

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 7 November 2012 at 9.00 a.m.

**Present:** Provost Douglas McAllister and Councillors Gail Casey, Jim Finn, David McBride, Jonathan McColl, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

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

**Apologies:** Apologies for absence were intimated on behalf Councillors Agnew and Mooney.

**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 3 October 2012 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of Visitation carried out on 26 September 2012, a copy of which forms Appendix 1 hereto, was submitted and noted.

## **PLANNING APPLICATIONS**

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

### **New Applications:-**

- (a) **DC11/244 - Erection of raised timber decking and installation of lifting platform for disabled access at former Clydebank Central Church, 1 Montrose Street, Clydebank by Senex Investments Ltd.**

The Planning and Building Standards Manager advised that the application had now been withdrawn. A new application with amendments has been received and would be brought to the Planning Committee in December.

- (b) **DC12/106 - Erection of 109 dwelling houses (amended to permission DC11/120/MSC incorporating pumping station and revised house types) at Housing Development Site South of Barloan Roundabout, Dumbarton by Taylor Wimpey.**

Having heard the Planning and Building Standards Manager in further explanation of the report and the background relating thereto, the Committee agreed to grant planning permission subject to conditions specified within the report, details of which are contained in Appendix 2 hereto.

## **ELECTED MEMBER INVOLVEMENT IN PRE-APPLICATION DISCUSSIONS**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval of procedures for elected member involvement in the pre-application stages of major development proposals.

The Planning and Building Standards Manager informed the Committee of comments which had been submitted by Dumbarton East and Central Community Council in relation to the report.

The Committee agreed:-

1. that elected member engagement at the pre-application stage should be by way of written briefings and developer presentations and that this should be achieved by adopting Option 4 (Briefing of Main Issues and Presentation to Committee) specified within the report; and
2. that a protocol be drafted for elected member involvement in the pre-application stage.

The meeting closed at 9.10 a.m.

## **NOTE**

Councillor Denis Agnew arrived after the meeting had closed due to public transport issues.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 26 SEPTEMBER 2012**

- Present:** Provost Douglas McAllister and Councillors David McBride and Lawrence O'Neill
- Attending:** Keith Bathgate, Development Management Team Leader
- Apologies:** Councillors Gail Casey, Jim Finn and Tommy Rainey

**SITE VISIT**

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

**(a) St James Retail Park, Dumbarton**

Planning Application DC12/131 - Variation of Condition No. 12 at St James Retail Park, Dumbarton by British Land Retail Waterhouses Ltd.

**(b) Studio Drive, Dumbarton**

Planning Application DC12/167 - Erection of 33 flats, car parking and landscaping at South East of Studio Drive, Dumbarton by Persimmon Homes.

**DC12/106 - Erection of 109 dwelling houses (amendment to permission DC11/120/MSD incorporating pumping station and revised house types) at Housing Development Site South of Barloan Roundabout, Dumbarton by Taylor Wimpey.**

**Permission was 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 and shall be implemented as approved.
2. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site, including a feature wall at the entrance to the site, shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
3. 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 shall be implemented as approved.
4. Prior to the commencement of works on site, a phasing plan of the proposed development shall be submitted for the further written approval of the Planning Authority. The plan shall include details of the phasing of the houses, the roads infrastructure, play area and landscaping areas and shall thereafter be implemented as approved.
5. A landscaping scheme for the site, including the play area and boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented in accordance with the phasing plan. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.
6. Drainage of the site shall be in accordance with drawing numbers E002-1 and E002-2 (as approved under consent no. DC11/120/MSD, of which this permission is an amendment). All surface water shall drain into the existing SUDS pond to the west of the site.
7. The development shall be constructed in accordance with the proposed ground levels as shown on drawing numbers E001-1 Rev.D and E001-2 Rev.D and the minimum finished floor level of all buildings shall be 5.1 metres AOD. Any alterations to these levels shall be agreed in writing with the Planning Authority.
8. Prior to the commencement of development, details of the equipped play area within the site shall be submitted for the further written approval of the Planning Authority and shall be implemented in a timescale agreed with the

Planning Authority and in accordance with the phasing plan. 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; and,
- (c) details of fences and gates to be erected around the play area.

Thereafter the agreed play area shall be retained and maintained.

9. 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. The noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from vehicles on the A82 using PAN 56 Planning and Noise. 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 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 in respect of attenuation measures shall be prepared by a suitably qualified person.
10. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority, and any piling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
11. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
12. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report

which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.

13. Notwithstanding the submitted details a validation report on the installed ground gas protection measures for each individual plot as identified on drawing number 46400044/0007 shall be submitted to and approved by the Planning Authority and any measures arising shall be implemented prior to any construction works on site.
14. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any measures arising shall be implemented within a timescale agreed with the Planning Authority.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any order replacing or re-enacting it, no development under Classes 1A to 1C or 3A to 3D shall take place within the curtilage of plot numbers 50 to 68, 78 to 84, and 97 to 101 without an express grant of planning permission.
16. Prior to the commencement of works on site, details of the design and siting of a fence to be erected between the site boundary and the A82 shall be submitted for the further written approval of the Planning Authority. No direct access, either pedestrian or vehicular shall be formed from the site to the A82 trunk road at any time without express consent.