

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton, on Wednesday 15 November 2023 at 10.00 a.m.

**Present:** Councillors Gurpreet Singh Johal, Daniel Lennie, June McKay, Lawrence O'Neill, Chris Pollock, Hazel Sorrell, and Sophie Traynor.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; James McColl, Development Management Team Leader; Alan Williamson, Development Planning and Place Team Leader; Nigel Ettles, Section Head – Litigation (Legal Officer) and Nicola Moorcroft, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors Karen Murray Conaghan and Ian Dickson.

**Also attending:** Mr R Ritchie (Run Free Dog Fields Ltd.), Mr R Kennedy (Bho Nadar (Dunclutha) Ltd.) and Mr P Clark (Clark Design Architecture).

**Councillor Lawrence O'Neill in the Chair**

### DECLARATIONS OF INTEREST

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

### OPEN FORUM

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

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 11 October 2023 were submitted and approved as a correct record.

## PLANNING APPLICATIONS

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

- (a) **DC23/012/FUL: Change of use from agricultural land to 3 dog exercise fields, erection of boundary fencing and erection of 3 shelters (Retrospective) at Lawmuir Farm, Glasgow Road, Hardgate, Clydebank G81 5QT by Run Free Dog Fields Ltd.**

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

The Chair invited Mr Robert Ritchie (on behalf of Run Free Dog Fields Ltd.) to address the Committee. Mr Ritchie was heard in respect of the application and in answer to Members' questions.

After discussion, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 1 hereto.

- (b) **DC22/216/FUL: Erection of three dwellinghouses and associated works at Former Site of Dunclutha, Parkhall Road, Clydebank by Bho Nadar (Dunclutha) Ltd.**

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

The Chair invited Mr R Kennedy (Bho Nadar (Dunclutha) Ltd) to address the Committee. Mr Kennedy was heard in respect of the application and in answer to Members' questions.

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

## DEVELOPER CONTRIBUTIONS

A report was submitted by the Planning, Building Standards and Environmental Health Manager, providing an update on the current balance of the Developer Contribution account.

After discussion and having heard the Development Planning and Place Team Leader in further explanation and in answer to Members' questions, the Committee agreed to note the current balance of the Developer Contribution account and the funding from the account which is already allocated.

## **DUMBUCK HOTEL, DUMBARTON**

A report was submitted by the Planning, Building Standards and Environmental Health Manager, advising on a decision by Historic Environment Scotland to remove the listed building status from the Dumbuck Hotel, Dumbarton.

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

- (1) to note the content of the report; and
- (2) to authorise the Planning, Building Standards and Environmental Health Manager to write, on behalf of the Planning Committee, to the Chief Executive of Historic Environment Scotland and the Minister for Culture, Europe and International Development, to express the disappointment at the decision and how local interest and opinions appear to have been overlooked.

The meeting closed at 11.05 a.m.

**DC23/012/FUL: Change of use from agricultural land to 3 dog exercise fields, erection of boundary fencing and erection of 3 shelters (Retrospective) at Lawmuir Farm, Glasgow Road, Hardgate, Clydebank G81 5QT by Run Free Dog Fields Ltd.**

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

1. The dog exercise fields hereby permitted shall not operate outwith the hours of 8am to 9pm daily.
2. No more than 8 dogs shall be present in any of the three individual fields at any time and no more than 24 dogs shall be present within the application site as a whole at any time.

**DC22/216/FUL: Erection of three dwellinghouses and associated works at Former Site of Dunclotha, Parkhall Road, Clydebank by Bho Nadar (Dunclotha) Ltd.**

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

1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used within the development site inclusive of hard surfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the Planning Authority, the development shall be completed in accordance with the approved material details and palette.
2. Notwithstanding the approved plans, all recommendations within the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 shall be followed. This shall include (but not be limited to) all required further survey work identified as being required for badgers. Further survey work undertaken shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site and implemented as approved. For the avoidance of doubt, recommendations in respect of non-native species shall also be followed.
3. Notwithstanding condition 3, no removal of trees and vegetation shall take place during the bird nesting season March to September inclusive as identified in the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 unless first agreed in writing by the Planning Authority.
4. Notwithstanding the approved plans and condition 3 above, and prior to the commencement of works on site, a further submission which sets out how the biodiversity enhancement measures identified within the Ecological Constraints Survey dated 15<sup>th</sup> April 2022 shall be implemented on site shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.
5. No trees shall be removed within the site beyond those specifically identified for removal on the approved plans. Any additional tree removal during construction works shall first require to be agreed in writing by the Planning Authority.
6. That prior to the commencement of works on site, tree protection measures for all trees to be retained both within or adjacent to the application site shall be erected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012, with evidence of this having been undertaken submitted to and agreed in writing by the Planning Authority. These measures shall not remove during the course of construction work.

7. That unless otherwise agreed in writing by the Planning Authority, prior to the commencement of works on site full details of compensatory tree planting within the site shall be submitted to and approved in writing. For the avoidance of doubt these details shall include the timescale for implementation. All complementary planting shall be implemented as approved.
8. That full details of maintenance and management for the retained woodland areas within the application site but not within individual plots shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the first dwellinghouse hereby permitted. Management and maintenance shall commence upon occupation of the first dwellinghouse.
9. That prior to the occupation of any house, the off-street parking provision shall be completed and be available for use by residents of the associated house. The off-street parking provision shall then remain unobstructed and available for use by residents of the associated house at all times thereafter.
10. That prior to the commencement of works on site, full details of the proposed drainage regime shall be submitted to and approved in writing by the Planning Authority. The drainage regime shall then be implemented and maintained thereafter. For the avoidance of doubt, the drainage regime shall be implemented commensurately with the construction of the houses it serves.
11. That all surface water shall be intercepted within the site both during construction and on completion of the development and full details of measures to ensure that surface water run-off is contained within the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any works on site. The measures shall be implemented and maintained as approved.
12. Prior to the commencement of works on site, full details of the incorporation of low and zero carbon infrastructure into the development together with the provision for electric vehicle charging shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved.
13. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.

14. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0800-1800
  - Saturdays 0800-1300
  - Sundays and public holidays: No working
15. Unless otherwise approved in writing by this Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by this Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by this Authority.
16. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 0800 or after 1800.
17. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of site works. The approved details shall be implemented as approved.
18. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours.
19. On completion of the works and at a time and/or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use which shall be agreed by the Planning Authority.