

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chamber, Municipal Buildings, Station Road, Dumbarton on Tuesday, 12 June 2012 at 10.00 a.m.

Present: Councillors Denis Agnew, Jim Finn, Jonathan McColl, Lawrence O'Neill and Tommy Rainey.

Attending: Jim McAloon, Head of Regeneration and Economic Development, Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Provost Douglas McAllister, Councillors David McBride and John Mooney.

Councillor Lawrence O'Neill in the Chair

VARIATION IN ORDER OF BUSINESS

Having heard Councillor O'Neill, Chair, the Committee agreed to vary the order of business as hereinafter minuted.

DECLARATIONS OF INTEREST

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

PLANNING APPLICATIONS

Reports were submitted by the Executive Director of Housing, Environmental and Economic Development in respect of the following planning applications:-

New Applications:-

- (a) DC12/018 - Erection of dwellinghouse (planning permission in principle) land to the West of 12 Kirkton Road, Dumbarton;

DC12/19 - Erection of dwellinghouse (planning permission in principle) on land to the South East of Islay Kerr House, Dumbarton;

DC12/049 - Subdivision and extension to existing building to form 7 flats (planning permission in principle), Islay Kerr House, Dumbarton, all by Mr G. Galloway.

The Planning and Building Standards Manager was heard in further explanation of the applications and the background relating thereto.

Following discussion, the Committee agreed:-

- (1) to grant planning permission in principle in respect of each application subject to the conditions specified within the report, details of which are contained in Appendix 1 hereto; and
 - (2) that any application for detailed planning permission would have to be submitted to them for determination.
- (b) DC12/037 – Erection of residential development of 20 dwellinghouses and associated access road improvements at the former Argyle Works, Heather Avenue, Alexandria by Ballagan Developments.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto.

- (d) DC12/080 – Erection of care home and associated works including car parking, landscaping and access road improvements at the former Argyle Works, Heather Avenue, Alexandria by Seddon Alexandria Ltd.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 3 hereto.

- (c) DC12/077 – Erection of a Pipe Bridge at Duntocher Burn, Roman Road, Duntocher, Clydebank by Scottish Water.

The Planning and Building Standards Manager and the Team Leader (Development Management) were heard in further explanation of the application and the background relating thereto.

Following discussion, the Committee agreed:-

- (a) to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 4 hereto; and

(b) that the exposed section of pipe across the burn be painted green and not red oxide as proposed by the applicant.

- (e) DC12/083 – Erection of Replacement Pigeon Club Clubhouse, Agamemnon Street, Clydebank by Douglas Spittal.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 5 hereto.

- (f) DC12/084 – Change of Use From Retail Unit to Licensed Restaurant, 53 Sylvania Way, Clyde Shopping Centre, Clydebank by Mahmut Akkurt.

The Planning and Building Standards Manager and the Team Leader (Development Management) were heard in further explanation of the application and the background relating thereto.

Following discussion, Councillor Agnew, seconded by Councillor Finn moved:-

That the Committee agrees that the application be refused on the grounds that the proposed use would be contrary to Policies RET5 and RET 6 of the West Dunbartonshire Local Plan 2010 as it would take away a retail use which had not been vacant for a significant period of time and replace it by a commercial use.

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

The Committee agrees to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 6 hereto.

On a vote been taken, 3 Members voted for the amendment and 2 Members voted for the motion. Accordingly the amendment was declared carried.

- (g) DC12/097 – Change of Use from Open Land to Dog Exercise Yard and Erection of a 2 Metre High Fence at 233 Dumbarton Road, Clydebank by Ms Forey.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 7 hereto.

SCOTTISH GOVERNMENT CONSULTATION – GENERAL PERMITTED DEVELOPMENT AMENDMENT ORDER 2012

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of a Scottish Government consultation on proposed changes to the regulations relating to non-domestic Permitted Development, and seeking agreement on the Council's response.

Having heard the Planning & Building Standards Manager and the Team Leader (Development Management) in further explanation of the report, the Committee agreed:-

- (a) that Appendix A, to the report, be submitted as this Council's response to the Scottish Government consultation paper relating to non-domestic Permitted Development;
- (b) that within the Council's response to the Scottish Government consultation paper, Appendix A to the report, in the section which refers to open air markets the response should be strengthen as this Council is of the opinion that the guidelines for open air markets should be strengthen and use of land for temporary open air markets should continue to be controlled through planning control and not through the licensing process; and
- (c) otherwise to note the contents of the report.

SCOTTISH GOVERNMENT CONSULTATION PAPER: DEVELOPMENT DELIVERY

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the Scottish Government consultation paper on Development Delivery and seeking agreement on the Council's response.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed:-

- (a) that Appendix A, to the report, be submitted as this Council's response to the Scottish Government consultation paper relating to Development Delivery;
- (b) that officers give further consideration to the potential equalities impact and, if appropriate, amend the response insofar as it relates to that matter; and
- (c) otherwise to note the contents of the report.

SCOTTISH GOVERNMENT CONSULTATION – FEES FOR PLANNING APPLICATIONS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the Scottish Government consultation on

proposed changes to the fee arrangements for planning applications, and seeking agreement on the Council's response.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed:-

- (a) that Appendix A, to the report, be submitted as this Council's response to the Scottish Government consultation paper relating to Fees for Planning Applications; and
- (b) otherwise to note the contents of the report.

SCOTTISH GOVERNMENT CONSULTATION – MISCELLANEOUS AMENDMENTS TO THE PLANNING SYSTEM 2012

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the Scottish Government consultation on proposed changes to the regulations relating to miscellaneous aspects to the planning system, and seeking agreement on the Council's response.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed:-

- (a) that Appendix A, to the report, be submitted as this Council's response to the Scottish Government consultation paper relating to Miscellaneous Amendments to the Planning System 2012; and
- (b) otherwise to note the contents of the report.

SCOTTISH GOVERNMENT CONSULTATION – DEVELOPMENT PLAN EXAMINATIONS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the Scottish Government consultation on the Development Plan Examination process and seeking agreement on the Council's response.

Having heard the Team Leader (Forward Planning) in further explanation of the report, the Committee agreed:-

- (a) that Appendix A, to the report, be submitted as this Council's response to the Scottish Government consultation paper relating to Development Plan Examinations; and
- (b) otherwise to note the contents of the report.

DEVELOPMENT PLAN UPDATE

A report was submitted by the Executive Director of Housing, Environmental and Economic Development:-

- (1) advising on the progress of the Development Plan preparation; and
- (2) seeking approval of the annual revision of the Development Plan Scheme and Participation Statement.

Having heard the Team Leader (Forward Planning) in further explanation of the report, the Committee agreed:-

- (a) to approve the 2012 review of the Development Plan Scheme and Participation Statement contained within Appendix 1 to the report incorporating amendments to reflect the recently approved status of the Strategy Development Plan; and
- (b) otherwise to note the contents of the report.

APPEAL UPDATE

Receipt of two appeals in relation to:-

- a) **Change of use of Class 1 (Retail Unit) to Class 2 (Betting Office), 31 Sylvania Way South, Clydebank (DC12/008)**
- b) **Change of Use of an industrial unit to pre-school nursery, Unit 6, The Alpha Centre, South Douglas Street, Clydebank (DC11/260)**

and outcome of an appeal in relation to:-

- c) **Change of use of retail unit to a financial services office at 86-88 High Street, Dumbarton (DC11/252).**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the receipt of two appeals and the outcome of a third appeal.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed to note the receipt of the two appeals and the outcome of the appeal which had been determined.

STREET NAMING POLICY

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval for a street naming policy.

The Committee agreed:-

- (a) to approve the policy for street naming contained within Appendix 1 to the report;
- (b) that Community Councils and elected members for the ward concerned would be consulted on all future proposed street names before the proposals are brought to Committee; and
- (c) that the Community Participation Committee would be advised of this decision.

**VERBAL UPDATE - GLASGOW CITY COUNCIL PLANNING APPLICATION
10/02890/DC: ERECTION OF NON-FOOD RETAIL WAREHOUSE (50,000SQ FT)
AND FORMATION OF ASSOCIATED PARKING – AMENDMENT OF CONDITION
NC(b)(a) OF PLANNING PERMISSION 97/02406/DC TO AMEND THE
RESTRICTION LIMITING SALES FROM BULKY GOODS ONLY TO THE SALE OF
ANY NON-FOOD ITEMS**

The Planning & Building Standards Manager and the Principal Solicitor provided a verbal update on the impending judicial review in relation to the decision of Glasgow City Council to grant the above application despite an objection from West Dunbartonshire Council.

The meeting closed at 10.50 a.m.

DC12/018 - Erection of dwellinghouse (planning permission in principle) land to the West of 12 Kirkton Road, Dumbarton.

Permission in principle was GRANTED subject to the following conditions:-

1. Application(s) for the approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) shall be submitted to the Planning Authority within 3 years of the date of this decision notice, or (if later) within 2 years of the refusal of such an application (where that application was submitted within 3 years of the date of this decision notice, and subject to there being only one subsequent application). Such application(s) shall include:
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences, bin stores, open space provision and landscaping;
 - b) Plans of each building showing its elevations and floor plans;
 - c) Details of existing and proposed ground levels and finished floor levels;
 - d) Details of external finishing materials, including all hard surfaces; and
 - e) Details of the means of drainage (incorporating the principles of Sustainable Urban Drainage Systems) and sewage disposal.

The development must commence within 3 years of the date of this decision notice, or within 2 years of the date of the final approval of all foregoing matters specified in conditions (whichever is the later of these two dates).
2. 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 shall be carried out between 8am and 6pm Mondays to Fridays, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
3. 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.
4. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:

- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed
- 5. This consent shall not enure until such time as detailed plans for the conversion of Islay Kerr House into flats (or such other use as may be approved) have been granted planning permission by the Planning Authority. Thereafter, occupation of the dwellinghouse hereby approved shall not take place until such time as the conversion of Islay Kerr House has been completed to the point that the building is wind and watertight and all structural works and internal conversion works (other than fixtures and fittings) have been carried out in accordance with the approved plans for that development.
- 6. Prior to the commencement of development, the developer shall submit a detailed survey of all trees on the site. This survey shall be displayed on a scaled site layout plan and include the identification of the existing tree species, an estimation of their height and spread of branches and their location accurately plotted (any trees around the perimeter which over hang into the site shall also be included). The trees that are to be felled or removed shall be clearly identified on a separate plan. Details of suitable replacement planting to compensate for the loss of any trees that are to be felled or removed shall be included in the landscaping proposals for the site.

DC12/019 - Erection of dwellinghouse (planning permission in principle) on land to the South East of Islay Kerr House, Dumbarton.

Permission in principle was GRANTED subject to the following conditions:-

- 1. Application(s) for the approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) shall be submitted to the Planning Authority within 3 years of the date of this decision notice, or (if later) within 2 years of the refusal of such an application (where that application was submitted within 3 years of the date of this decision notice, and subject to there being only one subsequent application). Such application(s) shall include:
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences, bin stores, open space provision and landscaping;
 - b) Plans of each building showing its elevations and floor plans;
 - c) Details of existing and proposed ground levels and finished floor levels;
 - d) Details of external finishing materials, including all hard surfaces; and

- e) Details of the means of drainage (incorporating the principles of Sustainable Urban Drainage Systems) and sewage disposal.

The development must commence within 3 years of the date of this decision notice, or within 2 years of the date of the final approval of all foregoing matters specified in conditions (whichever is the later of these two dates).

2. 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 shall be carried out between 8am and 6pm Mondays to Fridays, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
3. 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.
4. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed
5. Prior to the commencement of any development on site, details of the works required to make Islay Kerr House wind and watertight shall be submitted to and approved in writing by the Planning Authority. Such works shall then be fully implemented prior to the occupation of the dwellinghouse hereby approved.
6. Prior to the commencement of development, the developer shall submit a detailed survey of all trees on the site. This survey shall be displayed on a scaled site layout plan and include the identification of the existing tree species, an estimation of their height and spread of branches and their location accurately plotted (any trees around the perimeter which over hang into the site shall also be included). The trees that are to be felled or removed shall be clearly identified on a separate plan. Details of suitable replacement planting to compensate for the loss of any trees that are to be felled or removed shall be included in the landscaping proposals for the site and shall be implemented as approved.

DC12/049 - Subdivision and extension to existing building to form 7 flats (planning permission in principle), Islay Kerr House, Dumbarton, all by Mr G. Galloway.

Permission in principle was GRANTED subject to the following conditions:-

1. Application(s) for the approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) shall be submitted to the Local Planning Authority within 3 years of the date of this decision notice, or (if later) within 2 years of the refusal of such an application (where that application was submitted within 3 years of the date of this decision notice, and subject to there being only one subsequent application). Such application(s) shall include:
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences, bin stores, open space provision and landscaping;
 - b) Plans of each building showing its elevations and floor plans;
 - c) Details of existing and proposed ground levels and finished floor levels;
 - d) Details of external finishing materials, including all hard surfaces; and
 - e) Details of the means of drainage (incorporating the principles of Sustainable Urban Drainage Systems) and sewage disposal.

The development must commence within 3 years of the date of this decision notice, or within 2 years of the date of the final approval of all foregoing matters specified in conditions (whichever is the later of these two dates).

2. 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 shall be carried out between 8am and 6pm Mondays to Fridays, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
3. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed
4. Prior to the commencement of development, the developer shall submit a detailed survey of all trees on the site. This survey shall be displayed on a

scaled site layout plan and include the identification of the existing tree species, an estimation of their height and spread of branches and their location accurately plotted (any trees around the perimeter which over hang into the site shall also be included). The trees that are to be felled or removed shall be clearly identified on a separate plan. Details of suitable replacement planting to compensate for the loss of any trees that are to be felled or removed shall be included in the landscaping proposals for the site.

5. Prior to the commencement of development on site, a phasing plan for the conversion of Islay Kerr House and the erection of an extension shall be submitted to and approved in writing by the Planning Authority. The development shall then be fully implemented in accordance with the approved phasing plan.

DC12/037 – Erection of residential development of 20 dwellinghouses and associated access road improvements at the former Argyle Works, Heather Avenue, Alexandria by Ballagan Developments.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the Development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. 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 as approved.
4. 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.
5. Prior to the commencement of works, full details of the design and location of all hard surfaces, walls, fences and bin stores to be installed on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
6. Prior to the commencement of development on site, full details of the play area, including details of the proposed play equipment, fencing, gate and dog grid shall be submitted to and approved in writing by the Planning Authority. Thereafter the play area shall be implemented within a timescale to be agreed with the Planning Authority.
7. 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 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.
8. 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.

9. 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.
10. The developer shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the construction phase, and shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction or any other vehicles.
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 from the site).
 - b) An assessment of the potential risks.
 - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
12. 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.
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. No piling works shall be carried out until such time as a noise 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 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.
15. Prior to the occupation of any dwellinghouse within this development, all roads and footpaths shall be completed to the level of bottoming and bitmac base course.
16. Prior to the occupation of the last dwellinghouse in the development, all roads, footpaths and car parking spaces within and serving the development shall be completed to their final specification and adoptable standard.
17. Prior to the commencement of development on site details of the final design and location of the proposed traffic calming measures and all alterations to be undertaken on the roads into and serving the development shall be submitted to and approved in writing by the Planning Authority. These approved works shall be implemented prior to the occupation of any house unless otherwise agreed in writing with the Planning Authority.
18. Notwithstanding the submitted details, the development shall include the provision of a 2metre wide footway on both sides of the access road from Heather Avenue, continuing down the full length of the eastern edge of the access road, and along the south side of Heather Avenue across the northern boundary of the former Argyle Works site. Details of the footway shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented within a timescale to be agreed with the Planning Authority.
19. Prior to the commencement of development, details of a suitable location for a grit bin shall be submitted for the further written approval of the Planning Authority and thereafter implemented prior to occupation of any houses.

DC12/080 – Erection of care home and associated works including car parking, landscaping and access road improvements at the former Argyle Works, Heather Avenue, Alexandria by Seddon Alexandria Ltd.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. 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 as approved.
4. 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.
5. Prior to the commencement of works, full details of the design and location of all hard surfaces, walls, fences and bin stores to be installed on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
6. 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 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.
7. 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.

8. 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.
9. The developer shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the construction phase, and shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction or any other vehicles.
10. 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 from the site).
 - b) An assessment of the potential risks.
 - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
11. 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.
12. 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.

13. No piling works shall be carried out until such time as a noise 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 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.
14. Prior to the occupation of the development, all roads, footpaths and car parking spaces within and serving the development shall be completed to their final specification and adoptable standard.
15. Prior to the commencement of development on site details of the final design and location of the proposed traffic calming measures and all alterations to be undertaken on the roads into and serving the development shall be submitted to and approved in writing by the Planning Authority. These approved works shall be implemented prior to the occupation of the development unless otherwise agreed in writing with the Planning Authority.
16. Notwithstanding the submitted details, the development shall include the provision of a 2 metre wide footway on both sides of the access road from Heather Avenue, continuing down the full length of the eastern edge of the access road, and along the south side of Heather Avenue across the northern boundary of the former Argyle Works site. Details of the footway shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented within a timescale to be agreed with the Planning Authority.

**DC12/077 – Erection of a Pipe Bridge at Duntocher Burn, Roman Road,
Duntocher, Clydebank by Scottish Water.**

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. 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.
3. Prior to the commencement of any works, the developer shall secure the implementation of an archaeological watching brief, to be carried out by a suitably accredited archaeological organisation which shall first be agreed with the planning authority. 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 to and approved by the planning authority prior to commencement of the watching brief, and the name of the archaeological organisation retained by the developer shall be given to the planning authority and the West of Scotland Archaeology Service in writing not less than 14 days before development commences on site.
4. During the period of construction, the developer shall ensure that safe and convenient arrangements are put in place for users of the public footpath. No development shall commence until such time as these arrangements have been submitted to and agreed in writing by the planning authority. Upon completion of the development all footpaths shall be restored to their current condition.
5. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as Practicable once the development has been Completed.

APPENDIX 5

DC12/083 – Erection of Replacement Pigeon Club Clubhouse, Agamemnon Street, Clydebank by Douglas Spittal.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.

DC12/084 – Change of Use of From Retail Unit to Licensed Restaurant, 53 Sylvania Way, Clyde Shopping Centre, Clydebank by Mahmut Akkurt.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority and shall thereafter be installed prior to the use being operational and maintained thereafter.
3. Prior to the commencement of development on site details of the proposed waste storage arrangements should be submitted and approved in writing by the Planning Authority and the approved waste storage arrangements shall be implemented prior to the restaurant being open.
4. No development shall commence until details of an appropriate flue and extraction system have been submitted to and approved in writing by the Planning Authority. Such system shall be sufficient to ensure that cooking odours and noise/vibration do not affect nearby properties. The submitted details shall include the noise output and filter system, and shall be accompanied by a report by a suitably qualified ventilation engineer assessing the impact of the proposal upon neighbouring properties. The approved flue/extraction system shall be implemented prior to the use being brought into use and shall be maintained thereafter.
5. No development shall commence until such time as details of alterations to the northern side elevation have been submitted to and approved in writing by the planning authority. Such alterations shall maximise the fenestration on this elevation, and shall either include the provision of a second frontage onto this elevation or demonstrate an internal layout which would be capable of incorporating a second frontage with minimal alterations.
6. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.

DC12/097 – Change of Use from Open Land to Dog Exercise Yard and Erection of a 2 Metre High Fence at 233 Dumbarton Road, Clydebank by Ms Forey.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. Exact details and specifications of the proposed fence including proposed finishes 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.
3. The land shall be used only for the supervised exercising of dogs for short periods and for the training of dogs. It shall not be used as a 'run' in which dogs are kept for long periods or without immediate supervision.
4. No development shall take place until such time as details of the means of disposing of dog faeces have been submitted to and approved in writing by the planning authority. Thereafter the site shall be maintained in a tidy condition with any dog waste being removed and disposed of promptly in accordance with the approved arrangements.
5. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as Practicable once the development has been Completed.