

Agenda



Planning Committee

Date: Wednesday, 13 March 2024

Time: 10.00 a.m.

Venue: Council Chambers, Clydebank Town Hall, 5 Hall Street,
Clydebank G81 1UB

Contact: Nicola Moorcroft, Committee Officer
Email: nicola.moorcroft@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:-

Councillor Lawrence O'Neill (Chair)
Councillor Gurpreet Singh Johal (Vice Chair)
Councillor Ian Dickson
Councillor Daniel Lennie
Provost Douglas McAllister
Councillor June McKay
Councillor Karen Murray Conaghan
Councillor Chris Pollock
Councillor Hazel Sorrell
Councillor Sophie Traynor

All other Councillors for information

Date of Issue: 29 February 2024

PLANNING COMMITTEE
WEDNESDAY, 13 MARCH 2024

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have any interests in the items of business on this agenda and the reasons for such declarations.

3 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

4 MINUTES OF PREVIOUS MEETING 5 - 39

Submit for approval, as a correct record, the Minutes of Meeting of the Planning Committee held on 14 February 2024.

5 NOTE OF SITE VISITATIONS 41

Submit, for information, Note of Site Visitations carried out on 12 February 2024.

6 PLANNING APPLICATION 43 - 76

Submit report by the Planning, Building Standards and Environmental Health Manager – in respect of the following Planning application:-

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

PLANNING COMMITTEE

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

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

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

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

Councillor Gurpreet Singh Johal in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda. Councillor Karen Murray Conaghan declared, for the purposes of transparency, that she had been contacted, as Ward Councillor, regarding Planning Application Reference DC23/177/FUL but had not discussed the application.

OPEN FORUM

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

MINUTES OF PREVIOUS MEETINGS

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

NOTE OF VISITATIONS

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

PLANNING APPLICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ADJOURNMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CLYDEBANK BUSINESS PARK PLANNING GUIDANCE

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

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

DRAFT PAY DAY LENDING AND BETTING SHOP PLANNING GUIDANCE

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

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

VALEDICTORY – ALAN WILLIAMSON

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

VALEDICTORY – JOSHUA DOYLE

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

The meeting closed at 13.25

PLANNING COMMITTEE

NOTE OF VISITATIONS – 15 JANUARY 2024

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

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

SITE VISITS

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

Former Playdrome site, Abbotsford Road, Clydebank

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

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

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

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

19. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
20. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800-1800
Saturdays: 0800-1300
Sundays and public holidays: No working
21. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS6472 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures, which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
22. During the period of construction no commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 08:00 or after 18:00.
23. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

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

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

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

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

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

GRANT full planning permission subject to the following conditions:-

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

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

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

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

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

25. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
26. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site.
27. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Local Planning Authority.
28. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
29. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
30. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.

31. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
32. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800 – 1800
 - Saturdays: 0800 – 1300
 - Sundays and public holidays: No Working
33. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.
34. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 0800 or after 1800.
35. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
36. Notwithstanding condition 36 above, full details of the design, height and location of an acoustic fence adjacent the sports pitch shall be submitted to and approved in writing by the Planning Authority. The fence shall then be erected prior to the occupation of any dwellinghouse on plots 32 to 44 inclusive.

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

DRAFT

PLANNING COMMITTEE

NOTE OF VISITATIONS – 12 FEBRUARY 2024

Present: Councillors Lawrence O'Neill and Chris Pollock.

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

SITE VISITS

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

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

Land to East of Broomhill Wood, Bonhill, Alexandria
DC22/190/FUL - Erection of single wind turbine, 30m hub and 43m tip, access track, substation, agricultural shed and associated works by Mr Harris Smith.

WEST DUNBARTONSHIRE COUNCIL**Report by Planning, Building Standards and Environmental Health Manager****Planning Committee: 13th March 2024**

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

1. PURPOSE

- 1.1** To provide the Committee with the opportunity to further consider the planning application, to allow for the Applicant to be present at Planning Committee in order to answer further questions regarding the application and to seek the Committee's decision on the application.

2. RECOMMENDATION

- 2.1** **Grant planning permission** and delegate authority to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of Appendix 1 of the report, and subject to the conclusion of a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site and the community benefit contribution.

3. BACKGROUND

- 3.1** The above planning application was presented to Planning Committee on 14th February 2024. Appendix 1 contains a copy of the report considered by Planning Committee. It was determined by the Planning Committee to continue the application to allow for the Applicant to be present at Planning Committee in order to answer further questions regarding the application.
- 3.2** Following the February meeting of the Planning Committee, the applicant was invited to attend Planning Committee. A reply was received on 27th February 2024 confirming that the applicant would be able to attend Planning Committee on 13th March 2024.

4. MAIN ISSUES

- 4.1** There are no material changes to either the development plan position or the circumstances of the site since Committee previously considered the application.
- 4.2** Since the publication of the original Committee Report (Appendix 1) and as reported to Members at February Planning Committee, a further objection was received from Dame Jackie Baillie MSP. This highlights resident's concerns regarding the applicant's intentions and practices on site and the lack of any attempt to foster positive relations with nearby residents. Concerns regarding the works undertaken without planning permission are also raised and the proximity to residential properties and whether the turbine will have any impact upon the supply to the National Grid. The continued concern of constituents is highlighted by Dame Jackie Baillie MSP and that opposition to the proposal remains. No material planning considerations that have not already been assessed in the original Committee Report have been raised in this objection.
- 4.3** A further letter has been received from the Beechwood and Wheatcroft Residents Association which sets out a range of queries in relation to the proposal and the discussion at February Planning Committee. A response to these additional queries is as follows: an assessment against Policy GB1 of the adopted Local Plan and proposed Local Development Plan 2 is set out in the Committee Report in Appendix 1. The Committee report further sets out that the grid connection can be addressed via a separate consenting process where required. Condition 2 in Section 9 of the report addresses the situation where the turbine does not generate electricity for a continuous period of 6 months and subsequent decommissioning requirements. Further queries in respect of construction vehicles, contractors parking, deliveries and vehicle movements would be addressed via the traffic management plan required by condition 10 as set out in the Committee report. There is no objection from the Council's Roads Service and they do not identify the requirement for a Roads Bond. Matters relating to the use of the existing access track to the site are also considered in the original Committee report. Decommissioning requirements would be addressed by condition and in the event the turbine was not decommissioned as required, a bond will be in place to cover this. Noise matters are addressed previously and land ownership is not a material planning consideration. It would not be considered appropriate to specifically seek to control the timescale for implementing the proposal on site.
- 4.4** It remains the case that the proposal accords with NPF4, the adopted West Dunbartonshire Local Plan and the proposed West Dunbartonshire Local Development Plan 2 and the recommendation remains to Grant planning

permission and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of Appendix 1 of the report, and subject to the conclusion of a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site and the community benefit contribution.

5. PEOPLE IMPLICATIONS

5.1 None.

6. FINANCIAL AND PROCUREMENT IMPLICATIONS

6.1 There are no financial or procurement implications in terms of this report.

7. RISK ANALYSIS

7.1 No risks have been identified.

8. EQUALITIES IMPACT ASSESSMENT (EIA)

8.1 Not required.

9. ENVIRONMENTAL SUSTAINABILITY

9.1 Matters relating to environmental sustainability have been fully considered via the planning application assessment.

10. CONSULTATION

10.1 Consultation was undertaken as part of planning processes associated with the planning application.

11. STRATEGIC ASSESSMENT

11.1 There are no strategic issues.

Pamela Clifford
Planning, Building Standards and Environmental Health Manager
Date: 13th March 2024

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

James McColl, Development Management Team Leader
Email: James.McColl@west-dunbarton.gov.uk

Appendix 1: DC23/177/FUL Committee Report (14/02/2024)
Appendix 2: Location Plan

Wards affected: Ward 3 (Dumbarton)

WEST DUNBARTONSHIRE COUNCIL

Report by Planning, Building Standards and Environmental Health Manager

Planning Committee: 14th February 2024

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

1. REASON FOR REPORT

- 1.1 The planning application is subject to a substantial body of objection. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1 **Grant planning permission** and delegate authority to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and subject to the conclusion of a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site and the community benefit contribution.

3. DEVELOPMENT DETAILS

- 3.1 The application site is located to the east of Bonhill, Alexandria. The nearest residential areas are Beechwood and Wheatcroft Estate, Bonhill located approximately 440m to the west and Bellsmyre which is just over 1km to the south, though there is intervening woodland between the site and both residential areas. The site is to the north of the Murroch Glen (a steep wooded valley containing the Murroch Burn), on land which rises to the northeast into the Kilpatrick Hills. It forms part of an area of plantation woodland, bordered by the Murroch Glen and areas of grazing land. The application site boundary extends to 0.89 hectares, but is within a much larger area of land controlled by the applicant.

3.2 The proposal would involve the following works:

- Installation of a single wind turbine;
- Construction of a 550m access track;
- Construction of an electrical substation and underground cabling;
- Construction infrastructure (e.g. crane hardstanding area);
- Construction of 6 vehicle parking spaces;

3.3 The turbine would be a three-bladed, horizontal axis turbine, with a nominal rated capacity of 250kW. It would have a hub height of 30m and a maximum height to the blade tip of 43m. The turbine would be of the conventional design for such pieces of equipment, featuring a tubular tower and blades finished in a non-reflective pale grey colour consistent with the industry standard used in most UK wind turbines.

3.4 The turbine would sit on a concrete base measuring roughly 7.5m x 7.5m, with an expected depth of 3m, although the exact design of the foundation would depend upon which specific manufacturer's turbine was used (which is not known at this stage). In addition to the foundation, an area of hardstanding would be required adjacent to the turbine as a crane platform for construction and ongoing maintenance. Adjacent to the base of the turbine would be an external substation measuring approximately 7.5m x 4m, and 2.8m in height. The colour of the substation is currently unspecified, however the supporting statement suggests it will be either green or pale grey. Due to the relatively small generator size of the proposed turbine, a local connection to the distribution network is anticipated and without the need for more extensive reinforcement or upgrade works.

3.5 Access to the site would be by way of the existing private access track leading to Highdykes Farm, which is, itself, accessed from Broomhill Crescent. A new 550m access track would be created between the farm track and the proposed turbine. The new track would be 4.5m wide and surfaced in hardcore, with a passing place and areas to permit the turning of long vehicles. The road is likely to sit above the existing ground by approximately 300mm with banking at either side. No borrow pits are proposed as part of the development and material would be imported to construct the access track. The level of material required to be imported is not, however, specified in the application submission. The access track crosses a drainage ditch around 330 metres from the junction with the existing farm track, which a short section of pipe being installed below the hardcore.

3.6 In terms of the planning history of the site, there have been two previous applications for the erection of a wind turbine of the same size, as well as the associated access track on this site.

The Planning Committee considered the first application (DC14/210) on 29 April 2015 and were minded to grant planning permission subject to the conclusion of a legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site and the community benefit contribution. The financial bond was never concluded and with a lack of any progress over an extended period, the application was considered withdrawn in March 2021.

- 3.7** The second application (DC22/190/FUL) was submitted in 2022. In addition to the wind turbine and associated works, an agricultural storage shed was also proposed as part of this application. All planning application proposals require to be considered as a whole and in assessing the application it was concluded that the proposed shed was not a form of development which could be supported in this Green Belt location and would result in an unjustified sporadic development within the Green Belt. The application was refused by Planning Committee on 2nd August 2023 for the following reason:

- 1. It has not been demonstrated that the proposed agricultural shed is being provided in association with an agricultural land holding, nor has the nature of any farming operation at this location been quantified. Therefore it cannot be concluded that the proposed shed is specifically required to support agriculture at this green belt and the shed would result in unjustified sporadic development within the green belt location. It is thus not a form of development that is supported in the green belt by Policy 8 – Green Belts of the National Planning Framework 4, Policy GB1 – Green Belt of the adopted West Dunbartonshire Local Development Plan, Policy GB1 – Greenbelt and Countryside of the proposed West Dunbartonshire Local Development Plan 2.*

This refusal of planning permission was not appealed to the Scottish Government Planning and Environmental Appeals Division.

- 3.8** Works to create the access track associated with the wind turbine commenced on site prior to this application being determined. The applicant was advised that the works were being undertaken without planning permission. The applicant was requested on a number of occasions to stop works until such time that planning permission was granted. The applicant continued works on the access track and a Temporary Stop Notice was subsequently issued. Works initially continued after the Notice was issued and then halted. At the expiry of the Temporary Stop Notice works commenced again, despite it remaining that no planning permission was in place.
- 3.9** Further to the refusal of application DC22/190/FUL, an Enforcement Notice was issued requiring the removal of the partially constructed access track.

The applicant appealed this Enforcement Notice which was dismissed by the Reporter of the Planning and Environmental Appeals Division of the Scottish Government. Reports from residents within the area suggested that works were ongoing to further develop the track. However a site visit on 30th January 2024 has confirmed that the works are ongoing to remove the track in accordance with the requirements of the Enforcement Notice.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Environmental Health Service have no objections to the proposal and recommends the following conditions regarding noise in relation to the turbine, noise complaints, wind data, point of contact, hours of work, delivery vehicles during construction, construction noise, and noise attenuation.
- 4.2** West Dunbartonshire Council Roads Service have no objections in relation to flooding matters. A Traffic Management Plan was submitted and the Roads Service confirmed that the clarifications and qualifications contained within the plan made the proposal acceptable to the Roads Service.
- 4.3** West of Scotland Archaeological Service (WoSAS) have no objection subject to a condition requiring the implementation of an archaeological watching brief.
- 4.4** West Dunbartonshire Council Biodiversity Officer has no further comments to make on the current proposal. Comments from the previous application note that the Preliminary Ecological Assessment submitted offers mitigation in section 7 of the document and should be conditioned if the development is to proceed. The proposed mitigation includes following national guidelines and standards for any tree/hedgerow retention, that best working practice measures are adhered to safeguard otters and badgers, and a walkover survey prior to works commencing within bird breeding season. If any otter or badger resting place is found then an ecologist should produce an otter protection plan. Should the development proceed there should be a clear intention provided of the biodiversity enhancement works that will be included to meet the requirements of NPF4 Policy 3. It should be specifically noted what is being regarded as mitigation and enhancement so that a clear picture of the 'positive effect on biodiversity' can be determined.
- 4.5** Glasgow Airport and National Air Traffic Services have no objections to the proposal.

- 4.6 RSPB Scotland note that the previous ecological report appears to be based on site visit(s) during December 2022 (so outside the recommended dates for protected species surveys) and the conclusion that there would be no impact on birds was based on a desktop study using only freely available data rather than survey visits – and so no actual survey work had taken place. The updated application mentions NPF4 policies, but again says that based on an assessment in support of the application, it concludes there will be no material impact on biodiversity, including birds. It is unclear how this can be assessed from the data provided. There is also no mention of proposed biodiversity enhancements.
- 4.7 Stirling Council and Inverclyde Council have no objections to the proposal.
- 4.8 Loch Lomond & The Trossachs National Park Authority and Argyll and Bute Council have not provided a response at the time of writing this report.

5. REPRESENTATIONS

- 5.1 Fifty eight representations from fifty seven representees have been received in connection with the proposal including from Beechwood & Wheatcroft Residents Association. All are in objection. The full details are contained within the planning file and are available for public viewing. However, the points raised can be summarised as follows:

Roads and traffic

- The estate roads are not suitable for heavy vehicles.
- There will be a noise impact from the HGV traffic.
- Concern for children and elderly in relation to the increase in traffic.
- There was never a road in this location before.

Location and visual impact of the development

- Concern for the visual impact on Dumbarton Rock, cluttering the backdrop to & from the Kilpatrick and Lang Craig Hills & the Pappert Well.
- No access track previously existed at this location previously.
- There are industrial estates within Dumbarton and Vale of Leven which are more suited to a development of this nature.

Residential amenity

- Nearby residents would be adversely affected by noise disturbance.
- There are potential health side effects from living beside a wind turbine, including from vibration, shadow flicker and ice throw.
- The area is a residential area and is too close to residents/houses.
- Scottish Government guidelines state that wind turbines should be no closer than 2km away from residential properties.

Environmental matters

- Air pollution may result from the development, particularly during construction.
- The development would adversely impact upon wildlife, trees, and hedgerows.

Procedural concerns

- The applicant has not attended the resident's association meetings to discuss their plans.
- The applicant has not met his legal obligation to the residents to provide compensation for previous work.
- There is no stated business aim and no community benefit.
- There is no stated life of the turbine and no bond for restoration on decommissioning.

Other matters

- What is the energy to be used for?
- The applicant intends to produce bio fuel which is not on the application.
- No connection to the grid has been indicated.
- The turbine name no longer seems to be in production.
- Property prices will be affected.
- Approval would set a precedent and open the area to further large scale turbines.
- West Dunbartonshire Council's Open Space Strategy 2011 states that planning authorities are expected to support, protect and enhance open space and opportunities for sport & recreation.

5.2 The matters of concern raised above are addressed in Sections 6 and 7 below.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

National Planning Policy 4

6.1 Policy 1 relates to tackling the climate and nature crises and states that when considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 also relates to the climate in the form of climate mitigation and adaptation and states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and development proposals will be sited and designed to adapt to current and future risks from climate change.

- 6.2** Policy 3 states that development proposals will contribute to the enhancement of biodiversity and should integrate nature-based solutions where possible. Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Policy 4 requires that development proposals do not have an unacceptable impact on the natural environment inclusive of environmental designations and protected species. Policy 5 states that development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land and in a manner that protects soil from damage including from compaction and erosion that minimises soil sealing.
- 6.3** Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts in accordance with Policy 7.
- 6.4** Policy 8 supports development within the green belt in a limited number of circumstances. These include:
- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
 - horticulture, including market gardening and directly connected retailing, as well as community growing;
 - essential infrastructure or new cemetery provision;
 - minerals operations and renewable energy developments;
 - intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

Additional requirements include justification is provided for the green belt location; the purpose of the green belt is not undermined by the development; the development is compatible with the surrounding countryside and landscape character; the development is of an appropriate scale, massing and external appearance and minimises visual impact; and there will be no long-term impacts on the environmental quality of the green belt.

- 6.5** Policy 11 supports proposals for all forms of renewable, low-carbon and zero emissions technologies. Policy 11 also states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The policy also lists impacts which must be addressed including residential amenity, visual impact, noise and shadow flicker, impacts on road traffic and on adjacent trunk roads, including during construction; and the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans.
- 6.6** Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale as per Policy 14. Policy 20 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this. Green infrastructure is defined as features or spaces within the natural and built environments that provide a range of ecosystem services. An ecosystem services is the benefits people obtain from ecosystems.
- 6.7** Policy 23 relates to health and safety and states that development proposals that are likely to raise unacceptable noise issues will not be supported. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- 6.8** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. Based on that assessment, it is concluded that the proposal is in accordance with NPF4.
- West Dunbartonshire Adopted Local Plan 2010
- 6.9** The site of the proposed turbine is identified as Green Belt. Policy GB1 indicates a general presumption against development within the Green Belt, other than in certain circumstances, including where there is a specific locational requirement and established need for the development and it cannot be accommodated on an alternative site. Development in the Green Belt will not be permitted if it would have an adverse effect on the landscape character of the area.
- 6.10** All development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located in accordance with policy GD1.

- 6.11** Policy E5 relates to development affecting trees. There are trees on site which line the proposed access route. In accordance with policy E5 new development proposed on sites with, or adjacent to, existing trees will be assessed in accordance with best practice. Policy BE5 states that where the presence of archaeology becomes apparent once development has commenced, adequate opportunity must be afforded by the developer for an archaeological investigation.
- 6.12** The development takes access via a designated core path and as such policy R5 applies. Policy R5 states that the Council will undertake to protect Core Paths using the Council's statutory powers.
- 6.13** Policy DC6 states that renewable energy proposals will be permitted where these would not give rise to unacceptable detriment to the landscape, natural or built heritage, sport or recreation interests or local amenity. Development proposals are to be considered against the following criteria:
- visual impact and effect on landscape character, including the landscape character of the Kilpatrick Hills RSA;
 - nature conservation interests;
 - historic environment and its setting, including scheduled ancient monuments;
 - local amenity, including noise, traffic and broadcast interference;
 - any cumulative impacts.
- 6.14** Policy DC3 states that within the Glasgow Airport Safeguarding Zone, development which adversely affects the operational integrity or safety of the airport will not normally be permitted.
- 6.15** Policy GN1 seeks to promote, protect and improve the Green Network. It states that development which is detrimental to the green network will be considered contrary to the Plan, and that new development should contribute positively to the protection and improvement of the green network. The Kilpatrick Hills are recognised as an important green network resource in West Dunbartonshire owing to their landscape value, the habitats and species found there and the outdoor recreation opportunities they offer. Policy SUS1 states that all development should seek to conserve and enhance environmental resources and ensure environmental impact is minimised.
- 6.16** Policy E3A states that the Council will seek to maintain and enhance the environmental resources of the Plan area by protection of habitats, species and natural features which are vulnerable and/or specifically protected, including Local Nature Conservation Sites. It also states that proposals should not have an adverse effect on the integrity or character

of Local Nature Conservation Sites and that satisfactory arrangement for habitat creation/site enhancement elsewhere should be made to compensate where development would cause the total or partial loss of a Local Nature Conservation Site. The application is in close proximity to Murroch Burn but is located outwith the Local Nature Conservation Site.

- 6.17** The matters relevant to the assessment against the above policies are addressed in detail in Section 7 below. It is concluded that the proposal is in accordance with the Local Plan.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

- West Dunbartonshire Local Development Plan (LDP2) Proposed Plan
- 7.1** On 15 March 2023, the Planning Committee took a decision that the Council would not adopt Local Development Plan 2. The Proposed Local Development Plan 2 (LDP2), incorporating the recommended modifications of the Examination Report received on 22 April 2020, which were accepted by the Planning Committee of 19 August 2020, remains the Council's most up to date spatial strategy and is therefore afforded significant weight in the assessment and determination of planning applications, subject to compatibility with NPF4. The Scottish Ministers' Direction relating to the adoption of LDP2, dated 18 December 2020, is also a material consideration.
- 7.2** The proposed turbine does not trigger Policy RE2: Spatial Framework for Wind Energy, and therefore requires to be assessed against Policy RE3, which is supportive of wind energy proposals where it can be demonstrated that there will be no unacceptable significant adverse impacts on the local area and the wider landscape and where they avoid unacceptable landscape, visual, aviation, infrastructure, cumulative and residential impacts and unacceptable impacts on the built and natural environment and do not have an adverse effect on a Natura 2000 site.
- 7.3** Policy GB1 restricts development in the green belt to a limited number of circumstances. These include development associated with agriculture, horticulture and forestry, rural economic development and infrastructure with a specific locational need.
- 7.4** Any development proposed within the Kilpatrick Hills Local Landscape Area must; protect and enhance the landscape character; protect and enhance the integrated network of habitats and important geological features; and protect and enhance the Hills as an accessible recreation resource in accordance with policy KH1.

- 7.5** Policy H4 of the LDP2 relates to residential amenity. The policy states that the Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against the establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents.
- 7.6** Policy ENV2 relates to landscape character. Development proposals should be sited and designed to relate to the local landscape character of the area and ensure that the integrity of this landscape character is maintained and, where appropriate, enhanced. Policy ENV4 relates to forestry, trees and woodland. The loss or fragmentation of long established woodland, high conservation value or areas covered by tree preservation orders will only be supported where any significant adverse effects are clearly outweighed by significant social or economic benefits. Policy ENV8 relates to air, light and noise pollution. All new development must ensure that significant adverse noise impacts on surrounding properties and uses are avoided.
- 7.7** Policy CON3 is not supportive of development which disrupts or adversely impacts on any existing or potential core path, right of way, bridle path, or footpath, including off-path access rights, used by the general public for recreational or other purposes.
- 7.8** Policy BE1 states that unscheduled archaeological sites should be preserved in situ where possible. Where not possible, provision should be made by the developer to undertake the excavation, recording analysis, publication and archiving of the archaeological remains. Development that would adversely impact on the operations of Glasgow Airport or would be adversely affected by aircraft noise will not be permitted in accordance with Policy E7.
- 7.9** Policy CP1 requires new development to take a design led approach to creating sustainable places which puts the needs of people first and demonstrate the six qualities of successful places. Policy CP2 requires all development to demonstrate that green infrastructure has been integrated into the design approach from the outset.
- 7.10** The matters relevant to the assessment against the above policies are addressed in detail below. It is concluded that the proposal is in accordance with proposed Local Development Plan 2.

Kilpatrick Hills Local Landscape Area – Statement of Importance

- 7.11** This Statement of Importance explains the reasons why the Kilpatrick Hills have been selected for the designation. The special qualities of the Kilpatrick Hills are identified as being:

- Strong sense of remoteness, wildness and open horizons;
- Distinctive geomorphology and topographical features; and
- A unique diversity of views.

The impact of the proposed development on these special landscape qualities of the Kilpatrick Hills is assessed below, and it is concluded that the proposal would not significantly detract from the special qualities of the Local Landscape Area.

Renewable Energy Local Development Plan (Proposed Plan) Planning Guidance November 2016

- 7.12** Whilst written in the context of proposed Local Development Plan 1 together with Scottish Planning Policy (SPP), both of which no longer form a material consideration in the assessment of planning applications, much of the general advice and guidance set out remains relevant in assessing wind energy proposals.

This document provides guidance on planning for wind energy including a Spatial Framework and guidance on the factors that will be considered in assessing wind energy proposals. The spatial framework applies to “wind farms” which are defined by the Council as:

- Any development containing a turbine of 50m and above to tip height; or
- Any development of 3 or more turbines, containing a turbine of 30m above to tip height.

As this turbine is a single turbine and 43m to blade tip it falls under the threshold for assessment under the spatial framework.

- 7.13** It remains, however, that the document provides guidance on the assessment of all proposals for wind energy. This includes considering matters pertaining to landscape character, forestry and woodland, the water environment, the path network, built heritage, aviation, residential amenity in respect of noise, shadow flicker and visual intrusion, economic benefit, contribution towards renewable energy targets, effect on soils, impact on the road network and decommissioning. These matters are fully assessed in detail below where it is concluded that, in taking into account all material planning considerations, the wind turbine proposal is acceptable.
- 7.14** The guidance also highlights the expectation for all wind energy applications to provide a community benefit. In this case, the proposed turbine is indicated to have generating capacity of 250kw so any financial amount will be small.

However, the guidance does not have a minimum threshold and therefore this aspect is applicable and a financial contribution would be required if the proposal is approved.

Overall, it is considered that the proposal presents no conflict with the aims of the guidance.

Site Selection and Design

7.15 The application site was selected by the applicant as it was established to benefit from an above average windspeed. Further operational advantages include its proximity to a grid connection point and the proximity off the A82 being relatively short without requiring extensive works impacting the local road network. In terms of impacts on the surrounding area, although the nearest settlement to the site (Bonhill) is located only 440m away, the site is well screened from it by high ground and trees. The 440m distance from residential properties is noted in multiple objections as being too close due to Scottish Government Guidance. However the guidance which notes 2km as being the separation distance relates to wind farms and is also contained within Scottish Planning Policy, which has been superseded by National Planning Framework 4.

7.16 The wind turbine is located in the green belt and requires to be justified against Policy 8 of NPF4 and GB1 of both the adopted Plan and Proposed Plan. Essential infrastructure is acceptable within the green belt with reference to the above policies. Essential infrastructure includes all forms of renewable energy generation. Therefore the wind turbine itself together with the associated access, crane pad and sub-station would in principle be acceptable. The design and height of the turbine would follow current wind energy industry practice, and the turbine would be of the type widely used elsewhere. The location of the proposed turbine has also been selected in order to minimise its prominence. Due to the height of the turbine, some views from sensitive locations such as the Loch Lomond and the Trossachs National Park and Kilpatrick Hills are unavoidable but not significant enough to be unacceptable. It is acknowledged that an effort has been made by the applicant to minimise the impact of the development on the landscape.

Impact on Landscape Character

7.17 The proposed turbine would be located on the edge of the Kilpatrick Hills which are designated as “Rugged Moorland Hill” Landscape Character Type (LCT). The actual application site is on the boundary of the urban area and the Rugged Moorland Hill LCT of the Kilpatrick Hills. The Kilpatrick Hills have a distinctive upland character created by the combination of elevation, exposure, rugged landform, moorland vegetation and the predominant lack of modern development.

These areas share a sense of apparent naturalness and remoteness which contrasts strongly with the farmed and developed lowland areas. The general aim should be to conserve the upland character of the Rugged Moorland Hills and where possible, the visual influence of existing developments should be reduced. New developments which would introduce modern elements or which would undermine the sense of 'wildness' and remoteness should be resisted even though it is accepted that these areas already contain tall structures such as pylons and communications masts. Although this landscape can provide an essential location for this type of infrastructure, the erection of certain structures can lead to disproportionate levels of landscape impact, affecting the remote character of the moorland hills. Additional masts and other tall structures should be discouraged within the hills, with particular concerns relating to wind development. It is therefore vital that developments which could have a significant and adverse effect on the landscape character are resisted.

- 7.18** In general, there is limited capacity to accommodate wind turbines within or adjacent to the Rugged Moorland Hill LCT of the Kilpatrick Hills, particularly in areas which are identified as Green Belt and which form part of the landscape and recreational setting for the settlements which they surround. In this instance however, the sloping ground and established tree coverage would help to screen the site from surrounding areas. This tree cover would also limit the visibility of the proposed access track. The proposed turbine would be viewed from certain positions in the context of an urban area, backclothed by the hills and woodland and importantly, it would not impact upon the skyline or detract from the remoteness of the Kilpatrick Hills. On this basis, it is considered that the wind turbine would not have a significant impact on the landscape quality or the character of the Kilpatrick Hills and surrounding area. This is a similar opinion taken when 2014 previous application was assessed and approved.

Designated Landscapes

- 7.19** Regional Scenic Areas/Local Landscape Areas are landscapes which have been designated as of local importance by the relevant local planning authority. Such designations seek to preserve a high quality landscape and its natural character. The Regional Scenic Area/Local Landscape Area most affected by this proposal is the Kilpatrick Hills Regional Scenic Area/Local Landscape Area, which covers the area of the Kilpatrick Hills located within the West Dunbartonshire Council area. The wind turbine would be located in close proximity to the Kilpatrick Hills Regional Scenic Area but within the more recently designated Local Landscape Area. Whilst the site is readily visible from a wide area within the Regional Scenic Area/Local Landscape Area the turbine would be close to the urban edge where it would be seen against the backdrop of other man-made development.

When viewed from outwith the Regional Scenic Area/Local Landscape Area it would normally be seen against a backdrop of rising land and it would not break the skyline. Although it would introduce a large man-made structure into the environment, the turbine would not be visually dominant or would detract from the sense of remoteness and wildness provided by the Kilpatrick Hills. The overall impact upon the Regional Scenic Area/Local Landscape Area is therefore considered to be acceptable. The turbine would be 4km from the southern boundary of Loch Lomond and Trossachs National Park. Whilst it would be visible from some places within the National Park, it would be seen in the context of an urban area, backclothed by the hills and woodland and would not impact on the skyline of the Kilpatrick Hills which forms part of the setting of the National Park. This was previously confirmed as part of the response to the last planning application by the Loch Lomond and Trossachs National Park Planning Authority in their consultation response. Since then, nothing significant has changed in terms of changes to the landscape character to arrive at a different opinion. There is also no change in the proposed access track and this, together with the other infrastructure proposed raises no concerns.

Visual Impact

- 7.20** The information accompanying the application demonstrates that the wind turbine would not be visible from most of the closest built up area (Bonhill) because of the intervening high ground, but that it would be visible from much of Dumbarton and from areas further afield such as Port Glasgow, at distances of up to 10km. However, when viewed from distance, it would be difficult to differentiate the turbine from the overall urban context due to the proximity of the turbine to the built up area of Bonhill. Consequently, the visual impact would be less significant from greater distance. Outwith settlements, the wind turbine would be visible from much of the western shore of Loch Lomond, the River Clyde and areas within the Kilpatrick Hills. However, due to the distances involved and the size of the turbine, it will not have a significant impact on the landscape from distance and therefore will have an acceptable visual impact.
- 7.21** The applicant has provided photomontages and wireframe drawings for each of 20 previously agreed viewpoints, in accordance with the national methodology for such visual modeling exercises. These photomontages provide a representation of how the turbine might typically appear in clear weather from representative and sensitive locations, although obviously the appearance would vary according to weather conditions. The majority of the viewpoints demonstrate that the turbine would not be visible or that it would be seen at sufficient distance to have little impact on the landscape. From the viewpoints at Auchiewannie Wood and Cardross Road, the turbine would be visible to the rear/side of the settlement of Bonhill.

Further viewpoints at Auchenreoch Muir and the core path at Highdykes Farm show the turbine appearing more dominant in views looking south/south west. It is accepted that turbine development cannot take place on this site without being visible from a large area, however the size of turbine proposed is suitable for the location and will minimise any visual impacts beyond 5km and the proposal is therefore acceptable.

- 7.22** The landform behind the turbine provides a backdrop setting which would ensure that from most viewpoints, the turbine would not breach the skyline of the Kilpatrick Hills. Although the turbine is a total height of 43 m, the location, size and setting of the turbine are such that it will not have a detrimental visual impact on the Kilpatrick Hills regional scenic area or significantly alter the local landscape. It is further considered, the access track would not result in an adverse visual impact within the landscape.

Residential Amenity

- 7.23** The proposed turbine would be located 440m from the edge of Bonhill, but its impact would be minimal as between the proposed turbine and the settlement is an area of plantation woodland and a further area of woodland adjacent to the houses. This would provide adequate separation in terms of both amenity and visual impact, ensuring that the turbine would be adequately screened from the nearest residential properties. Whilst the wind turbine may be visible from some urban areas further from the site, such as Dumbarton and parts of Alexandria, it would be sufficiently distant to avoid being visually dominant and therefore it would have an acceptable impact. The proposed access track takes access from an existing track which serves Highdykes Farm. It is visually separated from the nearest residential neighbours by trees. As part of the operation of the turbine there are minimal traffic movements proposed. As such the proposed access road will not have an unacceptable impact to residential amenity.

Shadow Flicker

- 7.24** Shadow flicker is the flickering effect caused when rotating wind turbine blade periodically cast shadows through constrained openings such as the windows of neighboring properties. The distance at which shadow flicker is created is accepted to be 10 times the rotor diameter. In this case the rotor diameter is 26m and as such the distance would be 260m. The closest property to the proposed wind turbine is 65B Broomhill Crescent, notes at 447m away from the proposed turbine. The application also gives scope for a 25m buffer for micro siting. This could mean the turbine could be 422m away from 65B Broomhill Crescent, however this is still outwith the 260m distance at which shadow flicker could be created.

The Council's Environmental Health Service have raised no objection in this regard, although they nonetheless recommend a condition for any granting of permission, requiring the site operator to investigate any complaints and instigate appropriate mitigation measures in the event of shadow flicker occurring.

Noise & Air Quality

7.25 Turbines produce two distinct types of noise – the mechanical noise produced by the machine and the aerodynamic noise produced by the passage of the blades through the air. The “Assessment and Rating of Noise from Wind Farms” (Final Report, Sept 1996, DTI), (ETSU-R-97) provides a UK framework for the measurement of wind turbine noise, including indicative noise levels deemed to be appropriate. Subsequent UK government reports have concluded that there is no evidence of health affects arising from infrasound or low frequency noise generated by turbines.

7.26 The supporting information predicts that the operation of the wind turbine is capable of meeting ETSU-R-97 standards at the nearest properties, the closest of which is 440m from the proposed turbine location. Hours of work could be limited by condition to avoid disturbance during the construction phase to nearby residential properties. The Council's Environmental Health Service has no objection to the proposal on noise grounds subject to appropriate conditions. No issues have been raised in terms of air quality.

Road Traffic Impact

7.27 As part of the proposal, an access track is proposed which joins the existing farm track leading from Broomhill Crescent at the point before the entrance to Highdykes Farm. As noted above, the construction of this track has already commenced. The applicant has stated that this was done as the access track was existing and was being upgraded. The Traffic Management Plan submitted as part of the application states that where practicable, material for the access track and hard standings will be recycled material that is available on-site. Any additional material that is required shall be sourced from a local quarry. As part of the “proposed” access track already constructed on site, it is clear that recycled materials have not been used. Deliveries have occurred from local quarries, however, there appears to have been no co-ordination of or a structured approach to deliveries which the objections highlight has caused congestion on the residential roads with large delivery vehicles being unable to pass on both the residential roads and the farm track. If the application is approved, a robust condition regarding a delivery management strategy for materials delivered on site would be required to ensure that the further importation of material would be carefully managed and to minimise the disruption to adjacent residential properties.

The Council's Roads Service have no objections to the proposal subject to the implementation of the Traffic Management Plan. Comments raised in objections regarding continuous traffic from a wood mill/sawmill/bio fuel facility cannot be considered at this time due to the application not including such details. The wind turbine and its construction is not considered to be a large traffic generating use. Whilst concerns are raised in respect of potential to damage to road surfaces, any damage that did occur would be a matter to be addressed in conjunction with the Council's Roads Service.

- 7.28** Once operational a wind turbine would generate negligible traffic, but the size of the turbine components is such that delivery of the turbine to the site can cause disruption due to oversized loads. Deliveries would be from the south, off the A82, onto Stirling Road (A813) heading northbound and then towards the Nobleston roundabout. From there any deliveries would traverse onto residential roads to the south of the Bonhill area via Beechwood Drive, Murroch Crescent and Broomhill Crescent before moving onto the access track and onto the "proposed" access into the site. The Traffic Management Plan states that from point 6 Redburn/Beechwood Drive measures would be required in order to facilitate the deliveries of the wind turbine. For the duration of the journey a support vehicle is recommended. At point 6, the open verges would need to be used and a banksman and support vehicle. The same applies for point 7 Beechwood Drive / Murroch Crescent. Once the turbine delivery would reach point 8 Murroch Crescent/Broomhill Crescent the previous measures as well as the clearing of parked cars is recommended. At point 10, the alignment of the track is noted to be a "concern". It is indicated that the track would be required to be widened to support load-bearing surface to the western edge. This track is not, however, included within the applicant's ownership or within the red line boundary of the site. Accordingly, any works required to this track would be a civil matter between the parties involved and if the works are to an extent that planning permission is required, a separate application would require to be brought forward in this circumstance. Point 11 is from the "proposed" new access track which has been designed for the proposed use.

Impact on recreation, open space and the core path network

- 7.29** The development will not result in the loss of open space that has been laid out with the purpose of providing amenity, an area of public access or an area for countryside recreation. There is also no impact on any areas of open space specifically identified on the Proposals Maps of the adopted local plan or proposed local development plan. Consequently, it is not considered that the proposal will adversely impact on open space or countryside recreation or the sustainable access to such.

- 7.30** The existing access track to Highdykes Farm which will provide access to the application site is designated as a core path. Whilst this track will be used to access the site and for deliveries during construction, overall the impact on users of the core path will be minimal during construction and following completion it is not considered there will be any discernible impact.

Cumulative Impacts

- 7.31** The proposal would be the first significant wind turbine to be located within the West Dunbartonshire area, so there would be no localised cumulative impacts. The proposed wind turbine is well separated from other wind turbine development in neighbouring Council areas.

Natural Heritage – Designated Sites/Peat and Soils/Habitats/Protected Species/Ornithology

- 7.32** There are no site-specific statutory nature conservation designations within the site and it is not considered that the proposal would have any detrimental impact on any other designated sites. A Preliminary Ecological Assessment (PEA) was submitted in support of the application. The surveys included an extended Phase 1 habitat survey with protected species walkover survey, which considered not only habitats and species of plant present but also the potential presence of relevant European Protected Species (Bats and Otters, Badgers, Water Voles and breeding birds). It was concluded that in general, habitats and plant species were common and typical of former agricultural land that has been planted up with young deciduous woodland, with no notable species found. Habitats and plant species are therefore not considered ecological constraints for the proposed development. Bats, badgers, otters, water voles and breeding birds were also considered not to be an ecological constraint in the PEA.
- 7.33** The consultation response from the RSPB notes that the site visit for the PEA was carried out in mid-December 2022 (which is now outside the recommended dates for protected species surveys). The conclusion that there would be no impact on birds was based on a desktop study using only freely available data rather than survey visits – and so no actual survey work has taken place. The PEA states that if site preparation work is to be undertaken between March and September that the presence of breeding birds should be assessed by an ecologist prior to work commencing on site. As it is an offence to disturb any active bird nest, any granting of permission would require a condition relating to acceptable months for working or further survey work to establish that there are no breeding birds. The RSPB also note that the updated application mentions NPF4 policies and concludes there will be no material impact on biodiversity, including birds.

Whilst the RSPB state that it is unclear how this can be assessed from the data provided, they raise no specific concerns regarding potential impact on any particular bird species, migratory routes, the general commuting and foraging of birds within the locality or a concern regarding bird collisions. No information is highlighted in respect of a need for specific avoidance or mitigation in respect of birds.

- 7.34** The Council's Biodiversity Officer previously noted that no additional species protection plans or follow up surveys were identified in the PEA. The proposed mitigation includes following national guidelines and standards for any tree/hedgerow retention, that best working practice measures are adhered to safeguard otters and badgers, and a walkover survey prior to works commencing within bird breeding season. If any otter or badger-resting place is found then an ecologist will produce an otter protection plan. It can therefore be concluded that the proposal will not adversely impact upon protected species and it is appropriate that the pre-start surveys and any required protection plans identified at this stage are conditioned should the development proceed. Special Protection Area (SPA) connectivity is not mentioned as an issue in the PEA. Annex 1 of Nature Scot's "Assessing the impact of small-scale wind energy proposals on the natural heritage" guidance document considers SPA's within a 20km connectivity zone to be relevant. Therefore, both Inner Clyde SPA and Loch Lomond SPA should be considered. Greenland White - Fronted Goose is the relevant species to be considered and has a core foraging range of 5-8km. The Loch Lomond SPA is around 10km from the proposed development site and therefore falls out with requirement for further assessment. The Carbon and Peatland 2016 map shows the site area to not be within an area of peatland. Whilst acknowledging the points highlighted in the consultation response from the RSPB, having fully considered the impact upon ecology, and informed by the consultation response from the Council's Biodiversity Officer, subject to condition, the impacts of the development upon designated sites, peat and soils, habitats, protected species and ornithology are all considered acceptable.

Hydrological & Hydrogeological Impact

- 7.35** The Supporting Statement provided as part of the application states that the site has no watercourses within it, and it is not anticipated that the development would impact significantly upon any water course or local groundwater. During site visits, it was noted that the access road (being constructed without the benefit of planning permission) crossed a small drainage ditch and the road thus included a small section of pipe at this location. No concerns arise from this arrangement and no wider issues are considered to arise in this respect.

Historic Environment Impacts

- 7.36** No historic buildings or monuments are located within the site. There are a number of monuments in the vicinity of the site, although there would be no direct impact on these from construction or operation of the wind turbine. In regard to archaeology, WoSAS have no objection however the implementation of an archaeological watching brief would be required prior to the commencement of any development on site.

Renewable Energy Targets

- 7.37** Scotland's long-term climate change targets will require the near-complete decarbonisation of the energy system by 2050, with renewable energy meeting a significant share of the need. The Scottish energy strategy sets a 2030 target for the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied by renewable sources. This approach is supported via NPF4's just transition spatial principle that seeks to empower people to shape their places and ensure the transition to net zero is fair and inclusive.

Economic Impact

- 7.38** The proposed development would have minimal impact on the potential use of the wider area for grazing or forestry whilst the construction of the wind turbine would provide some short-term employment during construction. In the longer term, once completed and operational, there would be a requirement for site maintenance, although it is acknowledged this would likely be minimal. It is not considered that the proposed wind turbine would have any impact on tourism within West Dunbartonshire or neighbouring areas. It is therefore considered that whilst any development of this nature will have a positive impact, the scale of the development would result in the long-term economic benefits being negligible.

Community Benefit

- 7.39** The Council's Renewable Energy Planning Guidance (2016) states that in line with Scottish Government guidance, the Council expects all wind energy applicants to provide a community benefit of a minimum £5,000 per MW of installed capacity. This would be payable annually and would increase relative to the Retail Price Index. The contribution is expected from all wind energy developments. As such it is recommended that should the application be granted, a legal agreement should be put in place to address the community benefit contribution.

Aviation Safety

- 7.40** NATS and Glasgow Airport have no objections in terms of airport safeguarding.

Decommissioning

- 7.41** Should permission be granted, there would be a requirement for decommissioning and site restoration. A legal agreement to ensure that a suitable financial bond is put in place to cover restoration liabilities for the site would be required. Site restoration would be triggered by either the expiry of any permission or if the project ceased to operate for a specific period of time.

Matters raised in objections

- 7.42** A wide range of matters were raised in the objections received, many of which are already addressed as part of the main assessment set out above. Multiple objections question what the energy is to be used for and that no grid connection has been shown. A lack of grid connection, however, can be done via a separate consenting process where required.
- 7.43** The availability of the turbine type which has been applied for has been brought into question. However, the application notes that the final choice of the wind turbine will be dependent upon availability. Conditions associated to any granting of permission would ensure that the impact of any turbine would remain the same.
- 7.44** Alternative locations for the proposal have been suggested, however the applicant has stated that this is a good site for wind energy creation due to wind speeds and the application requires to be assessed on its own merits. It is contended that the applicant has indicated to residents that he intends to produce bio fuel. The application form and supporting documents do not indicate this and the Planning Authority can only assess the submitted proposal. Matters relating to traffic and the road have been assessed above.
- 7.45** Whilst there has been some removal of trees and hedgerows these are not protected and the extent of the removal undertaken is in any case limited. Matters raised in respect of the Council objective for Natural & Semi Natural Green Space and the impact on the green belt are assessed above.
- 7.46** One objector states that West Dunbartonshire Council's Open Space Strategy 2011 states that planning authorities are expected to support, protect and enhance open space and opportunities for sport and recreation. As set out in the assessment above, the development proposal will not impact upon or result in the loss of open space that has been laid out with the purpose of providing amenity, an area of public access or an area for countryside recreation.
- 7.47** Any perceived impact upon property values is not a material planning consideration. Finally, the applicant non-attendance at the local residents meeting has been brought into question. As this is not a procedural requirement for the application, it is not a material planning consideration.

8. CONCLUSION

- 8.1** The proposed wind turbine complies with both the adopted and proposed local plans as well as NPF4. The sloping landscape and urban character in the vicinity of the site mitigates against the visual impact of the turbine on the Kilpatrick Hills or the Loch Lomond and the Trossachs National Park and there would be no adverse cumulative impacts. The distance from the nearest residential property and intervening tree coverage is sufficient to ensure that there would be no unacceptable impact on residential properties. A legal agreement would ensure that a suitable financial bond is put in place to cover future restoration liabilities for the site and community benefit would also require to be addressed in a similar way. Previously planning permission was granted for the erection of a wind turbine of the same size, as well as the associated access track on this site in 2015, although the decision notice was never issued and the application subsequently withdrawn.
- 8.2** Planning application DC22/190/FUL was refused due to the concern regarding the proposed agricultural shed. By removing the proposed agricultural shed, this current proposal addresses the concerns raised in 2023 refusal.
- 8.3** Overall, the proposed development would allow the erection of a wind turbine which would be appropriately sited, have no unacceptable impacts and would contribute to renewable energy targets.

9. CONDITIONS

1. The planning permission for the wind turbine hereby granted shall be for a maximum period of 25 years and 6 months from the date of the permission. This period consists of a 25 year period of operation of the turbine followed by a 6 month period for removal of the turbine, ancillary equipment, associated hard standing and access track and restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below.
2. Unless otherwise agreed in writing by the Planning Authority, should the turbine cease to generate electricity for a continuous period of 6 months, the turbine, ancillary equipment, associated hard standing and access track shall be removed. Restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below, shall thereafter take place within 6 months.

3. All external colours of the turbine and associated equipment cabinet shall be agreed with the Planning Authority prior to the commencement of works and shall be implemented as approved.
4. No turbine, transformer building or any other above ground infrastructure shall be illuminated or display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.
5. Within one year of the date of this consent, the turbine operator shall submit an Outline Decommissioning, Restoration and Aftercare Scheme (the Outline Decommissioning Scheme) for the Turbine development, for the written approval of Planning Authority. The Outline Decommissioning Scheme shall include (but not necessarily be limited to) details of:
 - a) Works for the decommissioning and removal of the turbine (together with the foundations to a depth of at least one meter) and all above ground ancillary infrastructure and equipment;
 - b) The treatment of any ground surfaces including access tracks, hard-standing areas and any sub-surface elements including cabling to restore the site to its former condition, or other such condition as is agreed in writing by the Planning Authority;
 - c) Environmental management provisions, including waste management;
 - d) A decommissioning timetable;
 - e) Appropriate aftercare following site restoration; and
 - f) How and when the Outline Decommissioning Scheme will be reviewed during the operational life of the development.

The approved Outline Decommissioning Scheme shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.

6. No later than 12 months prior to the decommissioning of the development, or the expiration of the 25 year period of operation (whichever is earlier), a detailed Decommissioning, Restoration and Aftercare Scheme, which takes account of the latest version of the Outline Decommissioning Scheme (approved under Condition 5) and which also takes into account of the current best environmental practice, shall be submitted to and approved in writing by the Planning Authority.

The development shall be decommissioned, the site restored and aftercare thereafter in accordance with the scheme approved as part of this condition, unless otherwise agreed in writing in advance by the Planning Authority.

7. Unless otherwise agreed in writing by the Planning Authority, if the wind turbine fails to generate electricity for a continuous period of 12 months,

the turbine shall be deemed to have ceased to be required, and a scheme that takes cognizance of Condition 6, setting out how the wind turbine and associated infrastructure will be removed from the site, the ground restored and aftercare carried out, shall be submitted for the written approval of the Planning Authority no later than one month after the date of the expiry of the 6 months.

The scheme approved shall be implemented within 12 months of the date of its approval.

8. In order to ensure compliance with Condition 7, the wind turbine operator shall submit 12 monthly generation and output figures to the Planning Authority to evidence that the turbine is continuing to generate electricity and the 12 monthly reporting cycle shall commence from the date the turbine is commissioned (turned on).
9. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated December 2022 shall be followed to the satisfaction of the Planning Authority.
10. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine and all associated construction material shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented as approved. The statement shall include the following information:
 - a) The intended turbine transportation route including swept path analysis, timings and methodology.
 - b) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.
 - c) Any alteration to the public road network.
 - d) Details of the construction compound including staff car parking.
 - e) Details of proposed signage during the delivery and construction period.
 - f) Any necessary mitigation.
 - g) Details of the type, weight, frequency and number of delivery and construction vehicles inclusive of those delivering all associated construction materials, for example, hardcore and associated tonnage.
 - h) Details of wheel washing facilities.
 - i) A condition report based on a joint survey of the proposed route to ensure that all temporary alterations and any damage to the road network are made good.
11. No development shall take place within the development site until the developer has secured the implementation of an archaeological watching

brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicant and agreed in writing with the Planning Authority in consultation with the West of Scotland Archaeology Service prior to the commencement of the watching brief.

The name of the archaeological organisation retained by the developer shall be given the Planning Authority in writing prior to any works on site.

12. Prior to the commencement of development full details of the surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Drainage Systems within its design, and shall thereafter be implemented as approved.
13. In accordance with ETSU- R- 97 (Simplified Method) the noise from the wind turbine shall not exceed an LA90(10min) of 35dB at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 10 metres per second at 10m height as measured within the site.
14. Prior to the installation of the turbine, the developer shall submit a report for approval by the Planning Authority which demonstrates compliance with the noise limits in Condition 13 above. The report shall be prepared in accordance with reference to the Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 and associated supplementary guidance notes.
15. Prior to the installation of the turbine, the applicant shall provide written confirmation to the Planning Authority that the noise from turbine operation will be broad-band with no discernible tonal characteristics.
16. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority from the occupant of a dwelling regarding noise from the wind turbine operation, the wind turbine operator shall, at the wind turbine operator's expense, employ an independent consultant approved by the Planning Authority to assess the level of noise emissions from the wind turbine at the complainant's property following procedures to be agreed with the Planning Authority. The wind turbine operator shall provide to the Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and

conclusions are based. Such information shall be provided within 28 days of the date of the written request of the Planning Authority unless otherwise extended in writing by the Planning Authority. The wind turbine operator shall take such remedial action as required by the Planning Authority.

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

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

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

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

Pamela Clifford
Planning, Building Standards and Environmental Health Manager
Date: 14th February 2024

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

James McColl, Development Management Team Leader
Email: James.McColl@west-dunbarton.gov.uk

Appendix: Location Plan

Background Papers:

1. Application forms and plans
2. Consultation responses
3. Representations
4. National Planning Framework 4
5. West Dunbartonshire Local Plan 2010
6. Proposed West Dunbartonshire Local Development Plan 2 2020, as amended
7. Kilpatrick Hills Local Landscape Area Statement of Importance
8. Renewable Energy Local Development Plan (Proposed Plan) Planning Guidance November 2016

Wards affected: Ward 3 (Dumbarton)

