

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Director of Development and Environmental Services**

**Planning Committee : 5 January 2005**

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**Subject: Sheephill Quarry, Milton**

#### **1.0 Purpose:**

- 1.1** To explain the context of an application for review of minerals permission (ROMP) and a planning application for an extension to the quarry at Sheephill Quarry, Milton. These applications are part of a package and it is considered prudent that they be determined concurrently.

#### **2.0 Background:**

- 2.1** The ROMP application has been with the Authority since March 1998. The main reason for delay has been over the submission of further supporting information from the applicant. The situation has been complicated by changes in legislation and in Scottish Executive guidance which has a bearing on determination of the application.
- 2.2** The 1949 consent for Sheephill Quarry shows a site boundary which basically adjoins residential properties at Milton Hill. As a part of the processing of the ROMP application, it has been recognised that quarrying to this western boundary would be unacceptable and, as a consequence, an application for an extension to the north of the quarry has been submitted on the basis that this area, if approved, will be "swapped" for the westward expansion of the quarry towards Milton Hill. This intimate relationship between the two proposals is a driver for the applications to be considered concurrently.
- 2.3** The intention in this report is to be as clear and concise as possible in informing Members of a complex set of circumstances. This report puts forward two options for action, with a recommendation. Thereafter, should that recommendation be accepted, Members require to give consideration to the ensuing reports on the ROMP application and the extension application.

### **3.0 Main Issues:**

- 3.1** The ROMP application is not an application for planning permission which can be granted or refused. It is an application for review of the seven 1949 conditions, the aim of which is to consider and apply up-to-date planning conditions which recognise modern quarrying practice and environmental standards and require proper consideration of aftercare and reinstatement once quarrying is complete.
- 3.2** The applicant was required to submit, amongst other material, a set of proposed conditions which could be granted and/or replaced/amended by the Local Planning Authority.
- 3.3** As the application has progressed, so different requirements have been made under new regulations. An Environmental Statement was required and was submitted on 21 March 2003. Following consultation, Scottish Natural Heritage (SNH) indicated a need for further information to be submitted on the visual and landscape baseline information. The applicant has resisted submitting this information, arguing that it could not reasonably be required. The applicant has gone to the extent of claiming deemed consent for the submitted conditions. This assertion is not accepted because the applicant has not supplied all of the information requested by the Planning Authority.
- 3.4** In the circumstances two main options for action present themselves:
- (A) approve a new set of conditions (similar to those agreed for the adjacent Dumbuck Quarry) and approve the associated extension application after the lodging of an appropriate restoration bond and the signing of a Section 75 Agreement relinquishing rights to quarry westwards towards Milton Hill; or
  - (B) indicate to the applicant that the application will not be determined until the required information has been submitted and assessed and set a revised date by which this information must be submitted. There are new Regulations which give a Planning Authority the power to suspend the operation of a quarry but this application is being dealt with under the old legislation which does not contain such a power.
- 3.5** The main impediment to Option A is that the applicant has not submitted certain baseline information sought by Scottish Natural Heritage in relation to visual and landscape impact. However, SNH did not ask for such information in connection with Dumbuck Quarry and the environmental statement for that Quarry therefore did not include such information. Where information is sought in connection with such an application, it must be reasonable for the Planning Authority to request that information. It could be argued that, as the information was not requested in connection with the Dumbuck application, it would not be reasonable to request the information in connection with the Sheephill application.

- 3.6 The main concern over Option B is that without the sanction of suspending the operation of the quarry, if a date for submission of environmental information is not met it is likely that the applicant would continue to work the quarry under the existing, very limited planning conditions. This could even result in quarry workings in a westerly direction towards the housing at Milton Hill. There is no reason to believe that the applicant would meet any new deadline for submission given the applicant's stated position.
- 3.7 Taking all relevant matters into account, it is recommended that Members proceed with Option A and determine a new set of conditions for the quarry. If this is accepted, then the following reports on the ROMP and extension applications need to be considered in detail.

#### **4.0 Recommendation:**

- 4.1 Taking all relevant matters into account, it is recommended that Members proceed with Option A, namely to consider the following two reports on the ROMP application and the application for extension to the quarry.

**Dan Henderson**  
**Director of Development and Environmental Services**  
**22 December 2004**

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**Background Papers:** Report to Regulatory Committee (Planning) meeting on 3 October 2001  
Following two reports and their background papers

**Wards Affected:** Ward 11

**Person to Contact:** Alasdair Gregor, Planning & Development Manager  
Development and Environmental Services  
Council Offices, Garshake Road, Dumbarton G82 3PU  
Tel. No.: (01389) 737415.

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 5 January 2005 at 9.30a.m.

**Present:** Provost Alistair Macdonald and Councillors Denis Agnew, Dennis Brogan, Jack Duffy, Linda McColl and Duncan McDonald.

**Attending:** Dan Henderson, Director of Development and Environmental Services; Alasdair Gregor, Planning and Development Manager; Nigel Ettles, Principal Solicitor; Kevin Neeson, Section Head, Planning and Building Control and Shona Barton, Administrative Assistant.

**Apology:** An apology for absence was submitted on behalf of Councillor Connie O'Sullivan.

**Councillor Jack Duffy in the Chair**

### MINUTES OF PREVIOUS MEETING

4687 The Minutes of Meeting of the Committee held on 1 December 2004 were submitted and approved as a correct record.

### NOTE OF VISITATION

4688 A Note of Visitation carried out on 29 November 2004, a copy of which forms Appendix 1 hereto, was submitted and noted.

### PLANNING APPLICATIONS

4689 Reports were submitted by the Director of Development and Environmental Services in respect of various planning applications as detailed below.

#### Continued Applications

**(a) DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage/1-3 William Street, Duntocher, Clydebank**

4690 After discussion and having heard the Section Head, Planning and Building Control in further explanation and in answer to Members' questions, the Committee agreed that it was minded to grant planning permission subject to:-

- (1) satisfactory comments being received from Housing and Technical Services regarding the applicant's proposed reduction in sightline splay; and
- (2) the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

4691 It was also agreed that authority to grant planning permission be delegated to the Director of Development and Environmental Services.

**(b) DC04/204 – Conversion of lounge bar and disco into 3 flats at 9 Quay Street, Dumbarton**

4692 A copy of a letter submitted by the Agent for the Applicant detailing proposed flood prevention measures was circulated to Members for information. Having heard the Section Head, Planning and Building Control in further explanation, the Committee agreed that it was minded to grant planning permission subject to:-

- (1) a satisfactory response being received from Housing and Technical Services in relation to the proposed flood prevention measures; and
- (2) the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

4693 It was also agreed that authority to grant planning permission be delegated to the Director of Development and Environmental Services.

New Applications

**(c) DC03/338 – Erection of dwellinghouse (outline) at Cleddans Farm, Hardgate, Clydebank**

4694 Having heard the Planning and Development Manager in further explanation, the Committee agreed that the application be refused for the reasons specified in the Director's report, details of which are contained in Appendix 2 hereto.

**SHEEPHILL QUARRY, MILTON**

4695 A report was submitted by the Director of Development and Environmental Services explaining the context of the following applications and requesting that the applications be determined concurrently.

- (a) WP98/076 – review of minerals permission at Sheephill Quarry, Milton; and
- (b) DC02/447 – Extension to Quarry at Sheephill Quarry, Milton.

- 4696 A letter of representation from an objector to the applications, Mrs. Frances Walker, was circulated to Members for their information. After discussion and having heard the Planning and Development Manager in further explanation, and having heard representations from two objectors to the application who were in the Public Gallery and who were concerned about the amount of time which they had had to consider the matter, the Committee agreed to continue consideration of the above report and applications until the next meeting of the Committee to allow a site visit and hearing to take place.

### **LITTMILL DISTILLERY, BOWLING**

- 4697 A report was submitted by the Director of Development and Environmental Services informing of demolition works carried out at the former Littlemill Distillery buildings and of the proposals for future development.
- 4698 After discussion and having heard the Planning and Development Manager and the Section Head, Planning and Building Control in further explanation and in answer to Members' questions, the Committee agreed:-
- (1) to note the previous history of the site and the current planning applications and listed building applications for the site and adjacent sites;
  - (2) to note the involvement of Historic Scotland in the process and their support for the rebuilding of the two towers;
  - (3) to instruct the Director of Development and Environmental Services to send a report to the procurator fiscal in relation to the removal of the East Tower;
  - (4) that should the remaining tower be in jeopardy that appropriate enforcement action be taken if necessary; and
  - (5) that the rebuilding of the two towers form an essential part in any redevelopment of the site.

### **GLASGOW AIRPORT**

- 4699 A report was submitted by the Director of Development and Environmental Services informing of two consultation documents issued by the British Airports Authority (BAA) Glasgow entitled "Protecting Against Airport Noise" and "Protecting Against Blight" and recommending the Council's formal response.

4700 The Committee noted that an additional paper detailing issues relevant to the report had been circulated to Members before the meeting. After discussion and having heard the Planning and Development Manager and the Director of Development and Environmental Services in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) in relation to the consultation paper "Protecting Against Airport Noise", that BAA Glasgow be informed of the Council's concerns over:-
  - (i) the exclusion of houses from the definition of noise sensitive buildings; and
  - (ii) the lack of justification for the choice of the 63dB noise contour for eligibility for assistance;
- (2) in relation to the consultation paper "Protecting Against Blight", that BAA Glasgow be informed of the Council's concerns over the lack of justification for the choice of the 66dB noise contour;
- (3) that in addition to the responses to the consultation that the recommendations from the additional paper be added as follows:-
  - (i) the present noise levels for the existing single runway be reviewed by BAA with a view to reducing them;
  - (ii) that BAA be asked to consider restricting night time flying to essential movements only and asked to clarify the definition of "essential movements";
  - (iii) that BAA be asked to arrange for an independent economic appraisal assessing the benefit of night flight against disturbance to the local community and in the meantime at least reduce night time take offs and landings;
  - (iv) that BAA be asked to consider the provision of resources to noise sensitive premises outside the existing qualifying noise contours and that domestic premises should be included in the noise sensitive category;
  - (v) that BAA be asked to install a noise monitoring point within the West Dunbartonshire area to provide more relevant data to residents most likely to be affected by airport noise; and
  - (vi) that a report should be provided by BAA detailing their proposed actions in relation to points (i) to (v) above; and

- (4) to note that a report would be submitted to the next meeting of the Community Safety and Environmental Services Committee which would cover in more detail the issues raised by Members and would contain further recommendations in relation to representations which the Council could make to BAA.

### **STRATEGIC REVIEW OF SCOTTISH NATURAL HERITAGE – RESPONSE TO QUESTIONNAIRE**

- 4701 A report was submitted by the Director of Development and Environmental Services advising of the Strategic Review of Scottish Natural Heritage and seeking homologation of the Council's response to a questionnaire issued by the Scottish Executive.
- 4702 Having heard the Planning and Development Manager in further explanation, the Committee agreed to homologate the responses to the questionnaire, as shown in the Appendix to the report, as the Council's response to the strategic review of Scottish Natural Heritage.

### **BUDGETARY CONTROL**

- 4703 A report was submitted by the Director of Development and Environmental Services showing how the budgets controlled by the Development and Environmental Services Department were performing against projections for the period up until 15 November 2004.
- 4704 The Committee agreed to note the contents of the report.

### **APPEAL DECISIONS – 661 DUMBARTON ROAD, DALMUIR, CLYDEBANK; THE KEEP INN, CASTLEHILL ROAD, DUMBARTON; PLANNING APPEAL – DRUM HOUSE, OLD KILPATRICK**

- 4705 A report was submitted by the Director of Development and Environmental Services informing of the outcome of two appeals to the Scottish Executive Inquiry Reporters Unit and the submission of an appeal to the Scottish Executive Inquiry Reporters Unit.
- 4706 The Committee agreed to note:-
- (1) that the appeal against the refusal of a retrospective application for advertisement consent for the display of an internally illuminated pole mounted advertisement within the grounds of a petrol station located at 661 Dumbarton Road, Dalmuir, Clydebank had been dismissed;



- (2) that the appeal against the refusal of an application for planning permission for the erection of a 15m high telecom mast and ancillary equipment at The Keep Inn, Castlehill Road, Dumbarton had been sustained; and
- (3) that an appeal against an Enforcement Notice served in relation to engineering works at Drum House, Old Kilpatrick had been submitted and would be dealt with by way of written submissions.

**STREET NAMING FOR NEW DEVELOPMENT OFF MANSE DRIVE,  
HALDANE, BALLOCH**

4707 A report was submitted by the Director of Development and Environmental Services seeking to allocate a street name for a new housing development in Haldane.

4708 The Committee agreed that the name Manse Court be adopted.

**SITE VISIT**

4709 It was agreed that the site visit referred to in the item relating to Sheephill Quarry would be undertaken in the morning of Tuesday, 1 February 2005.

The meeting closed at 10.21 a.m.

## **PLANNING COMMITTEE**

### **NOTE OF VISITATION – 29 NOVEMBER 2004**

- Present:** Provost Alistair Macdonald and Councillors Jack Duffy and Duncan McDonald.
- Attending:** Alasdair Gregor, Planning and Development Manager and Craig Stewart, Administrative Assistant - Legal and Administrative Services.

### **SITE VISIT**

With reference to the Minutes of the Meeting of the Planning Committee held on 3 November 2004, a site visit was undertaken in connection with the undernoted planning application:-

DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage, 1-3 William Street, Duntocher, Clydebank.



**APPENDIX 2****APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE PLANNING COMMITTEE ON 5 JANUARY 2005****DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage/1 – 3 William Street, Duntocher, Clydebank****Minded to GRANT permission subject to the following conditions:-**

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. Prior to the occupation of any flat in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, to the satisfaction of the Director of Development and Environmental Services.
4. Prior to occupation of the last flat in the development all roads and footpaths within and servicing the development shall be completed to their final specification and adoptable standard to the satisfaction of the Director of Development and Environmental Services.
5. Details of design and construction of all fences and walls to be erected on the site shall be submitted to the Director of Development and Environmental Services and no work on the site shall be commenced until the permission of the Director has been granted for these details and that the boundary treatments approved shall be completed within timescale to be agreed with the Director of Development and Environmental Services.
6. The stone-dyke wall indicated on the approved plan shall be retained as part of the development, with no section of it being removed, without the written consent of the Director of Development and Environmental Services.
7. Before any work commences on the site, a landscaping scheme for the site shall be submitted to and approved by the Director of Development and Environmental Services and such a scheme shall include:
  - a) details and specification of all trees, shrubs, grass mix etc;
  - b) details of all top-soiling or other treatment to the ground;
  - c) sections and other necessary details of any mounding or earthworks;
  - d) proposals for the initial maintenance of the landscaped areas;

and no work shall be undertaken on the site until approval has been given to these details.

8. Before any of the units hereby approved are completed the landscaping scheme required in terms of condition 7 shall be completed to the satisfaction of the Director of Development and Environmental Services and thereafter all of the landscaping shall be maintained and replaced where necessary to the satisfaction of the Director of Development and Environmental Services.
9. Prior to commencement of development, the developer shall submit a detailed survey of all trees and hedging on the site. This survey shall be displayed on a site layout plan and include an identification of the existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which over-hang onto the site shall also be included). Those trees which it is proposed to fell or remove shall be separately identified.
10. The existing trees and shrubs on site shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Director of Development and Environmental Services.
11. During the construction period, all works and ancillary operations which are audible at the site boundary or at such other places to be approved by Director of Development and Environmental Services, shall be carried out only between 0800 and 1800 hours Monday to Saturday inclusive, and not at all on Sundays or Public Holidays.
12. The developer shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential dwellings or other noise sensitive properties to exceed the levels to be agreed in writing with the Director of Development and Environmental Services prior to any development taking place on site.
13. Any piling operations on the site must be carried out in accordance with the requirements of BS5228: Part 4: 1992. Code of Practice for Noise and Vibration Control applicable to piling operations.
14. To minimise nuisance in the surrounding area from noise and vibration, during all demolition and construction works, the plant and machinery used shall be in accordance with the relevant Codes of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) (Scotland) Order 2002 and all reasonably practicable steps shall be taken to minimise the formation of dust in the atmosphere and in the surrounding area.
15. No works shall commence on site until a suitable scheme for the drainage of surface water has been submitted and approved by the Director of Development and Environmental Services.
16. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.

17. The consent hereby granted shall not enure until details of appropriate sightlines of 4.5 x 90 x 1.05 onto Dumbarton Road and 4.5 x 50 x 1.05m for the private access to the development site have been submitted and approved in writing by the Director of Development and Environmental Services, prior to any development commencing on site.
18. The consent hereby granted is not inclusive of the binstore area identified on drawing no. 553 302D and a revised bin store layout should be submitted to the Director of Development and Environmental Services for his approval, prior to any development commencing on site.

**DC04/204 – Conversion of lounge bar and disco into 3 flats at 9 Quay Street, Dumbarton**

**Minded to GRANT permission subject to the following conditions:-**

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. The permitted maximum noise level emanating from construction/redevelopment shall be relative to the pre-contract ambient noise level for the area. The contractor shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential properties, schools, offices or libraries to exceed the levels agreed in writing with the Director of Development and Environmental Services. The applicant is required to contact the Public Health and Pollution Section of Environmental Services not less than 14 days prior to works commencing on the site.
4. During the period of construction/redevelopment, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Council, shall be carried out only between 0800 and 1800 hours, Monday to Saturday inclusive and not at all on a Sunday or Public Holiday.

**DC03/338 – Erection of dwellinghouse (outline) at Cleddans Farm, Hardgate, Clydebank**

**Permission REFUSED for the following reasons:-**

1. The development would be contrary to Policy GB1 of the Clydebank Local Plan as it would be development in the green belt and the requirement for a dwellinghouse has not been sufficiently justified for the purposes of agriculture.

2. The development falls within Strategic Policy GB1 of the Glasgow and the Clyde Valley Structure Plan and is therefore a departure from the Development Plan for which insufficient justification has been submitted to warrant an approval under Strategic Policy 10.
3. The development would be contrary to Policy E7 of the Clydebank Local Plan and National Planning Policy Guideline 5 because it would have an adverse effect on the remains and setting of the Antonine Wall, a Scheduled Ancient Monument.

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 2 February 2005 at 9.30a.m.

**Present:** Provost Alistair Macdonald and Councillors Denis Agnew, Linda McColl\*, Duncan McDonald and Connie O'Sullivan.

**Attending:** Dan Henderson, Director of Development and Environmental Services; Alasdair Gregor, Planning and Development Manager; Nigel Ettles, Principal Solicitor; Kevin Neeson, Section Head, Planning and Building Control and Shona Barton, Administrative Assistant.

**Apology:** An apology for absence was intimated on behalf of Councillor Dennis Brogan.

\* Attended later in the meeting

## COUNCILLOR JACK DUFFY

4838 After hearing the Director of Development and Environmental Services, the Committee was upstanding to observe a short period of silence in remembrance of Councillor Jack Duffy, Convener of the Planning Committee, who died suddenly on the 22 January 2005 after a short illness.

## APPOINTMENT OF CHAIR

4839 The Director of Development and Environmental Services invited the Committee to appoint a Chair for this meeting of the Committee. It was agreed that Councillor Duncan McDonald be appointed Chair. Accordingly Councillor McDonald assumed the Chair.

## URGENT ITEM

4840 The Chair, in terms of Section 50B(4) of the Local Government (Scotland) Act 1973, as inserted by the Local Government (Access to Information) Act 1985, asked the Committee to agree to consider an additional item namely "Glasgow & Clyde Valley Joint Structure Plan Review" as a matter of urgency on the grounds that the action to be taken required early consideration. The Committee agreed that this item be considered at the end of the agenda.



## MINUTES OF PREVIOUS MEETING

- 4841 The Minutes of Meeting of the Committee held on 5 January 2005 were submitted and approved as a correct record.

## SHEEPHILL QUARRY, MILTON

- 4842 With reference to the Minutes of Meeting of the Planning Committee held on 5 January 2005 (page 1341, paragraph 4696 refers) a report was resubmitted by the Director of Development and Environmental Services explaining the context of the following applications and requesting that the applications be determined concurrently:-

(a) WP98/076 – Review of minerals permission at Sheephill Quarry, Milton; and

(b) DC02/447 – Extension to Quarry at Sheephill Quarry, Milton.

- 4843 Having heard the Planning and Development Manager in further explanation and update, the Committee agreed to consider the reports on the Review of Minerals Permission and the proposed extension to the Quarry at Sheephill Quarry, Milton concurrently.

- 4844 Reference was made to the site visit undertaken in respect of this application. The Planning and Development Manager also made reference to a recent meeting with the applicant at which details of the proposed conditions had been discussed and a series of amendments agreed. The Chair, Councillor McDonald, invited the objectors to the application to address the Committee. The Committee heard representations from Mr. Francis McNeill, representing the Community Councils Forum and Mrs. Elizabeth Meechie, representing Bowling and Milton Community Council. The Chair then invited the agent for the applicant, Ms. Karen Dalglish, to address the Committee and she was heard in support of the application.

- 4845 After discussion and having heard officers in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) that with regard to the Review of Minerals Permission, amended conditions similar to those outlined in the Director's report, details of which are contained in the Appendix hereto, be imposed for the future quarrying operations;
- (2) that they were minded to grant planning consent for the extension to the quarry subject to amended conditions similar to those outlined in the Director's report, details of which are contained in the Appendix hereto;

- (3) that authority be delegated to the Director of Development and Environmental Services to finalise the conditions relating to the Review of Minerals Permission and the extension to the quarry;
- (4) that the planning consent would not be issued until the existing planning consent was revoked by either a Section 75 Agreement or a Section 65 Order and until a restoration bond was, to the satisfaction of the Director of Development and Environmental Services, signed and delivered or otherwise provided for; and
- (5) that authority be delegated to the Director of Development and Environmental Services to grant planning consent for the extension to the quarry.

NOTE: Councillor McColl entered the meeting during discussion of the above item.

### PLANNING APPLICATIONS

4846 Reports were submitted by the Director of Development and Environmental Services in respect of various planning applications as detailed below.

#### New Applications

**(a) DC01/068 – Demolition of lodge at Dalmonach North Lodge, Main Street, Bonhill**

4847 The Committee agreed to grant listed building consent for the demolition of the Lodge subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

**(b) DC04/103 – Two storey side extension to dwellinghouse at 73 Oronsay Crescent, Old Kilpatrick**

4848 The Planning and Development Manager provided an update on the application. It was noted that there had been two objections submitted in relation to this application, and that the applicant and the objectors had been invited to attend the meeting in order that a hearing could take place. Reference was also made to the site visit undertaken in respect of the application. The Chair, Councillor McDonald, invited Mr. Thomas Kelly, an objector to the application, to address the Committee and he made his views on the application known. The applicant, Mrs. Allison McKirdy, was then invited to address the Committee and spoke in support of the application.

4849 After discussion, the Committee agreed that the application be refused for the reasons specified in the Director's report, details of which are contained in the Appendix hereto.

**(c) DC04/226 – Erection of 3 detached dwellinghouses at Third Avenue, Bonhill**

4850 The Planning and Development Manager provided an update on the application. It was noted that there had been two objections submitted in relation to this application, and that the applicant and the objectors had been invited to attend the meeting in order that a hearing could take place. The Committee noted that the agent for the applicant had advised that he would not be in attendance. Reference was also made to the site visit undertaken in respect of the application.

4851 The Chair, Councillor McDonald, invited Mr. Roddy Mackenzie, an objector to the application, to address the Committee and he made his views on the application known. A copy of a briefing note and supporting photographs were circulated to Members for their information. Mr. McDiarmid, another objector to the application, was then invited to address the Committee and he made his views on the application known.

4852 After discussion and having heard the Planning and Development Manager in further explanation and in answer to Members' questions, the Committee agreed that consideration of the application be continued until the next meeting of the Committee to allow the applicant the opportunity to consider making adjustments to the plans.

**(d) DC04/252 – Erection of office development and associated car parking at the site adjacent to 199 Dumbarton Road, Clydebank**

4853 The Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

**(e) DC04/338 – Erection of dwellinghouse at 53 Dumbarton Road, Bowling**

4854 The Committee noted that this application had been withdrawn.

**UNAUTHORISED SITING OF CARAVAN AT THE DRUMS,  
OLD KILPATRICK**

4855 A report was submitted by the Director of Development and Environmental Services informing of a breach of planning control in the form of the unauthorised siting of a static caravan in a field at The Drums, Old Kilpatrick, and seeking authority to take enforcement action to have the breach remedied.

- 4856 The Committee agreed to authorise the Director of Development and Environmental Services to serve an Enforcement Notice requiring that the caravan be removed from the site and the land restored to its original condition.

### **CONSULTATION ON TREE PRESERVATION ORDERS**

- 4857 A report was submitted by the Director of Development and Environmental Services informing of a consultation on Tree Preservation Orders issued by the Scottish Executive Development Department in December 2004 and recommending the Council's formal response.
- 4858 The Committee agreed:-
- (1) to note the contents of the report; and
  - (2) that authority be delegated to the Director of Development and Environmental Services to respond to the consultation supporting the proposed changes to the Town and Country Planning (Scotland) Act 1997 regarding Tree Preservation Orders.

### **APPEAL DECISION – DUNCLUTHA, PARKHALL ROAD, CLYDEBANK; PLANNING APPEAL – 93 HIGH STREET, DUMBARTON**

- 4859 A report was submitted by the Director of Development and Environmental Services informing of the outcome of an appeal to the Scottish Executive Inquiry Reporters Unit and the submission of an appeal to the Scottish Executive Inquiry Reporters Unit.
- 4860 The Committee agreed to note:-
- (1) that the appeal against the refusal of planning consent for the erection of 25 flats with ancillary works at Dunclutha, Parkhall Road, Dalmuir in Clydebank had been dismissed; and
  - (2) that an appeal against the refusal under delegated powers of a proposed change of use from a Class 1 shop to a Class 2 Licensed Betting Shop at 93 High Street, Dumbarton had been submitted and would be dealt with by way of written submissions.

### **GLASGOW & CLYDE VALLEY JOINT STRUCTURE PLAN REVIEW**

- 4861 A report was submitted by the Director of Development and Environmental Services advising of the publication of a discussion document entitled „The Future of the Glasgow & Clyde Valley“ which sets out the general approach to the Review of the Glasgow and the Clyde Valley Joint Structure Plan and recommending the Council's formal response.

4862 Having heard Councillor McDonald the Committee agreed:-

- (1) to note the contents of the report;
- (2) that the report should form the basis of the Council's formal response to the discussion document; and
- (3) that the Council's response to the discussion document should highlight the following:-
  - (i) a growth scenario that continues to improve the area is supported;
  - (ii) a continued commitment to utilising brownfield land;
  - (iii) new housing be located in existing urban areas as the first preference;
  - (iv) it is recognised that both Dumbarton and Clydebank perform a regional/sub-regional role and a development framework is set out which safeguards and enhances this role;
  - (v) any additional retail floorspace should as first preference be located in existing centres and should be able to be supported by the relevant population and not have an adverse impact on existing centres; and
  - (vi) an evaluation of the suitability of areas for windfarm development is undertaken and local implications are suitably considered.

The meeting closed at 10.21 a.m.

## **APPLICATIONS CONSIDERED BY THE PLANNING COMMITTEE ON 2 FEBRUARY 2005**

### **WP98/076 – Review of Minerals permission at Sheephill Quarry, Milton**

#### **Conditions similar to the following to be imposed for the future quarrying operations:-**

1. The development hereby permitted within the area identified on plan reference Figure 2 of the Environmental Statement shall endure until 21 February 2042 and at the end of the period of permission, all quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.
2. The normal daytime operating hours for the quarry are to be 0800 hours to 2000 hours Monday to Friday, 0800 hours to 1200 hours (noon) on Saturday and not at all on Sundays or Public Holidays and no heavy goods vehicles shall arrive at or leave the site and no operations, including the loading and transportation of minerals or operation of quarry plant shall take place outside these hours. Permission to operate outside these hours must be agreed in writing with the Director of Development and Environmental Services, prior to such operations taking place.
3. Noise attributable to the operators at Sheephill quarry shall not exceed the daytime limits of 59 dB  $L_{Aeq\ 1\ hour}$  during the working of phase 1 and 55 dB  $L_{Aeq\ 1\ hour}$  during the working of all other phases at Greenland Farm; and 55 dB  $L_{Aeq\ 1\ hour}$  during the working of all phases at Auchentorlie House, No. 9 Milton Hill, and Mattockhill (representative of Middleton); all as specified in the Environmental Statement and to the satisfaction of the Director of Development and Environmental Services.
4. A request for the relaxation of the noise limits identified in condition 3 above must be submitted in writing a minimum of 14 days prior to the commencement of the operations requiring the relaxation and must include time periods and noise limits for the temporary relaxation, all for the consideration and written approval of the Director of Development and Environmental Services.
5. The applicant shall undertake a noise monitoring programme at the locations as described in condition 3 above and the frequency and times of such monitoring must be agreed by the Director of Development and Environmental Services and the results shall be submitted in writing to the Director of Development and Environmental Services on a frequency to be agreed with the Authority. For the avoidance of doubt, the noise monitoring shall be carried out in accordance with the methods specified in PAN50: Annex A - The Control of Noise at Surface Mineral Working and in so far as is reasonably practical, the operation shall ensure that the best practice methodologies set out in PAN50 are adopted.

6. Blasting operations shall be carried out at regular times between 1000 and 1600 hours Monday to Friday, with no blasting permitted at weekends and on public holidays and the quarry operator shall endeavour to ensure that as far as is practicable, blasting should be carried out between 1000 and 1300 hours.
7. Blasting shall be avoided, where possible, under weather conditions likely to direct or focus the blast air overpressure towards noise sensitive properties and no blasting shall be carried out during a temperature inversion; all to the satisfaction of the Director of Development and Environmental Services.
8. Notwithstanding the requirements of condition 6 and 7 above, if as a result of any emergency situation or need to ensure safe quarry practices, blasting is required to take place outside the specified hours, the times and reasons for such an event shall be notified in writing to West Dunbartonshire Council's Environmental Health Section within two days of the occurrence.
9. Within four weeks of the date of this approval, the operator shall submit a blast monitoring scheme that will record all blasts within the quarry area, with the monitoring points to be set at locations to be agreed by the Director of Development and Environmental Services.
10. The occupiers of neighbouring properties that have been identified as part of the monitoring scheme to be vibration sensitive, shall be notified in writing of the intended blasting programme and any subsequent changes to the programme; all to the satisfaction of the Director of Development and Environmental Services.
11. The operator shall monitor all blasts and records shall be maintained so that peak particle velocity can be identified and these records shall be made available for inspection by any authorised party during office hours at the quarry; and on the last working day of each month the monitoring records shall be submitted to the Director of Development and Environmental Services.
12. Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s for 95% of all blasts over any 12 months and no individual blast shall exceed a peak particle velocity of 12 mm/s. The measurement shall be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building; all to the satisfaction of the Director of Development and Environmental Services.
13. The operator shall adopt appropriate blasting practices that have regard to safe quarrying practices and be such that under normal atmospheric conditions, the peak linear and air overpressure level of 120 dB shall not be exceeded as measured at any noise sensitive properties; all to the satisfaction of the Director of Development and Environmental Services.

14. Blasting shall be carried out using the best practicable means available to ensure that the resultant noise, vibration and air overpressure are minimised in accordance with current British Standards and Mineral Guidelines and the best practice methodologies as set out in PAN 50; and to the satisfaction of the Director of Development and Environmental Services.
15. For the duration of this permission and up to the completion of all aftercare works warning signs shall be erected and maintained by the operator next to all publicly accessible areas within or adjacent to the quarry. Details of the locations of these signs shall be made known to the Director of Development and Environmental Services.
16. Blasting shall only be carried out after suitable audible and visible warnings have been given and the method of such warnings must be submitted and approved in writing by the Director of Development and Environmental Services; and must be given in writing by the operator to the occupiers of all the properties around the site.
17. The operator shall ensure that the Environmental Health Section of West Dunbartonshire Council be given a minimum of 48 hours telephone notification before every blast at the quarry.
18. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere and the dust mitigation measures listed in the Environmental Statement shall be implemented to the satisfaction of the Director of Development and Environmental Services and in a method which ensures that the best practice methodologies as set out in PAN50 are adopted.
19. Visual assessments of dust emissions from all plant and operations shall be made at least once per day during operations and remedial actions taken to the satisfaction of the Director of Development and Environmental Services.
20. Wheel cleaning facilities shall be used on the site by every vehicle entering/leaving the operations area and must be maintained in operation throughout the life of the quarry.
21. The paved area of road within the site must be swept/washed where required in order to ensure that no debris from the quarry is carried onto the public highway, all to the satisfaction of the Director of Development and Environmental Services.
22. The methods of working within the quarry must be as described within the approved documents forming part of this consent and any changes to the operating procedures or methods must be submitted to and approved in writing by the Director of Development and Environmental Services.
23. The gradient of the quarry floor shall be maintained at 1:250 and in such a manner as to ensure that throughout the life of the quarry, all internal water



run-off is directed out of the excavation area and towards the settlement ponds and to ensure that no flooding takes place within the quarry area.

24. The operator of the quarry shall grade all benches and work areas to drain towards the quarry floor and ultimately towards the settlement ponds and no water or run-off shall be directed out of the quarry area unless it is within the current discharge process area as consented by SEPA.
25. The operator of the quarry shall continue to control water run-off from the site according to the Discharge Consent and the conditions contained therein, as issued by SEPA and shall inform the Director of Development and Environmental Services in writing of any changes or updates in the Discharge Consent (or its equivalent) and its conditions.
26. The operator of the quarry shall continue to carry out the crushing, grading and screening of the minerals on the site according to the Certificate of Authorisation of a Prescribed Process as issued by SEPA and shall inform the Director of Development and Environmental Services in writing of any changes or updates in the Certificate (or its equivalent) and its conditions.
27. The topsoil and subsoils to be removed must be stored on as described in the applicant's written submission and must be retained on site for eventual reuse as part of the restoration works as described in conditions 36 and 37, all to the satisfaction of the Director of Development and Environmental Services.
28. If it becomes necessary to relocate any of the existing or new soil storage mounds within the site then such soils cannot be relocated until the Director of Development and Environmental Services gives written approval of the new storage locations and methods of storage.
29. If it becomes necessary to relocate the mineral stock piles from the location indicated in the applicant's submission, then such relocation cannot take place until the Director of Development and Environmental Services gives written approval of the new storage locations and methods of storage.
30. Details of all boundary walls and fences for the full extent of the application site must be submitted to and approved in writing by the Director of Development and Environmental Services.
31. In the event that any waste products are produced on the site, the operator of the quarry must obtain a licence under the Waste Management Licensing Regulations 1994 and details of any waste products and the licence, must be submitted to the Director of Development and Environmental Services as soon as they are identified or received.
32. No materials shall be imported to the site for the purposes of storage, crushing, screening, processing, manufacturing or onward transportation.
33. Any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded

walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipes.

34. All artificial lighting units installed at the quarry shall be so sited and shielded to be incapable of direct sight from any residential property outside the quarry boundary.
35. No later than 6 months after the permanent cessation of quarrying or the date set by condition 1 above whichever is the sooner, all buildings, plant, machinery and areas of hardstanding including the internal access roads shall be removed and the ground reinstated in accordance with the conditions of this permission relating to restoration.
36. Within six months of the date of this consent, a restoration masterplan for the whole of the quarry area and including details of the restoration or replanting of dilapidated features such as boundary hedges and drystone dykes, as well as details showing how recreational access and links to the local path network, would be achieved, along with details of aftercare and afteruse, must be submitted to and approved in writing by the Director of Development and Environmental Services.
37. As part of the restoration masterplan as described in condition 36 above, a detailed restoration scheme for the upper bench levels (shown to be completed within 3 years of the start of excavations along the eastern boundary) shall be submitted to and approved in writing by the Director of Development and Environmental Services and shall include details of restoration works to add rock and soil to reprofile blast faces and trees and other planting to assist natural regeneration, all in order to replicate the appropriate key characteristics of the surrounding landscape.
38. The restoration scheme approved under the terms of condition 36 above shall be designed with due consideration to minimise any resulting birdstrike hazard and shall take into account relevant guidance provided by the Civil Aviation Authority/Airport Operators Association.
39. The restoration scheme approved under the terms of condition 36 above shall be implemented and the works completed within 12 months of the completion of all quarrying operations or the date stated in condition 1 above, whichever is the sooner.
40. In the event that during the life of this permission mineral extraction ceases for a continuous period in excess of two years or the use is discontinued for a like period, then unless as may otherwise be agreed in writing by the Director of Development and Environmental Services, within 12 months of either event occurring, a revised restoration scheme that modifies and updates that required by conditions 36 and 37 above, shall be submitted for the written approval of the Director of Development and Environmental Services, including any modifications as may be required, detailing the steps to be taken to restore the site.

41. Within 12 months of being approved any revised restoration scheme that may have been required under the terms of condition 40 above shall be implemented and the works completed.
42. The approved aftercare scheme shall be implemented following cessation of mineral extraction and in accordance with the approved timetable as required by condition 36 above, unless as may otherwise be agreed in writing by the Director of Development and Environmental Services.
43. Except as may otherwise be agreed in writing by the Director of Development and Environmental Services, at the expiry of twelve months from the date of this planning permission, and thereafter at twelve monthly intervals, the applicant will submit a plan to a scale of not less than 1:2500 indicating the progress of quarrying operations. The plan will indicate the current position of the extraction areas, the extent of spoil disposal and any landscaping works that have been implemented.
44. Prior to any work taking place within or affecting the scheduled area of Sheephill Fort, the operator of the quarry must prepare a written scheme of investigation for the preservation and/or recording of the scheduled area and this must be submitted to and approved in writing by the Director of Development and Environmental Services and the Council's Archaeology Service.
45. Prior to any work taking place within or affecting the scheduled area of Sheephill Fort, the operator of the quarry shall implement the approved scheme of investigation to the satisfaction of the Director of Development and Environmental Services and the Council's Archaeology Service.
46. Prior to any tree felling work taking place, all trees that require to be felled shall be inspected by an experienced bat surveyor to check for the presence or otherwise of bats. If bats are found then no tree felling work shall take place until the relevant licence is obtained.

#### **DC02/447 – Extension to Quarry at Sheephill Quarry, Milton Dumbarton**

**Minded to GRANT planning permission subject to conditions similar to the following:-**

1. The excavation works hereby permitted within the area identified on plan reference Figure 2 of the Environmental Statement as the proposed extension area, shall start within two years of the date of this permission and prior written notice of the start of such works must be given to the Director of Development and Environmental Services no later than 7 days prior to the commencement of quarrying in this area.
2. The development hereby permitted shall enure until 21 February 2042 and at the end of the period of permission, all quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.

3. The normal daytime operating hours for the quarry are to be 0800 to 2000 hours Monday to Friday, 0800 to 1200 hours (noon) on Saturday and not at all on Sundays or Public Holidays and no heavy goods vehicles shall arrive at or leave the site and no operations, including the loading and transportation of minerals or operation of quarry plant shall take place outside these hours. Permission to operate outside these hours must be agreed in writing with the Director of Development and Environmental Services, prior to such operations taking place.
4. Noise attributable to the operators at Sheephill quarry shall not exceed the daytime limits of 59 dB  $L_{Aeq\ 1\ hour}$  during the working of phase 1 and 55 dB  $L_{Aeq\ 1\ hour}$  during the working of all other phases at Greenland Farm; and 55 dB  $L_{Aeq\ 1\ hour}$  during the working of all phases at Auchentorlie House, No. 9 Milton Hill, and Mattockhill (representative of Middleton); all as specified in the Environmental Statement and to the satisfaction of the Director of Development and Environmental Services.
5. A request for the relaxation of the noise limits identified in condition 4 above must be submitted in writing a minimum of 14 days prior to the commencement of the operations requiring the relaxation and must include time periods and noise limits for the temporary relaxation, all for the consideration and written approval of the Director of Development and Environmental Services.
6. The applicant shall undertake a noise monitoring programme at the locations as described in condition 4 above and the frequency and times of such monitoring must be agreed by the Director of Development and Environmental Services and the results shall be submitted in writing to the Director of Development and Environmental Services on a frequency to be agreed with the Authority. For the avoidance of doubt, the noise monitoring shall be carried out in accordance with the methods specified in PAN50: Annex A - The Control of Noise at Surface Mineral Working and in so far as is reasonably practical, the operation shall ensure that the best practice methodologies set out in PAN50 are adopted.
7. Blasting operations shall be carried out at regular times between 1000 and 1600 hours Monday to Fridays with no blasting permitted at weekends or on public holidays and the quarry operator shall endeavour to ensure that so far as is practicable, blasting should be carried out between 1000 and 1300 hours.
8. Blasting shall be avoided, where possible, under weather conditions likely to direct or focus the blast air overpressure towards noise sensitive properties and no blasting shall be carried out during a temperature inversion; all to the satisfaction of the Director of Development and Environmental Services.
9. Notwithstanding the requirements of condition 7 and 8 above, if as a result of any emergency situation or need to ensure safe quarry practices, blasting is required to take place outside the specified hours, the times and reasons for

such an event shall be notified in writing to West Dunbartonshire Council's Environmental Health Section within two days of the occurrence.

10. Prior to excavation works taking place within the application site, the applicant shall submit for the written approval of the Director of Development and Environmental Services, a list of properties considered to be vibration sensitive at which the monitoring of blasts shall be carried out.
11. Prior to excavation works taking place within the application site area, a scheme for the monitoring of blasting including the location of monitoring points and equipment to be used shall be submitted to the Director of Development and Environmental Services for written approval. All blasting operations shall take place only in accordance with the scheme as approved or with such subsequent amendments as may receive the written approval of the Director of Development and Environmental Services.
12. The occupiers of neighbouring properties that have been identified as part of the monitoring scheme to be vibration sensitive, shall be notified in writing of the intended blasting programme and any subsequent changes to the programme; all to the satisfaction of the Director of Development and Environmental Services.
13. The operator shall monitor all blasts and records shall be maintained so that peak particle velocity can be identified and these records shall be made available for inspection by any authorised party during office hours at the quarry; and on the last working day of each month the monitoring records shall be submitted to the Director of Development and Environmental Services.
14. Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s for 95% of all blasts over any period of 12 months and no individual blast shall exceed a peak particle velocity of 12 mm/s. The measurement shall be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building all to the satisfaction of the Director of Development and Environmental Services.
15. The operator shall adopt appropriate blasting practices that have regard to safe quarrying practices and be such that under normal atmospheric conditions, the peak linear and air overpressure level of 120 dB shall not be exceeded as measured at any noise sensitive properties; all to the satisfaction of the Director of Development and Environmental Services.
16. Blasting shall be carried out using the best practicable means available to ensure that the resultant noise, vibration and air overpressure are minimised in accordance with current British Standards and Mineral Guidelines and the best practice methodologies as set out in PAN 50 and to the satisfaction of the Director of Development and Environmental Services.
17. For the duration of this permission and up to the completion of all aftercare works warning signs shall be erected and maintained by the operator next to

all publicly accessible areas within or adjacent to the quarry. Details of the locations of these signs shall be made known to the Director of Development and Environmental Services.

18. Blasting shall only be carried out after suitable audible and visible warnings have been given and the method of such warnings must be submitted and approved in writing by the Director of Development and Environmental Services; and must be given in writing by the operator to the occupiers of all the properties around the site.
19. The operator shall ensure that the Environmental Health Section of West Dunbartonshire Council be given a minimum of 48 hours telephone notification before every blast at the quarry.
20. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere and the dust mitigation measures listed in the Environmental Statement shall be implemented to the satisfaction of the Director of Development and Environmental Services and in a method which ensures that the best practice methodologies as set out in PAN50 are adopted.
21. Visual assessments of dust emissions from all plant and operations shall be made at least once per day during operations and remedial actions taken to the satisfaction of the Director of Development and Environmental Services.
22. Wheel cleaning facilities shall be used on the site by every vehicle entering/leaving the operations area and must be maintained in operation throughout the life of the quarry.
23. The paved area of road within the site must be swept/washed where required in order to ensure that no debris from the quarry is carried onto the public highway, all to the satisfaction of the Director of Development and Environmental Services.
24. The methods of working within the quarry must be as described within the approved documents forming part of this consent and any changes to the operating procedures or methods must be submitted to and approved in writing by the Director of Development and Environmental Services.
25. The extent of the quarrying operations area shall be as outlined on plan reference Figure 5: excavation boundary following excambion of the approved application Environmental Statement.
26. The gradient of the quarry floor shall be maintained at 1:250 and in such a manner as to ensure that throughout the life of the quarry, all internal water run-off is directed out of the excavation area and towards the settlement ponds and to ensure that no flooding takes place within the quarry area.
27. The operator of the quarry shall grade all benches and work areas to drain towards the quarry floor and ultimately towards the settlement ponds and no

water or run-off shall be directed out of the quarry area unless it is within the current discharge process area as consented by SEPA.

28. The operator of the quarry shall continue to control water run-off from the site according to the Discharge Consent and the conditions contained therein, as issued by SEPA and shall inform the Director of Development and Environmental Services in writing of any changes or updates in the Discharge Consent (or its equivalent) and its conditions.
29. The operator of the quarry shall continue to carry out the crushing, grading and screening of the minerals on the site according to the Certificate of Authorisation of a Prescribed Process as issued by SEPA and shall inform the Director of Development and Environmental Services in writing of any changes or updates in the Certificate (or its equivalent) and its conditions.
30. The topsoil and subsoils to be removed from the application site area must be stored on site as described in the applicant's written submission and must be retained on site for eventual reuse as part of the restoration works as described in conditions 40 and 41, all to the satisfaction of the Director of Development and Environmental Services.
31. No extraction or quarrying operations shall be carried out within the application site area until all topsoil and subsoil is fully stripped to the full available depth and the stripping of such soils shall only take place when they are dry.
32. If it becomes necessary to relocate any of the existing or new soil storage mounds within the site then such soils cannot be relocated until the Director of Development and Environmental Services gives written approval of the new storage locations and methods of storage.
33. If it becomes necessary to relocate the mineral stock piles from the location indicated in the applicant's submission, then such relocation cannot take place until the Director of Development and Environmental Services gives written approval of the new storage locations and methods of storage.
34. Details of all boundary walls and fences for the full extent of the application site must be submitted to and approved in writing by the Director of Development and Environmental Services.
35. In the event that any waste products are produced on the site, the operator of the quarry must obtain a licence under the Waste Management Licensing Regulations 1994 and details of any waste products and the licence, must be submitted to the Director of Development and Environmental Services as soon as they are identified or received.
36. No materials shall be imported to the site for the purposes of storage, crushing, screening, processing, manufacturing or onward transportation.
37. Any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded

walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipes.

38. All artificial lighting units installed at the quarry shall be so sited and shielded to be incapable of direct sight from any residential property outside the quarry boundary.
39. No later than 6 months after the permanent cessation of quarrying or the date set by condition 2 above whichever is the sooner, all buildings, plant, machinery and areas of hardstanding including the internal access roads shall be removed and the ground reinstated in accordance with the conditions of this permission relating to restoration.
40. Within six months of the date of this consent, a restoration masterplan for the whole of the quarry area and including details of the restoration or replanting of dilapidated features such as boundary hedges and drystone dykes, as well as details showing how recreational access and links to the local path network, would be achieved, along with details of aftercare and afteruse, must be submitted to and approved in writing by the Director of Development and Environmental Services.
41. As part of the restoration masterplan as described in condition 40 above, a detailed restoration scheme for the upper bench levels (shown to be completed within 3 years of the start of excavations along the eastern boundary) shall be submitted to and approved in writing by the Director of Development and Environmental Services and shall include details of restoration works to add rock and soil to reprofile blast faces and trees and other planting to assist natural regeneration, all in order to replicate the appropriate key characteristics of the surrounding landscape.
42. The restoration scheme approved under the terms of condition 40 above shall be implemented and the works completed within 12 months of the completion of all quarrying operations or the date stated in condition 2 above, whichever is the sooner.
43. The restoration scheme approved under the terms of condition 40 above shall be designed with due consideration to minimise any resulting birdstrike hazard and shall take into account relevant guidance provided by the Civil Aviation Authority/Airport Operators Association.
44. In the event that during the life of this permission for mineral extraction ceases for a continuous period in excess of two years or the use is discontinued for a like period, then unless as may otherwise be agreed in writing by the Director of Development and Environmental Services, within 12 months of either event occurring, a revised restoration scheme that modifies and updates that required by conditions 40 and 41 above, shall be submitted for the written approval of the Director of Development and Environmental Services, including any modifications as may be required, detailing the steps to be taken to restore the site.



45. Within 12 months of being approved any revised restoration scheme that may have been required under the terms of condition 44 above shall be implemented and the works completed.
46. The approved aftercare scheme shall be implemented following cessation of mineral extraction and in accordance with the approved timetable as required by condition 40 above, unless as may otherwise be agreed in writing by the Director of Development and Environmental Services.
47. Except as may otherwise be agreed in writing by the Director of Development and Environmental Services, at the expiry of twelve months from the date of this planning permission, and thereafter at twelve monthly intervals, the applicant will submit a plan to a scale of not less than 1:2500 indicating the progress of quarrying operations. The plan will indicate the current position of the extraction areas, the extent of spoil disposal and any landscaping works that have been implemented.
48. The applicant shall ensure that the footpath from Milton Brae via Greenland Farm to Loch Humphrey, where it passes close to the quarry, is kept open to the public (other than during any times of blasting in the quarry) or that an alternative, appropriate footpath is provided, all to the satisfaction of the Director of Development and Environmental Services.

**DC01/068 – Demolition of lodge at Dalmonach North Lodge, Main Street, Bonhill**

**Listed building consent GRANTED subject to the following conditions:-**

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. The demolition shall only operate between the hours of 8.00am and 6.00pm, Monday to Saturday.
3. No material of any kind shall be brought onto the site and tipped as part of any reinstatement works without the express written consent of the Director of Development and Environmental Services.
4. Prior to the start of demolition on the site and until all buildings have been demolished and materials removed from the site, a security fence shall be erected round the demolition site and details of the fence shall be submitted to and approved in writing by the Director of Development and Environmental Services.
5. The red sandstone including the corniced and capped stone which forms the external walls and chimneyhead of the building shall be salvaged from the demolition and stored for use in any future development of the former Dalmonach dye works site and details of where and how this storage should take place shall be submitted to the Director of Development and

Environmental Services for his written approval, prior to any demolition works commencing on site.

6. Any other materials resulting from demolition on the site, excepting those covered under condition 5, shall be removed to a recognised and registered infill site, details of which shall be submitted to and approved in writing by the Director of Development and Environmental Services prior to demolition work commencing on site.
7. Upon completion of the approved demolition, the surface of the demolition site shall be levelled, well-compacted and free of all extraneous materials, and shall be kept weed and litter free, all to the satisfaction of the Director of Development and Environmental Services.
8. In the event that any contaminated materials or any other materials requiring a specialist contractor (e.g. asbestos) are found to be on site then details of the materials, their method of removal and supervision of their removal, must be submitted to and approved in writing by Director of Development and Environmental Services prior to the materials being disturbed on site or removed from the site.

**DC04/103 – Two storey side extension to dwellinghouse at 73 Oronsay Crescent, Old Kilpatrick**

**Permission REFUSED for the following reasons:-**

1. The proposed two storey side extension is considered to be contrary to Policies H5 and GD1 of the Clydebank Local Plan as its scale, height and proximity to the boundary would have an adverse effect on the amenity of the neighbouring properties.
2. The proposed two storey side extension is considered to be contrary to Policy GD1 of the Clydebank Local Plan as the applicant has not demonstrated that the site can be provided with two off street parking places (measuring 5.0 x 2.5m) to accord with the requirements of West Dunbartonshire Councils Roads Development Guidelines.

**DC04/252 – Erection of office development and associated car parking adjacent to 199 Dumbarton Road, Clydebank**

**Permission GRANTED subject to the following conditions:-**

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the

Director of Development and Environmental Services prior to any work commencing on the site.

3. No consent is granted to the boundary fence/walls shown on the approved plan and before work commences on site all boundary details shall be submitted for the approval of the Director of Development and Environmental Services and shall be implemented within a timescale to be approved by the Director of Development and Environmental Services
4. The car parking area and internal roads and footpaths shall be designed and constructed to the specification of West Dunbartonshire Council and shall be fully completed before the units are brought into use.
5. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Development and Environmental Services.
6. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Development and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
  - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Development and Environmental Services; and
  - (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Development and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
7. The roof element of the development site shall be constructed to allow access to all areas by foot using permanent access hatches details of which shall be submitted to the Director of Development and Environmental Services, prior to the building being occupied and the owner/occupier of the building shall ensure that at no time will the flat roof be allowed to support breeding or roosting birds.
8. No works shall commence on the site until details of a sustainable urban drainage system has been submitted and approved by the Director of Development and Environmental Services.