

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 30 May 2018 at 10.00 a.m.

**Present:** Bailie Denis Agnew and Councillors Jim Brown, Gail Casey, Karen Conaghan, Diane Docherty, Jim Finn, Marie McNair, John Mooney and Lawrence O'Neill.

**Attending:** Peter Hissett, Strategic Lead – Regulatory; Pamela Clifford, Planning & Building Standards Manager; Erin Goldie, Team Leader – Development Management; Antony McGuinness, Team Leader – Forward Planning; Bernard Darroch, Lead Planning Officer; Lorna Ramsay, Lead Planning Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

**Apology:** An apology was intimated on behalf of Councillor Douglas McAllister.

### **Councillor Jim Finn in the Chair**

## **DECLARATIONS OF INTEREST**

Bailie Denis Agnew and Councillor John Mooney declared an interest in the item under the heading 'DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde', being members of the West Dunbartonshire Health & Social Care Partnership Board.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 21 March 2018 were submitted and approved as a correct record.

With regard to Planning Application 'DC17/293 – Change of use of former school site to public open space including construction of footpath network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures at the former St Eunan's primary school site, Melfort Avenue, Clydebank by West Dunbartonshire Council', Bailie Agnew requested an update on progress and timescale in relation to the additional condition concerning an investigation of possible leaching of contamination from the site into the lane, to the rear of the terraced row of residential properties to the immediate south of the site. The Planning & Building Standards Manager advised that she was expecting

progress in the coming months but the rate of progress would largely be determined by the applicant.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 19 March 2018, a copy of which forms Appendix 1 hereto, was submitted and noted, subject to the following correction:-

In the sederunt, add Bailie Denis Agnew and Councillors Diane Docherty, Jim Finn and Marie McNair, to the names of those in attendance.

### **OPEN FORUM**

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

### **PLANNING APPLICATIONS**

Reports were submitted by the Strategic Lead – Regulatory in respect of the following planning applications:-

**(1) DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde.**

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

The Chair invited Ms Beth Culshaw, Chief Officer of the West Dunbartonshire Health & Social Care Partnership Board; Gary Smithson, Hubwest Scotland; Jonathan McQuillan, Anderson Bell Christie architects and Jackie Maceira, West Dunbartonshire Access Panel, to address the Committee. All were heard in support of the application and in answer to Members' questions.

After discussion and having heard the Planning & Building Standards Manager in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

### **ADJOURNMENT**

Having heard Councillor Finn, Chair, the meeting was adjourned at 11.03 a.m. and was reconvened at 11.13 a.m. with the same Members present, as listed in the sederunt.

- (2) **DC17/230 – Erection of retail development comprising of food store and 7 retail units, with associated infrastructure works including a new access, car parking and landscaping (amended design) on land at Castle Street, Dumbarton by Lidl UK GmbH.**

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

The Chair invited Mr Grant Allan, Rapleys, agent for the applicant, Mr Cameron Hall and Gordon Rafferty, applicant, to address the Committee. All were heard in support of the application and were heard in answer to Members' questions.

After discussion and having heard the Planning & Building Standards Manager in answer to Members' questions, Councillor Conaghan, seconded by Bailie Agnew, moved:-

That the Committee grant planning permission, subject to appropriate conditions.

As an amendment, Councillor Mooney, seconded by Councillor Finn, moved:-

That the application be continued to a future meeting of the Committee, pending consideration at a future meeting of the Place and Design Panel.

On a vote being taken, 2 Members voted for the amendment and 7 for the motion, which was accordingly declared carried.

- (3) **DC18/040 – Change of use from public house to licensed restaurant with external seating area at 13-15 Overton Street, Alexandria by Frank Reilly.**

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

- (4) **DC17/232 – Demolition of existing housing and erection of residential development of 46 houses and flats on Westcliff and Talisman Avenue, Dumbarton by the Wheatley Group.**

After discussion and having heard the Planning & Building Standards Manager, the Committee agreed to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

## **STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT MILLDAM ROAD, FAIFLEY**

A report was submitted by the Strategic Lead – Regulatory seeking approval of a new street name for the housing development site at Milldam Road, Faifley.

After discussion and having heard the Planning & Building Standards Manager in further explanation and in answer to Members' questions, Bailie Agnew, seconded by Councillor Finn, moved:-

That Milldam Gardens be approved as the street name for the new development.

As an amendment, Councillor O'Neill, seconded by Councillor Mooney, moved:-

That Doublet Court be approved as the street name for the new development.

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

## **REDISCOVERING THE ANTONINE WALL PROJECT – SUBMISSION OF STAGE 2 HERITAGE LOTTERY FUND BID**

A report was submitted by the Strategic Lead – Regulatory seeking approval for the submission of a Stage 2 Heritage Lottery Fund application for the Rediscovering the Antonine Wall Project.

After discussion and having heard the Planning & Building Standards Manager in further explanation and in answer to Members' questions and the Strategic Lead – Regulatory in clarification of certain matters, the Committee agreed to approve the submission of the Stage 2 Heritage Lottery Fund application by West Dunbartonshire Council as lead authority.

Bailie Agnew, having failed to find a seconder for a proposed amendment, requested that his dissent be recorded in respect of this item.

The meeting closed at 12.31 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 19 MARCH 2018**

**Present:** Bailie Denis Agnew and Councillors Jim Brown, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn and Marie McNair.

(The above lists all Councillors who attended at least one site visit).

**Attending:** Pamela Clifford, Planning & Building Standards Manager and Erin Goldie, Team Leader – Development Management.

**SITE VISITS**

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

(1) Former St Eunan's primary school site, Melfort Avenue, Clydebank

DC17/293 – Change of use of former school site to public open space including construction of footpath, network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures by West Dunbartonshire Council.

(2) Land at Young's Farm, Renton Road, Dumbarton

DC17/140 – Mixed use development incorporating a football stadium and associated uses (including restaurant, hospitality and function suites), residential development, commercial and tourism development, floodlit sports pitches, access, parking, and landscaping etc. by DFC Community Stadium Company Ltd.

**DC18/057 – New Clydebank health and care centre Queens Quay Development site Clydebank by NHS Greater Glasgow & Clyde.**

Permission **GRANTED** subject to the following conditions:-

1. The materials to be used on the development hereby approved shall be a mix of facing brick (Crest Titan multi brick) 5mm weathered corten steel, aluminium curtain walling system (RAL 7021 Matt), 150mm pressure cap and cream mortar. All external materials shall be implemented as per the approved details unless otherwise agreed in writing with the Planning Authority.
2. Unless otherwise agreed in writing no development shall commence on site until samples of all hard surfacing and edging materials throughout the site shall be submitted for the further written approval of the Planning Authority. Such details shall include the provision of sample panels showing options for the material to be used in front of the main entrance to the health and care centre adjacent to the shared surface and public realm area at the head of the basin and shall be co-ordinated with the materials for the wider Queens Quay public areas. The agreed materials shall thereafter be implemented as approved prior to the occupation of the building.
3. Unless otherwise agreed in writing no development shall commence on site until full details of the design and location of all walls and fences to be erected on site, including the corten steel gates at the entrance to the maintenance access path, shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
4. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS), its maintenance following installation and how it connects to the wider SUDS system shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS scheme shall thereafter be formed and maintained on site prior to the occupation of the building and in accordance with the approved details.
5. The landscaping scheme approved under Drawing No.16020\_SW\_201 Rev D02 shall be implemented as approved not later than the next appropriate planting season after the occupation of the building. Details of the maintenance arrangements for the landscaping scheme shall be submitted for further approval and the landscaping shall thereafter be maintained in accordance with these details. No landscaping details or features shall be altered or removed without the prior approval of the Planning Authority.

6. Prior to the commencement of development on site, timescales for the completion of pedestrian walkways, landscaping works, hard surfaces and boundary treatments, shall be submitted for the further approval of the Planning Authority. Thereafter, such works shall be fully implemented as agreed and maintained.
7. The development shall be constructed in accordance with the proposed ground levels as shown on Drawing No. 16020\_LG\_202 Rev D02. Any alterations to these levels shall first be agreed in writing with the Planning Authority.
8. Unless otherwise agreed in writing no development shall take place within the development site as outlined in red on the approved plan 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 by the applicant, agreed by the West of Scotland Archaeology Service, and approved 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 as agreed by the Planning Authority in consultation with the West of Scotland Archaeology Service.
9. Prior to work commencing on site, the arrangements to ensure that all public roads are kept free of deleterious material (wheel washers and rumble strips), shall be put in place and implemented as approved.
10. Twelve months after the commencement of use, a parking review including a methodology statement to be agreed with the Planning Authority shall be undertaken to ascertain levels of parking and to establish whether there are any parking related problems associated with the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority and any actions recommended in the review shall be implemented in a timescale agreed with the Planning Authority.
11. Notwithstanding the details shown on the approved plans, the final location and details of the substation and generator building shall be submitted for the written approval of the Planning Authority, and implemented as approved.
12. No development (other than investigative works) shall commence on site until such time as a revised remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme 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 historic 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. Notwithstanding the submitted details, details of assessment criteria and sampling frequency to demonstrate the suitability of any site-won material or imported material to be used shall be submitted to and approved by the Planning Authority prior to any such material being re-used or imported.
14. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development on site (other than that required to carry out said 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.
15. 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, and work shall cease on that particular part of the site. At this stage, if requested, a comprehensive contaminated land 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 scheme shall be implemented as approved.
16. Unless otherwise agreed in writing no development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for the proposed use to cause noise nuisance affecting nearby properties. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. Should the approved noise attenuation scheme impose restrictions upon the way in which operations on the site are carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.
17. Unless otherwise agreed in writing no development shall take place on site until such times 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.

18. 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 should 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.
19. Unless otherwise agreed in writing no development shall commence on site until a scheme for the control and mitigation of dust shall be submitted for the further approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and measures to prevent or limit the occurrence and impact of such dust. The scheme shall be implemented as approved prior to any dust-generating activities commencing on site.
20. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority, and any piling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
21. Unless otherwise agreed in writing no development shall commence on site until details of sustainable travel information to be provided to patients including information screens and wayfinding signage within the new health and care centre building and elsewhere within the site shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
22. Unless otherwise agreed in writing no development shall commence on site until full details of any external lighting including floodlights shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
23. Unless otherwise agreed in writing no development shall commence on site until full details of the cycle racks, bike store and bin storage areas to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the building.
24. Unless otherwise agreed in writing no development shall commence on site until a solar glare hazard assessment shall be submitted for the further written approval of the Planning Authority in consultation with Glasgow Airport Safeguarding. Any recommendations made within the assessment shall be implemented prior to the occupation of the building.

25. Unless otherwise agreed in writing no development shall commence on site until full details of the access barrier at the entrance to the staff car park, including its appearance and how it will operate shall be submitted for the further written approval of the Planning Authority and implemented as approved.
26. Unless otherwise agreed in writing no development shall commence on site until full details of any signage to be erected on the building and elsewhere within the boundary of the site shall be submitted for the further written approval of the Planning Authority and implemented as approved.
27. No satellite antenna, aerials or additional plant equipment shall be erected on the roof or any part of the exterior of the building without the prior approval of the Planning Authority.
28. Prior to the occupation of the building the agreed bird management proposals on the roof shall be implemented as approved.

**DC17/230 – Erection of retail development comprising of food store and 7 retail units, with associated infrastructure works including a new access, car parking and landscaping (amended design) on land at Castle Street, Dumbarton by Lidl UK GmbH.**

Permission **GRANTED** subject to appropriate conditions.

**DC18/040 – Change of use from public house to licensed restaurant with external seating area at 13-15 Overton Street, Alexandria by Frank Reilly.**

Permission **GRANTED** subject to the following conditions:-

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. The development shall thereafter be completed in accordance with the approved details.
2. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected around the external seating area shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details.
3. Prior to the commencement of development on site details of the design and location of the bin stores shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the restaurant being brought into use.

4. The external seating area shall not be available for use between 9pm and 9am.
5. There shall be no amplified music or noise making equipment installed within the external seating area.

**DC17/232 - Demolition of existing housing and erection of residential development of 46 houses and flats on Westcliff and Talisman Avenue, Dumbarton by the Wheatley Group.**

Permission granted subject to the following conditions:-

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 the development shall thereafter be completed in accordance with the approved details.
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 the development shall thereafter be completed in accordance with the approved details.
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 the development shall thereafter be completed in accordance with the approved details.
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 the development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the approved properties, unless otherwise agreed in writing with the Planning Authority.
5. No house/flatted unit shall be occupied until the vehicle parking spaces associated with that house/flatted 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 any of the residential properties.
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. Prior to the commencement of development, full details of a play area to be provided on the land adjacent to Havoc Road shall be submitted for the written approval of the Planning Authority. The play area shall thereafter be installed prior to completion of the 20th unit within the development unless otherwise agreed in writing with the Planning Authority and maintained in accordance with the approved details.
9. Prior to the commencement of development, full details of a pedestrian link between Talisman Avenue and Havoc Road shall be submitted for the written approval of the Planning Authority. The pedestrian link shall thereafter be installed prior to completion of the 20th unit within the development unless otherwise agreed in writing with the Planning Authority and maintained in accordance with the approved details.
10. 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.
11. 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.
12. 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.
13. No commercial vehicle making deliveries to or collecting material from the development site shall enter or leave the site before 8am or after 6pm.
14. 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.

15. 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.