

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 28 October 2015 at 10.02 a.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Euan Tyson, Project Manager; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Gail Casey, Jim Finn and Patrick McGlinchey.

**Councillor Lawrence O'Neill in the Chair**

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 23 September 2015 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of Visitation carried out on 16 September 2015, a copy of which forms Appendix 1 hereto, was submitted and noted.

## **PLANNING APPLICATIONS**

A report was submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

### **New Applications:-**

**DC15/144 & DC15/145 – Erection of Council Office building incorporating restored façade and associated car park, landscaping and plant enclosure at the Old Academy Building, Church Street, Dumbarton by West Dunbartonshire Council.**

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

The Chair then invited Mr Neil Watley, Architect at Keppie Design, who are the project Architects, to address the Committee.

Mr Watley gave a presentation on the design and features of the new Council Office building. Mr Watley was also heard in answer to Members' questions.

Following discussion and having heard the Planning and Building Standards Manager and the Project Manager in answer to Members' questions, the Committee agreed:-

- 1) that authority be delegated to the Planning and Building Standards Manager to grant listed building consent for application DC15/144 subject to the conditions set out within the report, details of which are contained within Appendix 2 hereto, and to the conclusion of formal notification of Historic Scotland; and
- 2) to grant full planning permission for application DC15/145, subject to the conditions specified within the report, details of which are contained within Appendix 2 hereto.

### **RECEIPT OF APPEAL AGAINST THE REFUSAL OF APPLICATION DC15/041 FOR THE RETROSPECTIVE CHANGE OF USE FROM CLASS 1 RETAIL TO AMUSEMENT CENTRE AT UNITS 57-61, 36 SYLVANIA WAY, CLYDEBANK**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the submission of a planning appeal in relation to the above.

The Committee agreed to note the receipt of the appeal.

**RECEIPT OF AN APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR (DC14/168) ALTERATION TO PERMITTED EXTENT OF QUARRYING OPERATIONS AND CONSEQUENTIAL AMENDMENTS TO APPROVED LANDSCAPING, TREE PROTECTION AND RESTORATION SCHEMES (AMENDMENT TO CONDITION NUMBERS 22, 27, 28, 46 AND 47 OF PLANNING PERMISSION DC02/187) AT DUMBUCKHILL QUARRY, STIRLING ROAD, DUMBARTON BY PATERSON'S OF GREENOAKHILL LTD.**

A report was submitted by the Executive Director of Infrastructure and Regeneration requesting that the Committee note the receipt of a claim for an award of expenses in relation to the above appeal.

Having heard the Planning and Building Standards Manager in further explanation of the report and the Principal Solicitor in answer to Members' questions, the Committee agreed to note the receipt of a claim for an award of expenses in relation to this appeal.

**PLANNING PERFORMANCE FRAMEWORK 2014/15**

A report was submitted by the Executive Director of Infrastructure and Regeneration informing of the recent comments received from the Scottish Government and the peer review regarding the Planning Performance Framework submitted by this Council for 2014/15.

Following discussion, the Committee agreed:

- 1) to the implementation of the improvement plan, as detailed within Appendix 1 to the report; and
- 2) otherwise to note the contents of the report.

**RENFREWSHIRE LOCAL DEVELOPMENT PLAN**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising on the outcome of a legal challenge to the adoption of the Renfrewshire Local Development Plan.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to note the contents of the report and that it was a welcome judgement.

## **CONSULTATION ON CHANGES TO NATIONAL BUILDING STANDARDS**

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the publication of a consultation on changes to national building standards to introduce in-building physical infrastructure for high speed electronic communications networks and to agree the Council's response.

The Committee agreed that Appendix 1 to the report be submitted to the Scottish Government as this Council's response to the consultation.

The meeting closed at 10.50 a.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 16 SEPTEMBER 2015**

**Present:** Councillor Jim Finn

**Attending:** Keith Bathgate (Development Management Team Leader)

**Apologies:** Councillors Patrick McGlinchey, Tommy Rainey and Martin Rooney

**SITE VISIT**

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

**(a) 12 North Avenue, Clydebank Business Park**

DC15/073 - Change of Use from Vacant Industrial Unit to Gymnastics Club by Dynamite Gymnastics Club at Unit 1, 12 North Avenue, Clydebank Business Park.

### **DC15/144 & DC15/145 – Erection of Council Office building incorporating restored façade and associated car park, landscaping and plant enclosure at the Old Academy Building, Church Street, Dumbarton by West Dunbartonshire Council.**

#### **DC15/144 - Listed Building Consent was GRANTED subject to the following conditions:-**

1. The facing brick to be used on the development hereby approved shall be Wienerberger Marziale facing brick unless otherwise agreed in writing with the Planning Authority 02. Prior to the commencement of the development on site details and specifications of all external materials (other than the facing brick referred to in condition 01) shall be submitted for the further written approval of the planning authority and implemented as approved.
3. Prior to the commencement of the development on site, detailed drawings of the following features shall be submitted for the further written approval of the planning authority, in consultation with Historic Scotland, and implemented as approved;
  - The dormer windows, including the half-timbered detail
  - The rear pend opening
  - The entrance steps
  - The windows to be installed in the existing openings on the listed façade
4. Prior to the commencement of the development on site, details of an amended design for the infilling of the door opening on the left hand side of the facade shall be submitted for the further written approval of the planning authority and implemented as approved.
5. Prior to the commencement of the development on site, details of an amended design for the ramp handrail shall be submitted for the further written approval of the planning authority and implemented as approved.
6. Prior to the commencement of the development on site, test patches for the cleaning of the stonework shall be carried out and details of the method(s) used and the associated results submitted for the further written approval of the planning authority in consultation with Historic Scotland. The agreed stone cleaning method shall thereafter be implemented as approved.
7. Prior to the commencement of the development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
8. Prior to the commencement of the development on site, full details of the design and location of all walls and fences to be erected on site and details of the treatment of the existing boundary wall on Castle Street, shall be

submitted for the further written approval of the Planning Authority and implemented as approved.

9. Prior to the commencement of the development on site full details of the landscaping scheme for the site shall be submitted for the further written approval of the planning authority and implemented as approved not later than the next appropriate planting season after occupation of the building. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
10. Prior to the commencement of development on site, full details of any external lighting including floodlights shall be submitted for the further written approval of the Planning Authority and implemented as approved.

**DC15/145 - Permission was GRANTED subject to the following conditions:-**

1. The facing brick to be used on the development hereby approved shall be Wienerberger Marziale facing brick unless otherwise agreed in writing by the Planning Authority.
2. Prior to the commencement of the development on site, details and specifications of all external materials (other than the facing brick referred to in condition 01) shall be submitted for the further written approval of the planning authority and implemented as approved.
3. Prior to the commencement of the development on site, detailed drawings of the following features shall be submitted for the further written approval of the planning authority, in consultation with Historic Scotland, and implemented as approved;
  - The dormer windows, including the half-timbered detail
  - The rear pend opening
  - The entrance steps
  - The windows to be installed in the existing openings on the listed façade
4. Prior to the commencement of the development on site, details of an amended design for the infilling of the door opening on the left hand side of the facade shall be submitted for the further written approval of the planning authority and implemented as approved.
5. Prior to the commencement of the development on site, details of an amended design for the ramp handrail shall be submitted for the further written approval of the planning authority and implemented as approved.
6. Prior to the commencement of the development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.

7. Prior to the commencement of the development on site, full details of the design and location of all walls and fences to b Castle Street shall be submitted for the further written approval of the Planning Authority and implemented as approved.
8. Prior to the commencement of the development on site full details of the landscaping scheme for the site shall be submitted for the further written approval of the planning authority and implemented as approved not later than the next appropriate planting season after occupation of the building. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
9. Prior to the commencement of the development on site, full details of any external lighting including floodlights shall be submitted for the further written approval of the Planning Authority and implemented as approved.
10. No development (other than investigative works and any site preparation works as agreed in writing with the planning authority) shall commence on site until such time as a final detailed quantitative risk assessment and a final remediation scheme for the entire 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.
11. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development on site 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.
12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any measures arising shall be implemented within a timescale agreed with the Planning Authority.

13. 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.
14. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 8am or after 6pm.
15. Prior to the commencement of the development on site a noise control method statement for the construction period shall be submitted for the further written approval of the planning authority. The 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.
16. Prior to the commencement of the development on site a scheme for the control and mitigation of dust shall be submitted for the further written approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the planning authority.
17. Prior to the commencement of the development on site a noise impact assessment for the operational use shall be submitted for the further written approval of the Planning Authority. The noise impact assessment shall include an assessment of the potential for the proposed use to cause noise nuisance affecting nearby properties, including noise from plant such as heating and ventilation systems etc. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing 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.
18. 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 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.

19. Drainage of the site shall be in accordance with the details shown on drawing number ED1297/DR01 Rev T1.
20. Prior to the commencement of the development, full details of the cycle racks to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented as approved.
21. Prior to the commencement of the development, full details of bat and bird boxes to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the building.