

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held by Video Conferencing on Wednesday, 10 June 2020 at 10.00 a.m.

**Present:** Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Daniel Lennie, Douglas McAllister, Marie McNair and Lawrence O'Neill.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management; John Walker, Assistant Engineering Officer, Roads & Transportation; Raymond Lynch, Legal Officer and Craig Stewart, Committee Officer.

**Apology:** An apology for absence was intimated on behalf of Councillor Jim Finn.

**Councillor Diane Docherty in the Chair**

### **CHAIR'S REMARKS**

Councillor Docherty, Vice Convener, welcomed everyone to the June meeting of the Planning Committee which was being held remotely, in terms of Section 43 of the Local Government in Scotland Act 2003.

Accordingly, the Vice Convener advised that a process/procedure had been developed for the meeting (a copy of which had previously been circulated to Members), and that the Legal Officer would take charge of the meeting and would manage the business of the meeting in this regard. Thereafter, the Committee agreed to note the procedure in place for the conduct of the meeting and the meeting then continued by video conferencing.

### **DECLARATIONS OF INTEREST**

Councillor McNair declared an interest in Planning Application DC20/018 on the agenda, being a Board Member of Clydebank Housing Association, and advised that she would take no part in the decision in respect of that application.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 13 May 2020 were submitted and approved as a correct record.

## NOTE OF VISITATION

A Note of Visitation carried out on 12 May 2020, a copy of which forms Appendix 1 hereto, was submitted and noted.

## 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:-

- (a) **DC19/260 – Erection of 2 six storey flatted blocks, comprising a total of 48 units with associated road access, parking and infrastructure, open space and landscaping at land on Dumbarton Road, Old Kilpatrick by The Link Group Ltd.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Team Leader – Development Management was then heard in further explanation of the report.

The Legal Officer invited Mr James Hall, Ms Barbara Hanlon and Mr Joseph Lynn, objectors, to address the Committee. All were heard in respect of their representations.

The Legal Officer then invited Mr Martin McFarlane and Mr Ryan Cossar, agent for the applicant, to address the Committee. Both were heard in support of the application and in answer to Members' questions.

After consideration and having heard the Assistant Engineering Officer and the Team Leader – Development Management in clarification of certain matters and in answer to Members' questions, Councillor Docherty, seconded by Councillor O'Neill, moved:-

That the Committee agrees to continue the application to the next meeting of the Committee, in order to allow for further discussions to take place with the applicant and agent with regard to the height of the proposed development.

As an amendment, Bailie Agnew, seconded by Councillor Dickson, moved:-

That the Committee agrees to indicate that it was Minded to Grant planning permission and that authority be delegated to the Planning, Building Standards and Environmental Health Manager to issue the decision subject to the conditions set out in Section 9 of the report, an additional 4 car parking spaces being provided in the courtyard of the development including an internal or external storage point for bicycles, and subject also

to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a contribution towards the improvement of sustainable modes of transport.

On a vote being taken, 3 Members voted for the amendment and 6 Members voted for the motion, which was accordingly declared carried.

## **ADJOURNMENT**

After hearing Councillor Docherty, Chair, the Committee agreed to a short adjournment. The meeting reconvened at 10.50 a.m., with the same Members and officers present as listed in the sederunt, with the exception of Councillor McNair, who had declared an interest in the next item of business at the outset of the meeting.

**(b) DC20/018 – Demolition of former St Cuthbert’s Church and the erection of 24 flatted residential units at Dalton Avenue, Clydebank by Clydebank Housing Association.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Team Leader – Development Management was then heard in further explanation of the report.

The Legal Officer invited Mr John Hainey, on behalf of Linnvale & Drumry Community Council, objector, to address the Committee. Mr Hainey was heard in respect of his representation and in answer to Members’ questions.

The Legal Officer then invited Mr Bill Coltart, agent, and Ms Sharon Keenan, applicant, to address the Committee. Both were heard in support of the application and in answer to Members’ questions.

After consideration and having heard the Assistant Engineering Officer and the Team Leader – Development Management in clarification of certain matters and in answer to Members’ questions, Bailie Agnew, seconded by Councillor Docherty, moved:-

That the Committee agrees to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto, and subject also to a further condition concerning the widening of the entrance to the development.

As an amendment, Councillor McAllister, seconded by Councillor Casey, moved:-

That the application be refused, on the grounds that the proposed access to the development was not suitable and would have an adverse impact on the amenity of the residential area in terms of additional traffic and traffic disturbance.

On a vote being taken, 4 Members voted for the amendment and 4 Members voted for the motion. There being an equality of votes, Councillor Docherty, Chair, exercised her casting vote in favour of the motion which was accordingly declared carried.

Note: Councillor McNair re-joined the meeting at this point in the proceedings.

**(c) DC20/076 – Erection of storage facility and ancillary works at 2 Auld Street, Clydebank by The Storage Zone.**

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 was then heard in further explanation of the report.

The Legal Officer invited Ms Alison Logan, objector, to address the Committee. Ms Logan was heard in respect of the representation.

The Legal Officer then invited Mr Roddy MacLeod, agent, and Mr David McParlane, applicant, to address the Committee. Both were heard in support of the application.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager in answer to Members' questions, the Committee agreed that the application be refused for the reasons outlined in the report, as detailed within Appendix 2 hereto.

### **QUEENS QUAY DESIGN CODES: CONSULTATION RESPONSES AND STREET NAMING STRATEGY**

A report was submitted by the Strategic Lead – Regulatory informing on the main points of the representations received from the consultation exercise, details of the Proposed Street Naming Strategy and advising on the next steps.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report, the Committee agreed:-

- (1) to note the main points raised within the consultation responses that would shape the finalised design codes which would be presented to the August 2020 meeting of the Planning Committee for approval; and
- (2) to approve the draft Street Naming Strategy Annexe and that details of the street names based on the Strategy would be presented to the August 2020 meeting of the Planning Committee for approval.

The meeting closed at 1.18 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 12 MAY 2020**

**Present:** Bailie Denis Agnew and Councillor Lawrence O'Neill.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager and Ross Lee, Lead Planning Officer.

**SITE VISIT**

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

**Golden Jubilee National Hospital, Agamemnon Street, Clydebank**

DC19/264 – Erection of three storey extension to Golden Jubilee National Hospital, Agamemnon Street, Clydebank by National Health Service (NHS).

**DC20/018 – Demolition of former St Cuthbert’s Church and the erection of 24 flatted residential units at Dalton Avenue, Clydebank by Clydebank Housing Association.**

**MINDED TO GRANT full planning permission subject to the following conditions and subject also to a further condition concerning the widening of the entrance to the development:-**

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of development on site, full details of all hard surfaces 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 occupation of any unit within the development.
3. Prior to the commencement of development on site, 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. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
4. Prior to the commencement of development on site, details of the design and location of all external 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 unit within the development, unless otherwise agreed in writing with the Planning Authority.
5. No unit within the development shall be occupied until all of the vehicle parking spaces 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 on site, 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 unit within the development.
7. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan L(90)100. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.

8. Notwithstanding the 'Land Contamination Preliminary Risk Assessment' (Dated April 2020) submitted, 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:
  - i. A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
  - ii. An assessment of the potential risks (where applicable) to:
    - human health, property (existing and proposed), groundwater and surface waters, ecological systems
  - iii. An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
9. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
11. 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.

12. If required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health measures. 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.
13. 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
14. During the period of construction, all works, including piling, 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
15. 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.
16. 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.

17. 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 and take into account the following:
- The impact of the piling on surrounding properties.
  - Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

18. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior to the occupation of the any unit within the development and thereafter maintained for the lifetime of the development.
19. 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 the occupation of the first unit within the development. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
20. Prior to the occupation of the development, the developer shall install the necessary infrastructure to enable the full development to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
21. All ground or vegetation clearance works, including any tree felling or demolition works, shall take place outwith the main bird breeding season (i.e. outwith the period of March to September inclusive), and no demolition or ground or vegetation clearance works are permitted between March to September in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of any bird nesting activity and of any actions required to protect birds.
22. Unless otherwise agreed in writing by the Planning Authority, prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.

23. Twelve months after the full occupation of the building, 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.
24. Unless otherwise approved in writing, no development shall commence until such time as a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of:
  - The organisation(s) responsible for implementing the Bird Hazard Management Plan on an ongoing basis;
  - Arrangements for the management of fruit and berry bearing trees and shrubs to dissuade hazardous flocking bird species that may exploit these potential food sources;
  - Arrangements for the management of potential nesting and roosting habitat.

The approved Bird Hazard Management Plan shall be implemented within a timescale agreed with the Planning Authority. It shall remain in force for the life of the development. No subsequent alterations to the plan shall take place unless firstly agreed by the Planning Authority in consultation with Glasgow Airport.

**DC20/076 – Erection of storage facility and ancillary works at 2 Auld Street, Clydebank by The Storage Zone.**

**REFUSE planning permission for the following reasons:-**

1. The application site is an allocated and safeguarded housing site and the redevelopment of this site for this alternative storage use would be prejudicial to the spatial strategy and undermine its ability to contribute towards the housing land requirements for West Dunbartonshire. The proposals are therefore contrary to Policy H3 of the Adopted Local Plan 2010; Policy BC2 of Local Development Plan 1: Proposed Plan (LDP 1 2016); and Policy H2 of Local Development Plan 2: Proposed Plan (LDP2 2018).
2. The proposals fails to demonstrate and evidence any reasonable consideration and assessment of designated industrial, commercial and business sites available elsewhere within the West Dunbartonshire area in order to discount their suitability in favour of the application site as chosen. The proposals are contrary to Policy LE3 of the Adopted Local Plan (2010), Policies BC2, GE1 and GE2 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies E1 and E2 of Local Development Plan 2: Proposed Plan (LDP2 2018).

3. The proposed development fails to respect the character and amenity of the surrounding areas by reasons of its visual impact upon and visual relationship with neighbouring residential properties within the street scene, and its failure to consider and minimise the loss of trees. Accordingly, the proposal is contrary to Policies GD1 and E5 of the Adopted Local Plan (2010), Policies DS1 and GN5 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies CP1, CP2 and H4 of Local Development Plan 2: Proposed Plan (LDP2 2019).
  
4. The proposed location of the development immediately neighbours flatted properties on Auld Street. The proposed development has failed to submit appropriate information and assessments to demonstrate that the use once operational will not adversely impact the residential amenity of these neighbouring properties by virtue of noise, traffic and light disturbance. Due to the lack of supporting information in this regard, the proposal is contrary to Policy H5 of the Adopted Local Plan (2010), Policy BC4 of Local Development Plan 1: Proposed Plan (LDP1 2016) and Policies H4 and ENV8 of Local Development Plan 2: Proposed Plan (LDP2 2019).