dumbarton by Persimmon Homes.**

**GRANT full planning permission subject to the following conditions:-**

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the houses within the development site shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved material details and palette.
2. Further to condition 1 above, unless otherwise agreed in writing with the Planning Authority, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Forterra Victorian Mixture' specification and variety.
3. Further to Conditions 1 and 2 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in strict accordance with the approved brick details.
4. The approved hard and soft landscaping and all associated approved planting details shall be implemented within a timescale to be agreed prior to the commencement of works on site with the Planning Authority.
5. Notwithstanding the approved plans, an updated planting schedule to incorporate Hawthorn planting and clarify the suitability of the planting within the SuDS area shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and shall be implemented with a timescale to be agreed with the Planning Authority.
6. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
7. That full details of maintenance and management for the landscaping approved shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
8. That prior to each house hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.

9. That within 4 weeks of the last of the houses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
10. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The offstreet parking provision inclusive of garages where they part of this parking provision shall be shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
11. No construction works except ground investigation works shall commence on site until the existing pedestrian crossing on Cardross Road shall be relocated and be fully operational in the new position.
12. No construction works shall commence on site until full details of the new position of the existing bus stop on Cardross Road currently in the position of the relocated pedestrian crossing shall be submitted to and approved in writing by the Planning Authority in consultation with SPT with the relocation taking place and the bus stop being available for use by services
13. That the approved drainage regime inclusive of the SuDS pond shall be fully implemented. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
14. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing ty the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
15. No site clearance works shall be undertaken during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority. For the avoidance of doubt, any such agreement will require a full nesting bird survey prior to the commencement of works on site, the methodology and findings of which shall be submitted to the Planning Authority
16. That prior to the commencement of any works on site, full details of the incorporation of low or zero carbon generating technologies shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.
17. Prior to the commencement of development with the site, details of the location and design of electric charging points/units and associated infrastructure and ducting to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging points/units/ducting and associated infrastructure shall thereafter be installed

in accordance with the approved details at a timescale agreed by the Planning Authority and maintained at all times thereafter.

18. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
19. Details of the provision of grit bins for the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first house within the site and thereafter maintained for the lifetime of the development.
20. Prior to the commencement of works on site, details of any street furniture shall be submitted to and approved in writing by the Planning Authority and shall be implemented within an agreed timescale.
21. No house shall be occupied until the contents of a Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
22. No development (other than investigative work) can take place until such time as a comprehensive site investigation has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. The investigation shall be completed by a suitably qualified and competent person and completed in accordance with advice given in the following:
  - Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection
  - Act 1990 (as inserted by section 57 of the Environment Act 1995)
  - BS 10175:2011+A1:2013 – British Standards institution 'The Investigation of Potentially Contaminated Sites – Code of Practice'.
  - Land Contamination and Development Management -Guidance.  
[https://www.epscotland.org.uk/wp\[1\]content/uploads/2019/09/ConLandEvGuide\\_12-Aug19-FINAL.pdf](https://www.epscotland.org.uk/wp[1]content/uploads/2019/09/ConLandEvGuide_12-Aug19-FINAL.pdf)
23. If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted.
24. If the risk assessment identifies any unacceptable risks then an appraisal of remedial options followed by a detailed remediation scheme will be submitted to and approved in writing by the Planning Authority. No works other than

investigative works shall be carried out on site prior to receipt of the Planning Authority's written approval of the remediation scheme.

25. 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.
26. 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.
27. 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 Local Planning Authority.
28. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
29. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
30. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.

31. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
32. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800 – 1800
  - Saturdays: 0800 – 1300
  - Sundays and public holidays: No Working
33. 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 has been submitted to and approved in writing by this 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 this Authority.
34. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 0800 or after 1800.
35. 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. This 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.
36. Notwithstanding condition 36 above, full details of the design, height and location of an acoustic fence adjacent the sports pitch shall be submitted to and approved in writing by the Planning Authority. The fence shall then be erected prior to the occupation of any dwellinghouse on plots 32 to 44 inclusive.

37. No development shall commence on site until details for the storage and the collection of waste arising from the development and the location of grit bins shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.

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