

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 21 December 2016 at 10.05 a.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Patrick McGlinchey, John Mooney, Lawrence O'Neill and Hazel Sorrell.

Attending: Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader – Development Management; Colin Newman, Team Leader – Building Standards; Raymond Walsh, Interim Manager – Roads and Transportation; Marnie Ritchie, Regeneration Coordinator; Nigel Ettles, Section Head - Litigation and Nuala Quinn-Ross, Committee Officer.

Apologies: Apologies were intimated on behalf of Councillors Jonathan McColl and Tommy Rainey.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 23 November 2016 were submitted and approved as a correct record.

CHAIR'S REMARKS

The Chair, Councillor O'Neill, advised that the agenda item 'DC16/146 – Erection of 4 Detached Dwellinghouses (Renewal of Permission DC11/268) at Development Site, Dumbarton Road, Milton by William Rooney' would not be considered by the Committee at this time as the Developer had requested that the application be continued for consideration at the January 2017 meeting.

PLANNING APPLICATIONS

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

New Applications:-

- (a) **DC16/156 – Erection of 12 houses including new access road and parking at the Former Napierston Farm, Napierston Road, Bonhill, Alexandria by Argyle Homes (Bonhill) Ltd.**

Reference was made to a site visit which had been undertaken in respect of the above application.

Having heard the Planning & Building Standards Manager, the Team Leader – Development Management and the Interim Manager – Roads and Transportation in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that it was minded to grant full planning permission; and
 - (2) that authority be delegated to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of the report as detailed within Appendix 1 hereto and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a developer contribution towards the green network.
- (c) **DC16/191 – Erection of residential development (Variation of conditions 1, 3, 5 and 16 of permission DC13/121 in order to allow formation of access road prior to agreement of various details) at Stanford Street, Clydebank by Dawn Homes Ltd./Ediston Homes Ltd.**

Having heard the Planning & Building Standards Manager and the Team Leader – Development Management in further explanation of the report and in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report as detailed within Appendix 2 hereto.

CONSULTATION ON PROPOSED INCREASE TO BUILDING STANDARDS FEES

A report was submitted by the Strategic Lead – Regulatory advising of the publication of a consultation document regarding increasing Building Standards fees and seeking approval to respond to the consultation.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed that Appendix 2 to the report be submitted to the Scottish Government as the Council's response to the consultation.

**RECEIPT OF PLANNING APPEAL IN RESPECT OF REFUSAL OF APPLICATION
DC16/106 (PROPOSED MODIFICATION OF PLANNING OBLIGATION RELATING
TO OCCUPANCY RESTRICTION) AT CHERRY TREE COURT, HILL STREET,
ALEXANDRIA**

A report was submitted by the Strategic Lead – Regulatory advising of the receipt of a planning appeal in relation to the above.

The Committee agreed to note the receipt of the appeal.

PLANNING PERFORMANCE FRAMEWORK 2015-16

A report was submitted by the Strategic Lead – Regulatory informing of the recent comments received from the Scottish Government and the peer review regarding the Planning Performance Framework submitted by this Council for 2015-16.

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

- (1) that the improvement plan contained within Appendix 4 to the report be implemented; and
- (2) otherwise to note the contents of the report.

DUMBARTON WATERFRONT PATH PLANNING GUIDANCE

A report was submitted by the Strategic Lead – Regulatory seeking approval of draft Planning Guidance on Dumbarton Waterfront path.

After discussion and having heard the Planning & Building Standards Manager and the Regeneration Coordinator in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to approve Appendix 1 to the report as the draft Planning Guidance on Dumbarton Waterfront path; and
- (2) that Appendix 1 to the report be published for consultation.

CHAIR'S REMARKS

The Chair, Councillor O'Neill advised that he had received an indication that a consultation regarding legislation changes to the classifications of payday lending and betting shops would be issued by the Scottish Government for consultation. The Chair then wished everyone a safe and hearty festive period.

The meeting closed at 10.40 a.m.

APPENDIX 1**DC16/156 – Erection of 12 houses including new access road and parking at the Former Napierston Farm, Napierston Road, Bonhill, Alexandria by Argyle Homes (Bonhill) Ltd.**

Minded to GRANT full planning permission, and that authority be delegated to the Planning & Building Standards Manager to issue the decision subject to the conditions detailed below and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a developer contribution towards the green network.

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority, and these shall be implemented as approved. Boundary treatments fronting Napierston Road shall not exceed 1m in height and shall incorporate landscape planting.
4. Prior to the commencement of development details of the design and location of the bin stores, street furniture and lighting shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the houses.
5. No unit shall be occupied until the vehicle parking spaces associated with that house have been provided within the site in accordance with the approved plans. The spaces shall have minimum dimensions of 5.5m x 3m and shall thereafter be kept available for parking at all times.
6. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of the first house.
7. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first house. The landscaping shall thereafter be maintained in accordance with these details.

8. 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, pets, service lines and pipes; and
 - ground waters and surface waters; and
 - (c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.

9. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.

11. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed 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 in writing by the Planning Authority.

12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
13. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
14. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. The statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
15. No commercial vehicle making deliveries to or collecting material from the development site during construction shall enter or leave the site before 8am or after 6pm.
16. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
17. All plant or machinery being used on site shall be enclosed with sound insulating material in accordance with a scheme which shall be submitted to, and approved in writing by the Planning Authority. The approved sound insulation measures shall thereafter be retained at all times during construction on site.
18. Prior to the commencement of development on site, the culvert trash screen shall be replaced as detailed in the letter dated 07 November 2016 from Charles Scott & Partners, unless otherwise agreed in writing with the Planning Authority,

19. Prior to the commencement of development on site, a noise impact assessment shall be submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the nearby Sawmill, using BS 4142: 2014 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas'. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme at all times.
20. Prior to the commencement of development, details of the new junction onto Napierston Road that is to be formed shall be submitted for the written approval of the Planning Authority and shall thereafter be implemented as approved prior to the occupation of the first house within the development.

APPENDIX 2

DC16/191 – Erection of residential development (Variation of conditions 1, 3, 5 and 16 of permission DC13/121 in order to allow formation of access road prior to agreement of various details) at Stanford Street, Clydebank by Dawn Homes Ltd./Ediston Homes Ltd.

Permission GRANTED subject to the following conditions:-

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, and shall be implemented as approved.
2. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
3. Prior to the commencement of works, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and implemented as approved.
4. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details.
5. A landscaping scheme for the amenity open space and boundaries of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
6. 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:
ground waters and surface waters;
human health;
ecological systems; and
archaeological sites and ancient monuments, property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes; and
 - (c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
7. 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 historic environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
8. 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 said remediation), unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
9. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work on the site shall cease. At this stage, if requested, a comprehensive contaminated land investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The scheme shall be implemented as approved.

10. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme, shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health. 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.
11. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. It shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby commercial/industrial areas, using BS4142:1997 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas". Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. The noise impact assessment and any recommendations shall be prepared by a suitably qualified person.
12. No development shall take place on site until such times as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
13. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement should include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1984 Evaluation of Human Response to Vibration in Buildings. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
14. Prior to work commencing on site a scheme for the control and mitigation of dust shall be submitted for the further approval of the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and measures to prevent or limit the occurrence and impact of such dust. The scheme shall be implemented as approved prior to any dust-generating activities commencing on site.

15. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
16. Development shall not commence other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of: - Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'. The Approved Bird Hazard Management Plan shall be implemented as approved, upon completion of the roofs and shall be adhered to at all times.
17. No residential unit shall be occupied until the vehicle parking spaces have been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.
18. Notwithstanding the submitted details and prior to the commencement of development on site, details of the design and location of the proposed communal bin stores shall be submitted to and approved by the Planning Authority and shall be implemented prior to the occupation of any residential unit.
19. Notwithstanding the submitted details and prior to the commencement of development on site, details of the treatment of the boundary adjacent to the canal shall be submitted to and approved by the Planning Authority. The boundary treatment shall include the use of reconstituted stone, railings and a gate, and shall be implemented prior to the occupation of any flats.
20. Prior to the commencement of development, other than the construction of the road access from Stanford Street as shown on Drawing 16.004.P.100, details of an equipped play area(s) within the site shall be submitted for the further written approval of the Planning Authority. The details shall include:
 - (a) details of the type and location of play equipment, seating and litter bins;
 - (b) details of the type and location of safety surfacing material;
 - (c) details of fences and gates to be erected around the play area; and
 - (d) details of the timing of the works. Thereafter the agreed play areas shall be retained and maintained unless its removal is agreed in writing by the Planning Authority.