

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 23 October 2019 at 10.00 a.m.

**Present:** Bailie Denis Agnew and Councillors Karen Conaghan, Ian Dickson, Marie McNair and Lawrence O'Neill.

**Attending:** Peter Hissett, Strategic Lead – Regulatory; Erin Goldie, Team Leader – Development Management; Ross Lee, Lead Planning Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Gail Casey, Diane Docherty, Jim Finn and Douglas McAllister.

### **APPOINTMENT OF CHAIR**

In the absence of the Chair, Councillor Finn, and Vice Chair, Councillor Docherty, it was unanimously agreed that Councillor Dickson would chair the meeting. Accordingly, Councillor Dickson assumed the Chair.

### **Councillor Dickson 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 18 September 2019 were submitted and approved as a correct record.

### **NOTE OF VISITATIONS**

A note of Visitation carried out on 16 September 2019 was submitted for information, a copy of which forms Appendix 1 hereto.

## OPEN FORUM

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

## PLANNING APPLICATIONS

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

- (a) **DC18/107 – Installation of 6 no. floodlighting columns and 1 ground mounted floodlight at Dumbarton Football Club, Castle Road, Dumbarton by West Dunbartonshire Council.**

Having heard the Team Leader – Development Management in further explanation of the report, the Committee agreed to grant full planning permission subject to conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

- (b) **DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) at the former Allied Distillers Site, Castle Road, Dumbarton by Turnberry Homes.**

Having heard the Team Leader – Development Management in further explanation of the report, the Committee agreed to grant full planning permission subject to conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

The meeting closed at 10.10 a.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 16 SEPTEMBER 2019**

**Present:** Councillors Karen Conaghan, Ian Dickson and Diane Docherty.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management and Jane Tennant, Planning Officer.

**SITE VISIT**

A site visit was undertaken in connection with the undernoted planning application:-

**129 Main Street, Renton**

DC19/030 – Change of use from beauty parlour to café (retrospective) by Duncan Wrethman.

**DC18/107 – Installation of 6 no. floodlighting columns and 1 ground mounted floodlight at Dumbarton Football Club, Castle Road, Dumbarton by West Dunbartonshire Council.**

**GRANT full planning permission subject to the following conditions:-**

1. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the applicant shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.
2. Prior to undertaking any alterations or modifications to the subsequent approved layout, orientation and/or positioning of any of lighting columns or the attached floodlights accommodated on each as shown on approved plan 'Proposed Lighting, Cabling & Column Layout – Phase 1 (Drawing P054 Rev AB - Feature Lighting)', details of a revised layout plan shall be submitted to and approved in writing by the Planning Authority. Any alterations or modifications to the layout, orientation and/or positioning of the lighting columns and/or the associated floodlights as shown on an approved revised plan shall be formed on site and be maintained as such thereafter unless otherwise further agreed in writing by the Planning Authority.
3. Prior to the commencement of development on site and notwithstanding the approved 'Dumbarton Rock Floodlighting: Bat Survey (2017)', an updated bat survey/report shall be submitted to and approved in writing by the Planning Authority. This shall either confirm that the findings and recommendations of the original survey remain valid or alternatively outline further recommendations as required based on current circumstances. Thereafter, the recommendations contained within this updated bat report/survey shall be implemented prior to any other work commencing on site and maintained as such thereafter unless otherwise agreed in writing by the Planning Authority.

**DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) at the former Allied Distillers Site, Castle Road, Dumbarton by Turnberry Homes.**

**GRANT full planning permission subject to the following conditions:-**

1. Prior to the commencement of development on site exact details and specifications of all proposed external materials of the proposed dwellings and flatted blocks, shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.

2. Prior to the commencement of development on site details of the design and location of the bin stores, cycle storage, street furniture and lighting shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
3. Prior to the commencement of development on site full details of the design and location of all walls and fences to be erected on site shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
4. Prior to the commencement of development on site full details of all hard surfaces shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented as approved.
5. The approved landscaping scheme as shown on approved drawing 424.15.01a 'Landscape Proposals' shall be implemented no later than the next appropriate planting season after occupation of the first property within Phase 3. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
6. Prior to the commencement of development on site a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority. The details shall comply with Advice Note 3 and Note 8 'Potential Bird Hazards from Amenity Landscaping' and 'Building Design'. The submitted plan shall include details of:
  - Full details of soft and water landscaping as well as the species, number and spacing of trees and planting within the site.
  - Management of building including details for the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds.

The Bird Hazard Management Plan shall be implemented as approved at a timescale to be agreed with the Planning Authority. It shall remain in force for the life of the development and no subsequent alterations to the plan shall take place unless firstly approved in writing by the Planning Authority in consultation with Glasgow Airport.
7. No lighting, between the months of September to March inclusive, shall illuminate foreshore areas of the inter-tidal habitat or the Inner Clyde Special Protection Area (SPA) from the development site.
8. During the full construction period of Phase 3 the following shall be carried out on site during September to April (inclusive):

- a) Any piling undertaken shall use the Continuous Helical Displacement (CHD) method or another method for which the specified maximum noise is no greater than CHD, or does not produce significant impulse/impact noise.
  - b) Static plant and machinery shall be sited in the northern portion of the Phase 3 site where possible and plant/machinery should be suitably enclosed and/or silenced in accordance with the maximum measures described in BS5228 (1999: Part 1). Details of their exact location should be submitted and approved by the Planning Authority prior to any works on Phase 3 commence and shall be implemented as approved.
9. The existing acoustic and visual screen fence located and present along the southern boundary of the application site and as implemented as part of the fulfilment of Condition 27 of planning consents DC10/065/FUL and DC16/065 shall be retained and maintained in its current position throughout all development activities taking place between the months of September to April inclusive. No alterations or modifications to its layout or design/arrangement shall be undertaken unless otherwise agreed in writing by the Planning Authority.
10. During the period of construction work on site, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
  - Mondays to Fridays: 0800-1800
  - Saturdays: 0800-1300
  - Sundays and Public Holidays: No working
11. During the period of construction, piling works shall be carried out between the following hours and at no other time unless otherwise approved in writing by the Planning Authority:
  - Mondays to Fridays: 0800-1800
  - Saturdays: 0800-1300
  - Sundays and Public Holidays: No working
12. No piling works shall be carried out within the development site until a method statement has been submitted to and approved in writing by the Planning Authority. This shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS6472: 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.

13. 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 assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from Dumbarton Football Ground and the nearby commercial/industrial units located to the east of the development using appropriate assessment criteria. 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. The noise impact assessment measures shall be prepared by a suitably qualified person.
14. Further to condition 13 above, no residential unit shall be occupied within Phase 3 until such time as the approved noise attenuation measures relating to that unit have been completed to their finished standard and these shall be retained thereafter.
15. Prior to the commencement of development on site, a noise control method statement for the construction period shall be 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 agreed in writing by the Planning Authority.
16. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site within Phase 3 until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. This 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 in writing by the Planning Authority.
17. No development (other than investigation works) shall commence on site within Phase 3 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.

18. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
19. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
20. When considered necessary by the Planning Authority a monitoring and maintenance scheme to include monitoring 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 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 in writing by the Planning Authority.
21. No development (other than investigative works) shall commence on site within Phase 3 until such time as a revision of the Investigation Report 2015 by Johnson, Poole and Bloomer, is carried out in accordance with the Land Contamination & Development Management Summary Guidance & Checklists and shall be 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 Phase 3 element of the site (irrespective of whether this contamination originates on the site)
  - b) An assessment of the potential risks (where applicable) to:



- i) Human health property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes.
    - ii) Groundwater and surface waters
    - iii) Ecological systems
    - iv) Archaeological sites and ancient monuments
  - c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
22. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved in writing by the Planning Authority prior to any such material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan) and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
23. Prior to the commencement of development on site within Phase, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved in writing 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 Sustainable Urban Drainage System (SUDS) shall thereafter be formed and maintained on site in accordance with the approved details.
24. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.
25. Prior to the commencement of development on site within Phase 3 details of the programme of works proposed during Spring High Tides shall be submitted to and approved in writing by the Planning Authority. These details shall demonstrate that there will be no works that exceed the current ambient noise levels within the site, except the use of vehicles (excluding plant machinery and heavy vehicles) and hand held non mechanised tools and equipment. The approved works shall be implemented as approved.

26. The development shall be constructed in accordance with the proposed ground levels as shown on Drawing No. 1120 – 130 Rev J 'Levels Layout'. Any alterations to these levels shall be agreed in writing with the Planning Authority prior to being undertaken and shall be implemented as approved.
27. Prior to the commencement of development on site, details of any works required along the banks of Gruggies Burn shall be submitted to and approved in writing by the Planning Authority. The details shall include protection measures to ensure that any landraising/fencing near to the burn does not have an adverse impact upon wildlife and that appropriate measures are in place to prevent pollution into the watercourse. The approved details associated with these works shall be implemented as approved.
28. Prior to the commencement of development on site, details of the access arrangements to the water course (Gruggies Burn) immediate to the east of the application site for the inspection and maintenance purposes shall be submitted to and approved in writing by the Planning Authority. The approved details associated with these works shall be implemented as approved.
29. Prior to the commencement of development on site, details of the phasing of the road construction of Phase 3 to Phase 1 and Phase 2 shall be submitted to and approved in writing by the Planning Authority. These details shall ensure that:
  - a) Prior to the occupation of any house or flatted property within Phase 3, all roads and footpaths within and serving this phase shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splays and all turning heads; and
  - b) Prior to the occupation of the last ten units within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan), all roads and footpaths within and servicing this phase of development shall be completed to their final specification and adoptable standard.
30. Prior to work commencing on site, full details of the flood prevention measures recommended in the Flood Risk Assessment (FRA) by Dr J Riddell (October 2009), shall be submitted for the further approval of the Planning Authority and shall be completed prior to the occupation of any houses granted by this consent.
31. Notwithstanding the provisions of Classes 1 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order revoking and re-enacting that order, no development of the integral garages shall take place within any of the plots within Phase 3 (as shown on Drawing No. AL(0)04 – Phase 3 Development Plan) without the benefit of a separate planning permission.