

Agenda



Planning Committee

Date: Wednesday, 6 October 2021

Time: 10.00

Venue: Hybrid Meeting

Contact: Gabriella Gonda, Committee Officer
Email: Gabriella.Gonda@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Planning Committee** as detailed above.

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and Members will have the option to attend the meeting remotely or in person at the Civic Space, Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Diane Docherty (Vice Chair)
Councillor Daniel Lennie
Councillor Douglas McAllister
Councillor Jonathan McColl
Councillor Lawrence O'Neill

All other Councillors for information

Date of Issue: 22 September 2021

PLANNING COMMITTEE
WEDNESDAY, 6 OCTOBER 2021

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 RECORDING OF VOTES

The Committee is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

4 MINUTES OF PREVIOUS MEETINGS 5 - 42

Submit for approval as correct records, the Minutes of Meetings of the Planning Committee held on:-

- (a) 6 November 2019 (ordinary meeting);
- (b) 2 June 2021 (ordinary meeting, reconvened on 28 June 2021);
- (c) 23 June 2021 (ordinary meeting); and
- (d) 28 June 2021 (special meeting).

5 NOTE OF VISITATIONS 43

Submit, for information, Note of Visitations carried out on 25 June 2021.

6 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

7/

7 PLANNING APPLICATION

Submit report by the Chief Officer – Regulatory and Regeneration in respect of the following planning application:-

- (a) TPO18/13 – Felling of trees (compromising of 16 Lime, 5 Sycamore and 1 Silver Birch) at various locations on Bell Street, Edward Street, McGregor Street and White Street, Clydebank by West Dunbartonshire Council.

45 –50

- (b) DC20/176 – Change of use of land to the rear of No. 19 Millburn Avenue, Clydebank to form private rear garden ground and construction of associated fence/gate and ancillary outbuilding (retrospective) at No. 19 Millburn Avenue, Clydebank by Miss Sylwia Gadas.

51 –57

- (c) DC21/138/FUL – Proposed residential redevelopment of 88 dwellings compromising of cottage flats, bungalows and flats with vehicular access, associated car parking and landscape works at land at the corner of Glasgow Road and Mill Road, Clydebank by West Dunbartonshire Council.

59 - 77

8 STREET NAMES FOR NEW HOUSING DEVELOPMENT SITE AT MILLER STREET, CLYDEBANK BY MILLER HOMES

79 - 81

Submit report by the Chief Officer – Regulatory and Regeneration allocating two street names within the new housing development at Miller Street, Clydebank.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 6 November 2019 at 2.00 p.m.

Present: Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson and Marie McNair.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Diane Docherty, Jim Finn and Lawrence O'Neill.

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 Ian 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 23 October 2019 were submitted and approved as a correct record.

NOTE OF VISITATIONS

A Note of Visitations carried out on 22 October 2019, a copy of which forms the Appendix hereto, was submitted for information and noted.

OPEN FORUM

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

PLANNING APPLICATION

A report was submitted by the Strategic Lead – Regulatory in respect of the following planning application:-

DC19/124 – Partial change of use of land and building to specialist vehicle repairs at former Garshake Waterworks site, Garshake Road, Dumbarton by Mr L. Donnelly.

Reference was made to a site visit which had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager was then heard in further explanation of the report.

Councillor Dickson, Chair, invited objectors Mr Allan Wilson and Ms Lynsey Wallace to address the Committee. Both were heard in respect of their representations.

The Chair then invited Mr Michael Hyde, of MH Planning Associates, on behalf of the applicant to address the Committee. Mr Hyde was heard in support of the application and in answer to Members' questions.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager in answer to Members' questions, Councillor Conaghan, seconded by Councillor McNair, moved:-

That Committee agrees to refuse the application on the grounds that the proposed use involves the development of Greenbelt land which does not meet the criteria of Policy GB1 and therefore it would be contrary to West Dunbartonshire Local Plan 2010, West Dunbartonshire Local Plan Proposed Plan 1 and 2 and it would set an unacceptable precedent for the development of other greenbelt land.

The proposed use cannot be accommodated within the site without significantly impacting on the amenity of the surrounding locality.

As an amendment, Bailie Agnew, seconded by Councillor Dickson, moved:-

That the Committee agrees to grant planning permission subject to the conditions set out in Section 9 of the report.

On a vote being taken, 2 Members voted for the amendment and 3 Members voted for the motion, which was accordingly declared carried.

**STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT
NORTH DOUGLAS STREET, CLYDEBANK**

A report was submitted by the Strategic Lead – Regulatory recommending the allocation of a street name to a new road within a housing development site at North Douglas Street, Clydebank.

After discussion, the Committee agreed that St Andrews Way be approved as the street name for the development.

The meeting closed at 2.40 p.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 22 OCTOBER 2019

Present: Councillors Karen Conaghan and Ian Dickson.

Attending: Erin Goldie, Team Leader – Development Management.

SITE VISITS

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

Dumbarton Football Club, Castle Road, Dumbarton

DC18/107 – Installation of 6 no. floodlighting columns and 1 ground mounted floodlight by West Dunbartonshire Council.

Former Allied Distillers Site, Castle Road, Dumbarton

DC19/096 – Residential Development (Amendment to DC10/065/FUL with change of house type and associated roads and landscaping) by Turnberry Homes Ltd.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held by video conference on Monday, 2 June 2021 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn, Daniel Lennie, Jonathan McColl and Lawrence O'Neill.

Attending: Gail MacFarlane, Chief Officer – Roads and Neighbourhood; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; John Walker, Assistant Engineering Officer, Roads & Transportation; Ross Lee, Lead Planning Officer; Nigel Ettles, Section Head – Litigation (Legal Officer) and Scott Kelly, Committee Officer.

Councillor Jim Finn in the Chair

ADJOURNMENT

The Committee unanimously agreed to adjourn the meeting in order to allow site visits to take place to the sites of the two planning applications on the agenda for the meeting.

The meeting adjourned at 10.07 a.m.

RECONVENED MEETING

The meeting of the Planning Committee was reconvened via video conference on Monday, 28 June 2021 at 9.15 a.m. Bailie Agnew and Councillors Casey, Dickson and Docherty were in attendance. It was noted that apologies for the reconvened meeting had been received from Councillors Conaghan, Lennie and McColl.

The officers in attendance were Peter Hessett, Chief Officer – Regulatory and Regeneration; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Nigel Ettles, Section Head – Litigation (Legal Officer); and Scott Kelly, Committee Officer.

Councillor Diane Docherty in the Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 21 April 2021 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 19 April 2021, a copy of which forms Appendix 1 hereto, was submitted and noted.

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 Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

- (a) **DC21/030/FUL – Erection of 3 storey block of flats comprising 18 units and associated parking and open space at bowling green, John Knox Street, Clydebank by Clydebank Housing Association.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager was then heard in further explanation of the report.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in answer to Members' questions, the Committee agreed that it was minded to grant planning permission and delegate authority to the Planning, Building Standards and Environmental Health Manager to issue the decision subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto, and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision/green infrastructure improvements in the local area.

Note: Councillor Finn entered the meeting during consideration of this item.

(b) DC/21/081/FUL - Section 42 application to amend Condition 2 (with revised brick type specification) and remove Condition 19 (traffic calming measures) of planning permission DC20/028 Residential Development Site on Land Adjacent to Miller Street, Clydebank by Miller Homes

Reference was made to a site visit which had been undertaken in respect of the above application. The Planning, Building Standards and Environmental Health Manager was then heard in further explanation of the report.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in answer to a Member's question, the Committee agreed-

- (1) to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto; and
- (2) to delegate authority to the Planning, Building Standards and Environmental Health Manager to confirm the name of the brick type which would be used in the development.

The meeting closed at 10.00 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 19 APRIL 2021

Present: Bailie Denis Agnew and Councillors Jim Bollan, Karen Conaghan, Ian Dickson and Diane Docherty.

Attending: Ross Lee, Lead Planning Officer.

SITE VISIT

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

DC20/242 – Planning Permission for change of use from Care Home to Single-use holiday let and formation of landscaped parking area

DC20/243 – Listed Building Consent for internal alteration to form en-suites

Dalmoak House, Renton Road, Dumbarton by Lords Capital Scotland Ltd.

DC21/030/FUL – Erection of 3 storey block of flats comprising 18 units and associated parking and open space at bowling green, John Knox Street, Clydebank by Clydebank Housing Association.

MINDED TO GRANT full planning permission subject to the following conditions:-

1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
2. Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
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 for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
4. Prior to the commencement of development on site, details of the design and location of all external lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development, unless otherwise agreed in writing with the Planning Authority.
5. Prior to the commencement of development on site, details of the design and location of bin stores shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development, unless otherwise agreed in writing with the Planning Authority.
6. No unit within the development shall be occupied until all of the vehicle parking spaces have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
7. Prior to the commencement of development on site, full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of any unit within the development.

8. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan J3222-C-02 Rev B. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
9. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required 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.
11. 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.
12. If required, a monitoring and maintenance scheme to include monitoring the long- term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health measures. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.

13. 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 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
14. During the period of construction, all works, including piling, 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. 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 the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
16. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the Bowling Club and adjacent railway line. 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 occupied and shall thereafter be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

This area is subject to noise from aircraft and therefore the Noise Impact Assessment must also assess for mitigating this noise source. The development will require high specification acoustic roof insulation as a minimum and double/triple glazing.

17. No development shall take place on site until a vibration survey has been submitted to and approved in writing by the Planning Authority. The vibration survey shall determine the vibration dose value for properties within 30 metres of the railway track. Any mitigation measures recommended by the survey shall be implemented prior to the development being occupied and shall thereafter be retained in accordance with the approved scheme. The noise impact and/or vibration assessment and any recommendations in respect of mitigation measures shall be prepared by a suitable qualified person.
18. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.
19. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of and take into account the following:
- The impact of the piling on surrounding properties.
 - Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.
- This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.
20. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior to the occupation of the any unit within the development and thereafter maintained for the lifetime of the development.
21. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority, in consultation with Glasgow Airport, prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first unit within the development. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.

22. Prior to the occupation of the development, the developer shall install the necessary infrastructure to enable the full development to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
23. All ground or vegetation clearance works, including any tree felling, shall take place outwith the main bird breeding season (i.e. outwith the period of March to September inclusive), and no ground or vegetation clearance works are permitted between March to September in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of any bird nesting activity and of any actions required to protect birds.
24. Unless otherwise agreed in writing by the Planning Authority, prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
25. Twelve months after the full occupation of the building, a parking review including a methodology statement to be agreed with the Planning Authority shall be undertaken to ascertain levels of parking and to establish whether there are any parking related problems associated with the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority and any actions recommended in the review shall be implemented in a timescale agreed with the Planning Authority.
26. No development shall take place on site until full details of any solar panels to be installed within the development site have been submitted to and approved in writing by the Planning Authority, in consultation with Glasgow Airport. The submitted details shall include a glint and glare assessment. No subsequent alterations shall be made to the approved development unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.

DC/21/081/FUL - Section 42 application to amend Condition 2 (with revised brick type specification) and remove Condition 19 (traffic calming measures) of planning permission DC20/028 Residential Development Site on Land Adjacent to Miller Street, Clydebank by Miller Homes.

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 for the houses within the development site shall be submitted to and approved in writing by the Planning Authority. This shall include details of all materials and finishes as scheduled and annotated on the approved plan 'Site Layout (Drawing No. 001 Rev B)'. Thereafter, the development shall be completed in strict accordance with the approved material details and palette.
2. Further to condition 1 above, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Forterra Farmstead Antique (Clay Finish)' specification and variety. For the avoidance of doubt, the details, specification and samples of the final brick type provided in response to Condition 1 shall be predominantly red in tone and colour and shall be of tumbled finish.
3. Further to Conditions 1 and 2 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, the development shall be completed in strict accordance with the approved brick details.
4. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B)', prior to the commencement of development on site, full details of all hard and soft boundary treatments for across the site shall be submitted to and approved in writing by the Planning Authority. These details shall also include a variety of boundary treatments including the use of brick walls for the front, side and rear curtilages of residential properties within the site. Thereafter, the approved boundary treatments arrangements shall be installed prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority and maintained as such thereafter for the lifetime of the development.
5. Prior to the commencement of development on site, details of alternative boundary treatments and means of enclosure for the existing substation building located on the north east corner of the site shall be submitted to and approved in writing by the Planning Authority. The details shall include a brick treatment and the approved boundary treatment details shall be undertaken and completed prior to the occupation of any houses within the site and maintained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

6. Prior to the commencement of development on site, full details of all path upgrade works as indicated on approved plan 'Site Layout (Drawing No. 001 Rev B)', including material finishes, surfaces, levelling works and associated landscaping shall be submitted to and approved in writing by the Planning Authority. This shall include specific details for the works to the existing footpath located on the north eastern side boundary of the development site and the existing path located immediately neighbouring the site to the west. Thereafter, the path upgrade and improvement works approved shall be undertaken in full and completed prior to the occupation of any houses within the site unless otherwise agreed in writing by the Planning Authority.
7. Prior to the commencement of development on site, full details of the design, appearance, height and location of all retaining walls and other retention features and associated levelling works across the site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the agreed retention and levelling details shall be implemented prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority. No changes or deviations from the approved and agreed levels and retention arrangements shall be undertaken without the further written consent of the Planning Authority.
8. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan 'Levels Layout for Planning (Drawing No E03 Rev A)'. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
9. Prior to the commencement of development on site, details of the design and location of cycle storage provision, street furniture (including bin stores) and external lighting, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the houses and thereafter maintained, unless otherwise agreed in writing with Planning Authority.
10. The soft landscape arrangements approved under drawing 'Landscape Proposals (Drawing No.109/103/02 Rev C)' including the associated planting schedule and maintenance arrangements shall be implemented no later than the next appropriate planting season or after occupation of the 30th property. Any trees, shrubs or plants forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation. 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.

11. Notwithstanding approved plan 'Play Area Landscape Proposals (Drawing No. 109.103.02 Rev B)', a revised 'Play Equipment Strategy' for the site shall be submitted to and approved in writing by the Planning Authority. This shall include (but not be limited to) the following:

- Incorporate the reuse of existing trees within the site which are being felled as part of the development to create natural forms of play equipment.
- Details and specifications of other forms of natural play equipment and structures which offer design solutions that effectively navigate and manage the increase in gradient of the central public open space area within the site.
- Provide full details regarding the maintenance arrangements for all play equipment and associated features within the site.

Thereafter, the approved play equipment strategy and all associated features and specifications shall be installed prior to the completion of the 30th unit within the development unless otherwise agreed in writing by the Planning Authority and maintained in accordance with the approved details for the lifetime of the development.

12. Prior the commencement of development on site and further to Sections 4.2.2 and 4.3.3 of the approved 'Extended Phase 1 Habitat Survey (Dated September 2019)', both an otter and bat survey and report (prepared and undertaken by a competent and qualified ecologist) shall be submitted to and approved in writing by the Planning Authority. These surveys shall be undertaken a minimum of 6 weeks prior to any construction work commencing on site. Thereafter, any recommendations or mitigation measures contained within the reports shall be implemented prior to works commencing on site and shall be maintained as such for the lifetime of the development.
13. All construction work on site relevant to the application shall be carried out in accordance with the recommendation and mitigation measures outlined within Section 4 of the approved 'Extended Phase 1 Habitat Survey' (Dated September 2019). These measures and recommendations shall remain in effect until all construction work associated with the development is complete on site.
14. Further to condition 12 and 13 above, all ground or vegetation clearance works, including any tree felling or demolition works, shall take place outwith the main bird breeding season (i.e. outwith the period of April to July inclusive), and no demolition or ground or vegetation clearance works are permitted between April to July in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of a bird nesting activity and of any actions required to protect birds.

15. Prior to the occupation of the 30th housing unit within the site, the drainage of surface water shall be completed in accordance with the approved Sustainable Urban Drainage System (SUDS) design, as set out in the approved 'Drainage Strategy Report' (Dated August 2019) and the approved plans. The SUDS and associated features including the planted swales once installed shall thereafter be maintained on site in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.
16. No house shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed provided within the site in accordance with approved plan 'Site Layout (Drawing No. 001 Rev B)'. Further to the approved plans, each vehicular parking space shall be constructed to include a marking which clearly identifies it to the house number it is to be attributed within the site or alternatively be marked to identify it as a visitor parking space where relevant. The aforementioned parking shall thereafter be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.
17. Further to condition 16 above and unless otherwise agreed in writing by the Planning Authority, prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
18. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B)', specific details of traffic calming measures and features to be incorporated into the junctions and accesses at Kilbowie Road and Miller Street from within the development site shall be submitted to and approved in writing by the Planning Authority. The measures proposed shall include the use of speed tables or similar features and shall all be designed with the intention to inform drivers that the road network is residential in nature. Thereafter, the approved traffic calming measures and features shall be installed prior to the occupation of any house within the site and shall be maintained as such within the site for the lifetime of the development.

19. Unless otherwise agreed in writing, no development shall commence on site until a Travel Plan which includes details promoting sustainable travel to and from the site and appropriate measures and actions to reduce car dependence for the development is submitted for the written approval of the Planning Authority. The Travel Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. The approved Travel Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the 1st house associated with the development and maintained as such unless otherwise agreed in writing by the Planning Authority
20. Notwithstanding the 'Ground Investigation Report' (Dated February 2020) submitted, no development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
- (a) A detailed site investigation identifying the extent, scale and nature of the contamination on the site (irrespective of whether this contamination originates on the site).
 - (b) An assessment of the potential risks (where applicable) to:
 - Human health
 - Property (existing and proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Groundwater and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
 - (c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
21. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

22. 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 remediation works and prior to any house 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.
23. If required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed by the Planning Authority in consultation with Environmental Health measures. 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.
24. 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.
25. 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 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
26. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of and take into account the following:
- The impact of the piling on surrounding properties.
 - Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

27. No development shall take place on site until such time as a Noise Impact Assessment has been submitted to and approved in writing by the Planning Authority. This Noise Impact Assessment (alongside any recommendations in respect of attenuation measures) shall be prepared by a suitably qualified person and shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby industrial / commercial units and from the impact of road traffic noise. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the occupation of any of the houses within the site and shall thereafter be retained in accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority.
28. Further to Condition 27 above, within 4 weeks of the completion of the development on site, a 'Verification Report' demonstrating compliance and validation of the maximum noise projections and effectiveness of the noise attenuation measures detailed within the approved 'Noise Impact Assessment' Report (approved through Condition 25) shall be submitted to and approved in writing by the Planning Authority. This 'Verification Report' shall be prepared and undertaken by an independent consultant and the measurements shall be carried out in accordance with BS4142:2014 - "Methods of rating and assessing industrial and commercial sound" (with respect to current best practice). These levels and measures as agreed and validated within the approved verification report shall be maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Planning Authority.
29. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

30. During the period of construction, all external works including piling and ancillary operations shall be carried out between the following hours and at no other time, unless otherwise agreed in writing by the Planning Authority:
- Mondays to Fridays : 0800 – 1800
 - Saturdays : 0800 – 1300
 - Sundays and public holidays: No Working
31. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
32. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.
33. 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.

PLANNING COMMITTEE

At a Meeting of the Planning Committee held by video conference on Wednesday, 23 June 2021 at 10.00 a.m.

Present: Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn, Daniel Lennie, Jonathan McColl and Lawrence O'Neill.

Attending: Peter Hissett, Chief Officer – Regulatory and Regeneration; Gail MacFarlane, Chief Officer – Roads and Neighbourhood; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Antony McGuinness, Team Leader – Forward Planning; John Walker, Assistant Engineering Officer, Roads and Transportation; Mark Walsh, Environmental Health Service Co-ordinator; Nigel Ettles, Section Head – Litigation (Legal Officer) and Scott Kelly, Committee Officer.

Councillor Jim Finn 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.

PLANNING APPLICATIONS

A report was submitted by the Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

DC19/162: Section 42 application to vary condition 2 of planning permission ref: DC02/187 to allow the continuation of operations at Dumbuckhill Quarry beyond the current consented expiry date of 2024 to 2041.

DC19/163 Review of Minerals Permission relating to DC02/187 at Dumbuckhill Quarry, Stirling Road, Dumbarton by Patersons of Greenoakhill Limited.

Reference was made to a site visit which had been undertaken in respect of the above applications. The Planning, Building Standards and Environmental Health Manager was then heard in further explanation of the report and in answer to Member's questions.

Councillor Finn, Chair, invited Dr Alexander Maclellan, objector, to address the Committee and he was heard in respect of his representation.

The Chair then invited Mr Richard Hunt, agent for the applicant, and Mr Kemp Lindsey, applicant, to address the Committee and both were heard in support of the applications and in answer to Members' questions.

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

- (1) that it was minded to Grant full planning permission and delegate authority to the Planning, Building Standards and Environmental Health Manager to issue the decision subject to the conditions set out in Section 9 of the report, as detailed within Appendix 1 hereto, and to the following addition to Condition 2 that no works will be undertaken or affect the existing eastern ridge of the quarry, and to the satisfactory conclusion of a legal agreement in terms of the restoration bond (DC19/162); and
- (2) to accept the agreed conditions set out in Section 9 of the report, as detailed within Appendix 1 hereto, and delegate authority to the Planning, Building Standards and Environmental Health Manager to issue the Review of Minerals Permission (DC19/163) and to the following addition to Condition 2 that no works will be undertaken or affect the existing eastern ridge of the quarry, and to the satisfactory conclusion of a legal agreement in terms of the restoration bond.

SCOTTISH GOVERNMENT CONSULTATION: PROPOSALS FOR REGULATIONS ON LOCAL PLACE PLANS

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval of the Council's response to the Scottish Government Consultation on the Proposals for Regulations on Local Place Plans.

Having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report and in answer to a Member's question, the Committee agreed to approve the response to the consultation as set out in Appendix 1 to the report, subject to Registered Social Landlords being included in the list of consultees for whom there would be a minimum requirement to consult with, as detailed in section 7 of the document.

The meeting closed at 11.05 a.m.

DC19/162: Section 42 application to vary condition 2 of planning permission ref: DC02/187 to allow the continuation of operations at Dumbuckhill Quarry beyond the current consented expiry date of 2024 to 2041.

DC19/163 Review of Minerals Permission relating to DC02/187 at Dumbuckhill Quarry, Stirling Road, Dumbarton by Patersons of Greenoakhill Limited.

GRANT full planning permission subject to the following conditions:-

1. The development hereby permitted shall cease by 31 August 2041 and at the end of this period, all mineral extraction and quarrying operations, including the crushing of rock and the transfer of aggregates from the site, shall cease.
2. The extent of the quarrying operations area shall be limited to those areas outlined on drawing [M12.177(c).004A] of the submitted Environmental Statement and the methods of working within the quarry shall be as described within the approved documents forming part of this consent. Any changes to the operating procedures or methods shall be submitted to and approved in writing by the Planning Authority and implemented as approved.
3. The normal daytime operating hours for the quarry shall be 0700 hours to 1900 hours Monday to Friday, 0700 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 shall be agreed in writing with the Planning Authority within 5 working days, prior to such operations taking place.
4. Noise attributable to the operators at Dumbuckhill Quarry shall not exceed the daytime limits specified in Table A below – Noise Criteria at Dumbuck View, Lennox Road, Milton House/Old Mill House, Northwood, Barnhill Road and Carnoch House.
5. The quarry operator shall ensure that all operations shall be undertaken in a method which ensures that the best practice methodologies as set out in PAN50 and PAN50 Annex A are adopted so as to minimise noise at the site boundary. A request for the relaxation of the noise limits identified in condition 4 above shall be submitted in writing a minimum of 7 days prior to the commencement of the operations requiring the relaxation and shall include time periods and noise limits for the temporary relaxation, all for the written approval of the Planning Authority.

6. Within one month of the date of this approval the operator shall, undertake and submit a noise monitoring plan at the locations as described in condition 4 above to the Planning Authority. The frequency and timings of such monitoring must be agreed with the Planning Authority, the results of which shall be submitted to the Planning Authority on a frequency to be also agreed with the Authority. The noise monitoring shall be carried out in accordance with the methods specified in PAN50 Annex A.
7. Blasting operations shall only be carried out between 10.00 am and 16.00 pm Monday to Friday with no blasting permitted at weekends or on public holidays. As far as reasonably practicable, the applicant should ensure that blasting is carried out between 10.00 am and 13.00 pm.
8. 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 the best practice methodologies as set out in PAN50.
9. Blasting shall only be carried out after appropriate audible and visible warnings have been given and the method of such warnings shall be submitted to the Planning Authority. Thereafter the approved warnings shall be given in writing by the operator to the occupiers of all the properties around the site.
10. Ground vibration as a result of blasting shall not exceed a peak particle velocity of 6 mm/s for 95% of all blasts over any 12 months and no individual blasts shall exceed a peak particle velocity of 12 mm/s with the measurement to be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building identified in Table B – Vibration Monitoring Locations.
11. Notwithstanding the requirements of condition 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 the Planning Authority within two days of the occurrence.
12. The Council's Environmental Health Service shall be given a minimum of 48 hours written or email notification before every blast at the quarry.
13. Prior to the commencement of blasting operations, details of the methods employed to minimise air overpressure from blasting operations shall be submitted to the Planning Authority 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 Planning Authority .
14. The quarry operator shall carry out vibration monitoring, retaining the results for a 12 month period, as well as, forwarding the results of the monitoring to the Planning Authority for their information.

15. The quarry operator shall ensure that all operations are controlled so as to prevent or minimise the release of dust into the atmosphere beyond the quarry boundary, ensuring that operations are undertaken in a method in accordance with the best practice methodologies as set out in PAN50. Within 3 months of the date of the approval details, the quarry operator shall provide a dust management plan to be agreed with the Planning Authority and it shall be implemented as approved.
16. Following the approval of the dust management plan, the quarry operator shall agree a dust-monitoring programme with the Planning Authority, which shall be undertaken using appropriate equipment and recording devices. The results and records shall be made available to the Planning Authority on request. Visual assessments of dust emissions from all plant and operations shall be undertaken at least once per day during operations and any remedial actions shall require to be undertaken.
17. The operator, during quarry operational times, shall ensure that mobile spraying units or other appropriate dust suppression equipment are maintained in efficient working order and used so as to ensure that haulage roads, stocking areas and other areas subject to vehicle traffic are kept damp at all times during extended periods of dry weather. The mobile spraying units or other dust suppression equipment shall have an adequate supply of water available at all operational times.
18. Wheel cleaning facilities shall be used by every vehicle entering and leaving the site and must be maintained in operation throughout the life of the quarry.
19. 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.
20. The existing trees and shrubs covered by the Tree Preservation Order and located to the east of the quarry area shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Planning Authority.
21. The quarry operator shall provide and implement the mitigation and enhancement measures as prescribed in the submitted Preliminary Ecological Appraisal and the Protected Species Surveys within 12 months of the date of this approval.

22. Within 12 months of the date of this approval details, an updated Breeding Bird Survey shall be submitted to and approved in writing by the Planning Authority. This survey shall include a 'Vantage Point Survey' of breeding birds contained within Schedule 1 species of the Wildlife and Countryside Act 1981 (as amended) including peregrine falcon and barn owl. In the event that Schedule 1 species are identified within the site or it is established that the quarry operations will impact upon these species or their respective habitat, then mitigation and associated monitoring measures shall be submitted alongside the submitted survey. The survey and any associated mitigation shall be implemented as approved in a timescale agreed in writing by the Planning Authority.
23. Notwithstanding the terms of Class 56 of Schedule I of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, the further written consent of the Planning Authority shall be required in respect of any further buildings, plant or machinery that may be required in connection with the development hereby permitted.
24. 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 associated ground reinstated in accordance with the conditions of this permission in relation to restoration.
25. With the exception of materials required for the production of concrete, no other materials shall be imported onto the site without prior written approval of the Planning Authority.
26. All artificial lighting units installed at the quarry shall be so sited and shielded to be incapable of light pollution and glare into any residential property outside the quarry boundary.
27. 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.
28. Within 3 months from the date of this consent, a restoration strategy and masterplan, including details of aftercare and after use, shall be submitted to and approved in writing by the Planning Authority.
29. Within 24 months of agreement of the Restoration Strategy and Masterplan, detailed in condition 28 above, and at 2 yearly intervals thereafter, the quarry operator shall submit a quarry progress plan to the Planning Authority. The quarry progress plan shall be in line with the agreed Restoration Strategy and Masterplan and will:
 - a. Provide an up-to-date topographical survey of the site in an appropriate format and appropriate scale;

- b. Identify areas of the site that have been subject to mineral extraction in the previous 5 year period (if applicable) and/or will be subject to mineral extraction in the forthcoming 5 year period, including the locations, design and formation of the proposed surface working areas, plant site, internal access road, and any temporary tracks;
 - c. Identify areas of the site that have been subject to restoration in the previous five year period (if applicable) and/or will be subject to restoration in the forthcoming 5 year period;
 - d. Identify areas where aftercare will have been completed, areas of the site that have been subject to aftercare and provide details of aftercare for areas will be subject to aftercare in the forthcoming 5 year period; and
 - e. Provide an update on the restoration proposals for areas of the site that are subject to development over the plan period and set out any necessary adjustment to the approved Restoration Strategy and Masterplan for the site to take account of site circumstances over the previous plan period.
30. The restoration scheme approved under the terms of condition 28 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.
31. 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 Planning Authority, within 12 months of either event occurring, a revised restoration scheme that modifies and updates that approved by condition 28 above, shall be submitted for the written approval of the Planning Authority, including any modifications as may be required, detailing the steps to be taken to restore the site.
32. Restored parts of the site shall be subject of 10 years aftercare in accordance with the measures to be detailed in Restoration Strategy and Masterplan to be provided under condition 28 of this decision or any modified Restoration Strategy and Masterplan agreed within the Quarry Progress Plan required by condition 29 of this decision.

A: Noise Criteria

Location	Noise Limit (dB LAeq, 1h)
Dumbuck View	55
Lennox Road	52
Milton House/ Old Mill House	53
Northwood	54
Barnhill Road	48
Carnoch House	45

Table B: Vibration Monitoring locations

Old Mill House
Lennox Road
Dumbuck View
Barnhill Road
Carnoch House
Northwood
Auchentorr
Solway Bank

DRAFT

PLANNING COMMITTEE

At a Special Meeting of the Planning Committee held by video conference on Wednesday, 28 June 2021 at 10.31 a.m.

Present: Bailie Denis Agnew and Councillors Gail Casey, Ian Dickson, Diane Docherty and Jim Finn.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Nigel Ettles, Section Head – Litigation (Legal Officer); Scott Kelly and Gabriella Gonda Committee Officers.

Apologies: Apologies for absence were intimated on behalf of Councillors Karen Conaghan, Daniel Lennie and Jonathan McColl.

Councillor Jim Finn 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.

NOTE OF VISITATIONS

A Note of Visitations carried out on 21 June 2021, a copy of which forms Appendix 1 hereto, was submitted and noted.

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 Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

- (a) **DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited.**

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

Having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report, 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.

- (b) **DC21/012/FUL: Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank by KMC Tyres & Recovery Ltd.**

Having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report and in answer to Members' questions, Councillor Finn, Chair, invited Ms Amy Ramage and Tracey Hogarth, objectors, to address the Committee. Ms Ramage and Ms Hogarth were heard in respect of their representations

The Chair then invited Mr Euan Pearson, agent for the applicant, to address the Committee and he was heard in support of the application and in answer to Members' questions.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager in clarification of certain matters and in answer to Members' questions, the Committee agreed:-

- (a) The proposed development would result in the introduction of a type of use that would be out of character with the surrounding area and would have a significant detrimental impact on the amenity and appearance of the surrounding area and would not be compatible with adjacent residential uses. The proposal is unacceptable and contrary to Policy H5 of the adopted West Dunbartonshire Local Plan (2010), Policy BC4 of Local Development Plan 1 and Policy H4 of Local Development Plan2(Proposed Plan 2020)
- (c) **DC21/018/FUL: Change of use of office to flat at Flat 1/3, 10 Castle Terrace, Castle Street, Dumbarton by Richmond Architects.**

Reference was made to a site visit which had been undertaken in respect of the above application. After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report, and in answer to Members' questions, the Committee agreed that it was minded to

grant planning permission and that authority be delegated to the Planning, Building Standards and Environmental Health Manager to issue the decision and to the satisfactory conclusion of the referral of the planning application to Scottish Ministers.

The meeting closed at 11.16 a.m.

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PLANNING COMMITTEE

NOTE OF VISITATION – 21 JUNE 2021

Present: Councillors Ian Dickson and Jim Finn.
(The above lists Members who attended at least one site visit)

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager, Antony McGuinness, Team Leader, Forward Planning, Mark Walsh, Environmental Health Service Co-ordinator and Kemp Lindsey, for Applicant.

SITE VISITS

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

DC19/162 and DC19/163: Dumbuckhill Quarry, Dumbarton

Section 42 application to vary condition 2 of planning permission ref: DC02/187 to allow the continuation of operations at Dumbuckhill Quarry beyond the current consented expiry date of 2024 to 2041; and

Review of Minerals Permission relating to DC02/187 at Dumbuckhill Quarry, Stirling Road, Dumbarton by Patersons of Greenoakhill Limited.

DC21/012/FUL: Land adjacent to Public House, Dumbarton Road, Duntocher

Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank.

DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited.

1. For the avoidance of doubt, Phase 1 works relate to any works associated with the spine road, road improvements, quay walls, and public realm. The linear park will be completed following completion of the relevant residential phase to which it relates with the pocket parks and basin play park to be completed within a timescale agreed with the Planning Authority, all identified on annotated masterplan E2604.Sk001revJ received on 22nd June 2021.
2. Prior to commencement of development on site approval of matters specified in conditions for the relevant development parcels shall be obtained from the planning authority. Applications shall include:
 - a) site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping;
 - b) block and layout plans and elevations of each building, showing dimensions and palettes of external materials;
 - c) landscape and streetscape plans showing the location and species of all proposed trees, shrubs, hedges, palettes of hard landscaping materials and street furniture;
 - d) details of existing and proposed ground levels, and finished floor levels, relating to a clearly identified fixed datum point;
 - e) a detailed report on the extent, scale and nature of any contamination of the site; and
 - f) a detailed remediation scheme detailing the measures necessary to bring the site to a condition suitable for the intended use.
3. As part of any application(s) for approval of matters specified in conditions, and with regard to the requirements of condition 2 above, the design and layout of development parcels shall comply with the design principles/intents set out in sections 05 and 06 of the Design & Access Statement (Rev C, March 2016), the accompanying Framework Drawing No. P(0) 003 Rev E (or any subsequent amendments thereto), and the approved Design Codes for Queens Quay (approved September 2020) unless otherwise agreed in writing by the Planning Authority.
4. At the same time as the submission of the first commercial use application (excluding any district heating system) a minimasterplan shall be submitted for the mixed used area coloured yellow on Drawing No. P(0) 003 rev E (including building plots, design principles and a parking strategy) for the further approval of the Planning Authority.
5. As part of any application(s) for the approval of matters specified in conditions for Phase 1 works, and notwithstanding the requirements of condition 2c)

above, details of the landscaping strategy for the spine road, linear park and pocket parks shall include:

- a) location and species of all proposed trees, shrubs, hedges;
- b) palettes of hard landscaping materials, street furniture and play equipment;
- c) identify potential locations for public art; and
- d) the means of management and maintenance of the landscaping and public open space.

6. No development (other than the spine road works, road improvement works, quay wall works, public realm works, health and care site works and investigative works, but excluding the linear and pocket parks) shall commence on site until such time as a site-wide water environment investigation and assessment has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and as a minimum shall include the following:

- a) Suitable and sufficient monitoring from across the site in order to identify the extent, scale and nature of contamination with regards to the water environment.
- b) An appropriate level of assessment that identifies the key receptors and the significance of any pollutant linkages found to be present.
- c) Should a significant pollutant linkage be identified on the site then a site wide preliminary remedial options appraisal is to be provided that demonstrates whereabouts on the site remediation is considered likely.

Any measures identified in the report shall be implemented as approved within a timescale agreed with the Planning Authority.

7. No development (other than the spine road works, road improvement works, quay wall works, public realm works, health and care site works and investigative works, but excluding the linear and pocket parks) shall commence on site until such time as a site wide assessment of the underlying ground gas regime has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and as a minimum shall include the following:

- a) Suitable and sufficient monitoring from across the site in order to assess the ground gas conditions that currently exist under the site.
- b) A strategy confirming that and detailing how the monitoring of ground gas boreholes will continue throughout the various development phases. It should also refer to the future method of reporting to the Planning Authority as the development progresses.
- c) A preliminary assessment of the implications of the existing ground gas conditions on the proposed mixed-use development.

Any measures identified in the report shall be implemented as approved within a timescale agreed with the Planning Authority.

8. As part of any application(s) for the approval of matters specified in conditions, Noise Impact Assessments for each development parcel shall be carried out to assess the potential impacts of noise from sources including road traffic, air traffic, plant equipment and entertainment noise and submitted for the further approval of the Planning Authority.
9. Prior to the reuse of material from the onsite spoil mounds and/or the importation of any material onto the site, details of the source of the material and associated test results to demonstrate its suitability for use shall be submitted to the Planning Authority for approval. In addition to this and in accordance with BS3882:2015, the material shall also be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils.
10. No development shall commence until the developer submits an archaeological mitigation strategy for the further approval of the Planning Authority. Thereafter the developer shall ensure that the approved strategy is fully implemented in accordance with the recommendations set out in sections 8.339 – 8.353 of the Environmental Statement and that all recording and recovery of archaeological resources within the development site is undertaken in agreement with the Planning Authority and West of Scotland Archaeology Service.
11. All applications for the approval of matters specified in conditions shall comply with the recommendations of the Flood Risk Assessment (October 2015), that is, land raising of low-lying areas of the site to above the 1 in 200 year plus climate change flood level (set at 5.1m AOD), and finished floor levels of all buildings are to be set to at least 0.6m above the 1 in 200 year plus climate change flood level at 5.7m AOD. All development shall be implemented in accordance with these details.
12. As part of the approval of matters specified in conditions, each development parcel shall comply with the recommendations of the Drainage Impact Assessment (Rev B, October 2015) with details of the means of disposal of surface water, foul sewage and a Sustainable Urban Drainage Scheme to be submitted for the further approval of the Planning Authority.
13. The number of dwelling units consented for the site is 1,056 units. If this number is exceeded the further agreement of the Planning Authority will be required.
14. Prior to the commencement of development, a strategy detailing the implementation of community/affordable housing provision within the site shall be submitted for the further approval of the Planning Authority.
15. As part of the Phase 1 application for the approval of matters specified in conditions, a Construction and Environmental Management Plan shall be submitted for the further approval of the Planning Authority in consultation with SNH. It shall:

- a) detail measures to screen the development in terms of noise and visual disturbance from the Inner Clyde SPA, Ramsar site and SSSI;
 - b) detail measures to limit pollution to the Inner Clyde SPA, Ramsar site and SSSI;
 - c) identify those works that are likely to have significant potential for visual and noise disturbance, such as piling. No works which are identified as likely to have a significant potential for visual and/or noise disturbance shall be carried during the main wintering period (September to early April). The Construction and Environmental Management Plan shall be implemented within a timescale agreed with the Planning Authority.
16. As part of the Phase 1 application for the approval of matters specified in conditions, a detailed Recreation and Access Management Plan which details measures to limit potential disturbance to the north shore of the Inner Clyde SPA, Ramsar site and SSSI from increased access to the river shall be submitted for the further approval of the Planning Authority and implemented within a timescale agreed with the Planning Authority.
17. As part of the Phase 1 application for the approval of matters specified in conditions, the applicant shall submit a Sustainable Transport Strategy which shall include details of:
- a) bus integration into the site;
 - b) walking routes to/from the site;
 - c) location of bus stops;
 - d) green travel plans; and
 - e) initiatives towards encouraging bus services into the site.
- The recommendations of the Sustainable Transport Strategy shall require to be implemented in accordance with an agreed phasing plan within a timescale agreed with the Planning Authority.
18. As part of any application for approval of matters specified in conditions, a Travel Plan shall be submitted to and approved by the Planning Authority detailing the opportunities for sustainable travel to and from that development parcel.
19. As part of the Phase 1 application for the approval of matters specified in conditions, the following shall be included:
- a) details of parking provision for visitors to the Titan Crane and the riverside walkway; and
 - b) details of the new signal controlled junction and realignment of Cable Depot Road (section 9.14 of the Transport Assessment (October 2015)).
 - c) These works shall be implemented as approved as part of the Phase 1 works to the site.

20. Prior to any residential, commercial or health centre uses being brought into use the works recommended in the Transport Assessment (October 2015) to realign Ailsa Road (section 9.12) and carry out layout improvements to Cart Street/Glasgow Road junction (section 9.23) shall be implemented as approved.
21. As part of any application(s) for the approval of matters specified in conditions, parking spaces shall be provided in accordance with the Council's adopted parking standards, and no building shall be occupied until its parking facilities have been completed.
22. As part of any application(s) for the approval of matters specified in conditions, each residential unit shall be provided with a secure covered bicycle storage facility at ground floor level. Each non-residential development shall have adequate secure covered cycle storage for staff in addition to adequate securable covered cycle facilities for visitors/customers.
23. The amount of retail floor space permitted is 3,000m² (gross). Any unit trading primarily in convenience goods shall not exceed 1,000m². Any unit trading in comparison goods shall not exceed 250m². Proposals to exceed these floor space thresholds shall be the subject of a separate planning application and retail statement for the further approval of the Planning Authority.
24. As part of any application(s) for the approval of matters specified in conditions details of soft and water landscaping works shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. Details must comply with Advice Note 3 "Potential Bird Hazards from Amenity Landscaping & Building Design". These details shall include:
 - The species, number and spacing of trees and shrubs
 - Details of any water features
 - Drainage details including SUDS – such schemes must comply with Advice Note 6 "Potential Bird Hazards from Sustainable Urban Drainage Schemes"

The scheme shall be implemented as approved.

25. Any development that would create a roof area greater than 250 square metres with a roof pitch of less than 15° shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of the management of the roofs within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 "Potential Bird Hazards from Building Design".

PLANNING COMMITTEE

NOTE OF VISITATIONS – 25 JUNE 2021

Present: Bailie Denis Agnew and Councillors Gail Casey, Jim Finn and Marie McNair.

(The above lists Members who attended at least one site visit)

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Lorna Ramsey, Lead Planning Officer; Michael McGuinness, Economic Development Manager and Robin Abram, Project Manager.

(The above lists officers who attended at least one site visit)

SITE VISITS

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

DC21/018/FUL - 10 Castle Terrace, Castle Street, Dumbarton

Change of Use of office to flat, Flat 1/3, 10 Castle Terrace, Castle Street, Dumbarton G82 1QY by Richmond Architects.

DC21/081/FUL - Land Adjacent to Miller Street, Clydebank

Section 42 application to amend Condition 2 (with revised brick type specification) and remove Condition 19 (traffic calming measures) of planning permission DC20/028 Residential Development Site on Land Adjacent to Miller Street, Clydebank by Miller Homes.

DC21/030/FUL - Space at Bowling Green, John Knox Street, Clydebank

Erection of 3 storey block of flats comprising 18 units and associated parking and open space at bowling green, John Knox Street, Clydebank by Clydebank Housing Association.

DC21/115/FUL - Queens Quay, Cart Street, Clydebank

Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer - Regulatory and Regeneration****Planning Committee: 6th October 2021**

TPO18/13: Felling of 22 trees (comprising of 16 Lime, 5 Sycamore and 1 Silver Birch) at various locations on Bell Street, Edward Street, McGregor Street and White Street, Clydebank by West Dunbartonshire Council.

1. REASON FOR REPORT

- 1.1** The application raises issues of local significance. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** **Grant** permission for the tree works subject to the condition set out in Section 9 of this report.

3. DEVELOPMENT DETAILS

- 3.1** The application site relates to four streets located in residential areas of Whitecrock, Clydebank. This includes parts of Bell Street, Edward Street, McGregor Street and White Street. All of the trees subject to the application are situated on the public footways of these streets and comprise of a mixture of Lime, Silver Birch and Sycamore specimens. The trees form part of a blanket Tree Preservation Order (TPO) designation in 1993 (Council TPO Reference: CDC21C) and covers a suite of trees in surrounding area.
- 3.2** Permission is sought from the Council's Greenspace Service for the removal and felling of 22 trees in various locations along the aforementioned streets. The reason for undertaken these works is predominantly on the grounds of pedestrian and vehicular accessibility and health and safety grounds.
- 3.3** The application is supported by a supporting statement and a photograph package showing each tree in situ and a schedule of works. More recently, at the request of the Planning Authority, the applicant has commissioned a qualified, professional arborist to undertake a full Tree Survey and Technical Assessment Report of each of the trees and provide justification for the felling works.

4. CONSULTATIONS

None undertaken.

5. REPRESENTATIONS

5.1 One letter of representation, supporting the tree works applications has been received and it has been summarised below:

- *The trees occupy too much space on the public footway and make it difficult for pedestrians to walk on the paths.*
- *The trees make it difficult for people and particularly residents in the area to park their cars.*

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

6.1 Policy E4 specifically focuses on the protection and retention of trees subject to a Tree Preservation Order (TPO) and Policy E5 sets an expectation for development proposed on sites with or adjacent to, existing trees or woodlands to take account of trees at the beginning of the design process and includes a requirement for a tree survey report. Whilst the proposals seek to remove TPO trees, they do still comply to Policy E4 and E5 based on the justification provided in the tree survey report supplied as part of the application. The reasons for this are outlined in more detail in Section 7 of this report.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

7.1 On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglenan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.

7.2 Policy GN5 covers similar matters as the policies within the adopted plan and ultimately seeks to ensure protection and enhancement of trees and woodlands. The policy states that development or works that would result in the loss of trees or woodland of amenity, cultural, historical, and recreational or biodiversity value will not be permitted unless clear justification can be given and appropriate replanting can be agreed. As detailed above, a tree survey and technical assessment has been provided and the information provided to justify the loss of the trees in this case satisfies the requirements of the policy. The overall merits of this assessment and its acceptability is discussed below in Section 7.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

7.3 The modified LDP 2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by

the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.

- 7.4** Policy ENV5 states developments that involve the loss or fragmentation of woodlands and those area covered by a provisional or confirmed tree preservation order, will only be supported where clear justification is provided. Similar to the policies of the Adopted Plan and LDP1, it is considered the tree work proposals are compliant with this policy based on the justification provided. This is once again considered further in Section 7 below.

Justification for Felling of Trees

- 7.5** The applicant, alongside a suite of plans and other supporting information, has provided a detailed tree survey and technical assessment report which has been undertaken by a professional and competent arborist. This considers each of the trees subject to the application and demonstrates through a robust assessment that the works are necessary in the interests of pedestrian and road safety. Essentially, the trees by virtue of their position, location and condition are currently obstructing pedestrian, wheelchair, mobility scooter and pram access on the pavements. The assessment shows that the trees occupy a significant proportion of the footway and that their roots present a challenge to both those with mobility issues and the visually impaired due to them breaking through on the pavement surface, leading to undulating and uneven ground along the course of the path. The report summarises that the sub-standard footway widths and poor surfacing mean that many users have to go onto the road to travel along these streets. This situation does not comply with the Equality Act (2010) standards which stipulates a minimum of 1.8 wide footways.
- 7.6** In addition to this, the assessment identified that the roots are also having secondary consequential impacts including causing drainage issues by interfering with the storm water surface flow in the road channel, affecting public utilities such as gas, water, communication and power pipes and ducting, causing path damage and kerb distortion and in some cases impeding occupiers of residential properties from parking.
- 7.7** The report and assessment undertaken evidences that alternatives to felling the trees, such as root pruning or tree re-location, were considered and explored. Notwithstanding this, it was established in each case that the work required to undertake this would severely undermine the stability of the trees which would then lead to them becoming a health and safety hazard to both pedestrians and vehicles as a result. Although, 3 trees were initially considered as having a potential to be re-located, this was discounted by road engineers as part of the assessment process due to the level of footway buildout required and the impact this would have on subsequent road widths, sightlines and the availability of parking.
- 7.8** Overall, the detailed tree survey and technical assessment report provides sufficient and robust justification in support of the tree works. Whilst the

relevant planning policies across all 3 plans generally seek to protect, safeguard and maintain TPO designated trees where possible, each policy includes in-built flexibility which also allows for the removal of such trees where robust and valid justification is provided. In this instance, the supporting information provided by the professional arborist demonstrates and qualifies as justification and evidences a need to remove the trees. On this basis, the works are compliant with the relevant policies set out earlier in Sections 6 and 7 above.

Amenity considerations and mitigation

- 7.9** Whilst the 22 trees subject to this application do contribute to the amenity and character of the respective residential areas, in this instance it is considered that the impacts that these trees are having on both pedestrian and vehicular accessibility and safety alongside the suite of other issues as set out outweigh their amenity benefits in this instance. The removal of the trees will allow the creation of a safer and more inclusive environment for pedestrians and residents, including more vulnerable non-motorised road users and achieving this is considered of primary importance in this case.
- 7.10** The applicant has also confirmed that they will plant 22 compensatory tree specimens if the tree works subject to this application is granted. They have advised that they would require to plant these trees in another location of Whitecrook as opposed to the same locations as the current trees which would likely lead to the same issues re-occurring. Whilst this will not compensate or mitigate directly for the loss of these trees in these locations, it is considered a welcome addition which will enhance another part of the Whitecrook area. It is recommended that the location and species of the 22 compensatory trees can be addressed as a condition of the grant of the felling of the trees.

8. CONCLUSION

- 8.1** Whilst the works will result in the removal of trees covered by a Tree Preservation Order, the application has been supported by a detailed assessment from a suitably qualified and competent person who has provided sufficient justification to demonstrate the need for the proposed tree works to take place.
- 8.2** Although the relevant tree and woodland policies seek in the first instance to protect and safeguard TPO trees, they do allow for works to remove them where sufficient and robust justification is provided such as this case. On this basis, the felling works comply with the relevant provisions of the West Dunbartonshire Adopted Local Plan 2010, the West Dunbartonshire Proposed Local Development Plan (LDP1) (2016) and the West Dunbartonshire Proposed Local Development Plan (LDP2) (2019).

9. CONDITIONS

1. Prior to any of the tree felling works hereby approved being undertaken on site, full details of the compensatory replanting scheme of 22 trees shall be submitted to and approved in writing by the Planning Authority. This shall include a plan alongside details of the location, species and age of the trees to be planted. The approved compensatory replanting scheme shall thereafter be undertaken in a timescale to be agreed in writing by the Planning Authority.

Peter Hessett
Chief Officer - Regulatory and Regeneration
Date: 6th October 2021

Person to Contact: Pamela Clifford, Planning, Building Standards and Environmental Health Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. TPO application documents and plans
2. West Dunbartonshire Local Plan 2010
3. West Dunbartonshire LDP - Proposed Plan
4. West Dunbartonshire LDP - Proposed Plan 2
5. Representations

Wards affected: Ward 6 - Clydebank Waterfront

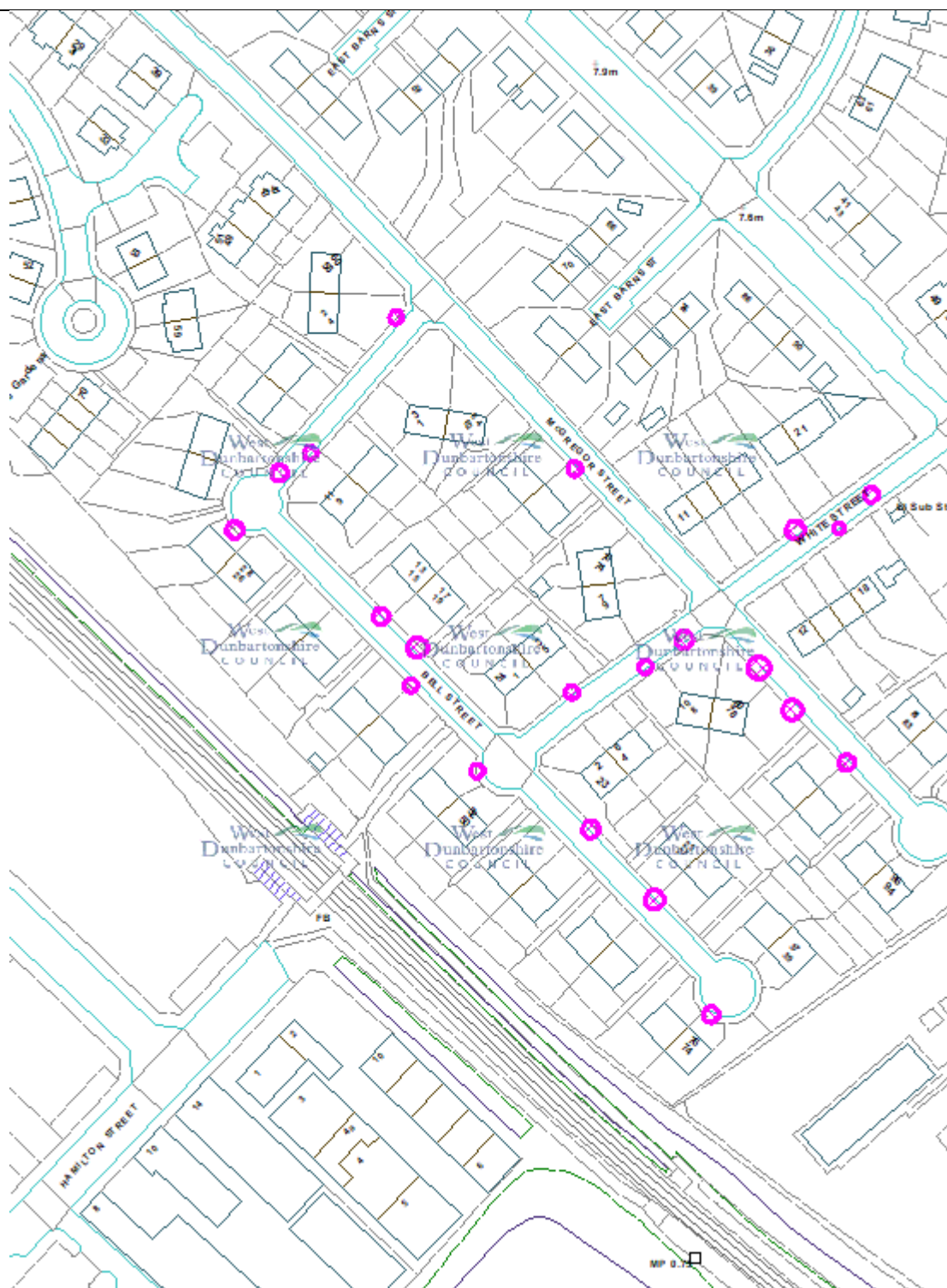
Map Register No: HQ660

Date: 22 September 2021

TPO18/13

**Felling of trees (16x Lime,
5x Sycamore and 1x Silver
Birch)**

**Bell Street Edward Street McGregor Street
And
White Street
Clydebank**



WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Planning Committee: 6th October 2021

DC20/176: **Change of use of land to the rear of No. 19 Millburn Avenue, Clydebank to form private rear garden ground and construction of associated fence/gate and ancillary outbuilding (retrospective) at No. 19 Millburn Avenue, Clydebank by Miss Sylwia Gadas.**

1. REASON FOR REPORT

- 1.1** The application is subject to representations and raises issues of local significance. Under the terms of the approved Scheme of Delegation, it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** Grant full planning permission subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application site is a mid terrace house located on the western side of Millburn Avenue, Clydebank. At the northern end of the terrace that includes No. 19, there is an existing vehicle lane that provides access to the rear of the application site along with Nos. 13- 27 Millburn Avenue. The vehicle lane is 3m in width and bounded by a privet hedgerow. The houses benefit from long rear gardens and the area is residential in character. St. Margaret of Scotland Hospice is to the north–west of the site.
- 3.2** Retrospective planning permission is sought for the change of use of land to the west of the existing garden ground of No. 19 Millburn Avenue to include within that properties private garden ground. The area is approximately 43 square metres. The area is enclosed to the western boundary and parts of the north and south boundaries with a 1.8m high larch fence.

A shed has also been constructed on this land and it is 3m in depth and 4.6m in length with a set of doors to the east elevation. The shed has been finished in Scottish larch and has a flat roof with a height of 2.2m. The shed is sited at the westernmost part of the application site and does not impede access to the neighbouring gardens. The shed is used for the storage of domestic tools and typical garden equipment such as lawnmowers etc.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service have no objection to the proposal and advises that the existing potential for off street parking is not removed by this proposal as vehicles could still access adjoining plots.

5. REPRESENTATIONS

- 5.1** Three objections have been received including one on behalf of St Margaret's Convent. The material planning points raised can be summarised as follows:

- The development contravenes the property deeds.
- The development prevents access to No. 17 Millburn Avenue.
- The shed has been used in association with a joinery business.
- Plans are misleading.
- The proposal has resulted in the loss of a vehicle turning point to the rear of these houses.
- The proximity of the shed to St. Margaret of Scotland Hospice will result in noise and disturbance to hospice residents.
- The shed design and fence is out of character the local area.

Two neighbours are in support of the application and one is of the view that the works have greatly improved the appearance of the property including the work done to the private lane.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1** Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area. In terms of residential amenity Policy H5 is most relevant and seeks to protect, preserve and enhance the residential character and amenity of existing residential areas at all times.
- 6.2** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

- West Dunbartonshire Local Development Plan (LDP1) Proposed Plan
- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Policy BC4 seeks to ensure that the layout and form of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites. This policy also seeks to protect, preserve and enhance the residential character and amenity of existing residential areas.

The proposed development is assessed against the LDP1 Proposed Plan and the Residential Development Guidance in Section 7 below.

- West Dunbartonshire Local Development Plan (LDP2) Proposed Plan
- 7.3** The modified Plan and associated documents was approved by the Council on 19 August 2020. The Council has advised the Scottish Ministers of its intention to adopt the Plan. On 18th December 2020, the Scottish Ministers issued a Direction in relation to the housing land chapter of the Plan. None of the policies considered in the determination of these applications is affected by the Direction. Therefore, Local Development Plan 2 is the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications.
- 7.4** Similarly to Policy GD1 of the Adopted Plan and Policy BC4 of Proposed Plan 1, Policy CP1 seeks to protect and enhance the amenity of existing communities. Furthermore, Policy H4 of LDP2 seeks to protect, preserve and enhance the residential character and amenity of existing residential areas which reflects the requirements of Policy H5 of the Adopted Plan and Policy BC4 of the Proposed Plan.

Principle of Development

- 7.5** The principle of extending the domestic garden curtilage along with the addition of a shed and fence is acceptable in principle subject to all material considerations being addressed. This type of development is common in a residential area and the development in principle complies with the adopted and proposed plans.

Site Layout, Design and Appearance

- 7.6** The proposed increase to the domestic curtilage of No. 19 Millburn Avenue would result in the garden of that property being extended by 7.8m in a westerly direction. This equates to an increase of 43 sqm. Prior to this work having been carried out the area of land was left unkempt. The works have already been carried out with the extended garden ground being contained within a 1.8m high fence to the site's western boundary. To the site's northern boundary the extended garden ground is contained within a newly constructed 1.8m high fence with gates also incorporated to retain a right of access for the occupants of No.17 Millburn Avenue. The change of use of this area of land to form an extended garden ground for the use of No. 19 Millburn Avenue has not significantly altered the character of the area which still has an overriding residential appearance with long gardens. The resulting layout does result in the loss of an area that is likely to have been used historically for vehicle turning and manoeuvring. The Roads Service has not raised any concerns about the remaining space of the access lane which is still adequate given the limited number of houses that utilise this area.
- 7.7** The shed is sited at the westernmost end of the garden ground (as extended) and has a modest footprint of 14 sqm. The shed has been finished in larch cladding and has a flat roof with a height of 2.2 metres. The shed is sited over 22 metres from the rear of No. 19 Millburn Avenue. Such structures and garages are not uncommon in residential areas. There is an existing garage which is accessed off the shared vehicle lane to the rear of No. 25-27 Millburn Avenue. The addition of the shed to the rear of No, 19 Millburn Avenue is therefore in keeping with the overriding residential character of the area. The shed's scale and siting relative to shared boundaries and the houses in the terrace (Nos. 15- 23) also means that there is no harm resulting to residential amenity. This is also true of the additional fence that has been constructed which comprises of a 1.8m high timber fence to the site's northern boundary which faces the vehicle lane. A set of gates is also proposed at the same height to this boundary. Timber fences of this height are also not uncommon in residential areas. The fence and gates proposed are considered to be acceptable in terms of the visual amenity. The fence and gates siting will also not give rise to any issues in terms of residential amenity given the design and siting. The gates allows for access to be retained through to No. 17 Millburn Avenue.

Representations Received

- 7.8** One of the objectors has raised a breach of property deeds however this is not a matter for the Planning Authority to resolve. There is no evidence to suggest the shed is being used for a joinery business and a condition could be attached to ensure the shed is to be used for domestic purposes only. The plans are considered sufficient to allow the Planning Authority to determine the application. The Council's Roads Service has raised no objection to the proposal in terms of highway safety. Although the proposal does remove the historic informal turning facility, the Roads Service has indicated that the existing potential for off-street parking is not removed by this proposal as vehicles can still access adjacent plots. The shed is over 25m from the nearest part of the buildings within the Hospice grounds and accordingly is unlikely to give rise to a significant level of disturbance. A substantial hedge is also noted along this shared boundary.

8. CONCLUSION

- 8.1** The shed and associated fence and gate as well as the extension of the garden ground does not have an adverse impact on surrounding properties nor does it substantially alter the character of the area. The objection letters make reference to rights of access and property deeds but these issues are not material planning considerations and are civil matters to be resolved between the affected parties. Having regard to the nature of the changes proposed it is considered that the proposed development is acceptable.

9. CONDITIONS

- 1. For the avoidance of doubt the use of the shed hereby approved shall be for purposes which are incidental to the enjoyment of the dwelling house and no trade or business shall be carried out therefrom.**
- 2. The gates shall remain unlocked at all times to allow access to no 17 Millburn Avenue.**

Peter Hessett

Chief Officer – Regulatory and Regeneration

Date: 6th October 2021

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. Representations

Wards affected: Ward 6 - Clydebank Waterfront

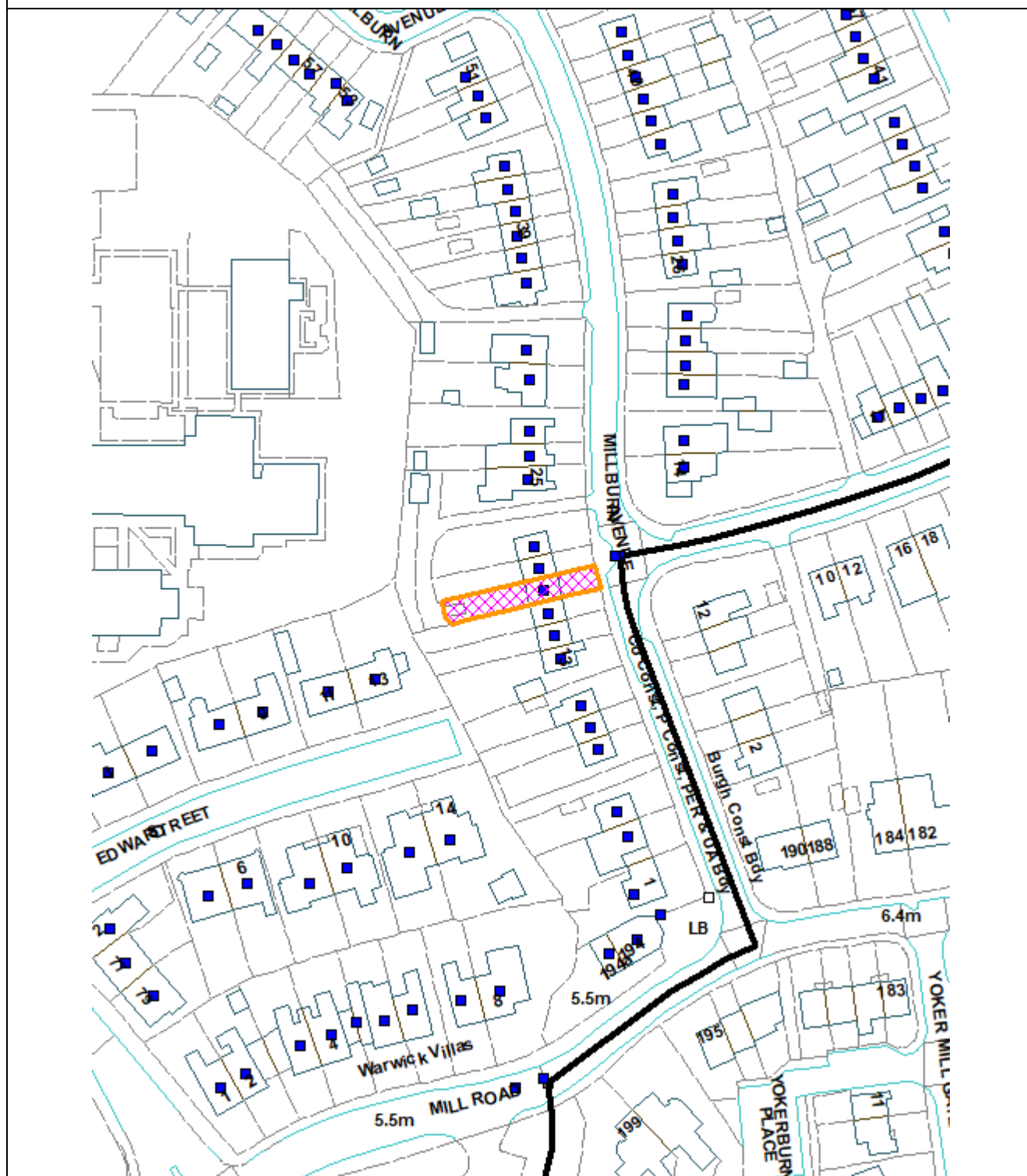
Map Register No: HQ659

Date: 22 September 2021

DC20/176

Change of use of land to
the rear of 19 Millburn
Avenue to private garden
ground and erection of
associated fence/gate and
ancillary outbuilding
(retrospective)

19 Millburn Avenue
Clydebank
G81 1EW



WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer - Regulatory and Regeneration

Planning Committee: 8th September 2021

DC21/138/FUL: Proposed residential redevelopment of 88 dwellings comprising of cottage flats, bungalows and flats with vehicular access, associated car parking and landscape works at land at the corner of Glasgow Road and Mill Road, Clydebank by West Dunbartonshire Council

1. **REASON FOR REPORT**

- 1.1 This application relates to a major development and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. **RECOMMENDATION**

- 2.1 Grant full planning permission subject to the conditions set out in Section 9.

3. **DEVELOPMENT DETAILS**

- 3.1 The site is located at the corner of the junction of Glasgow Road and Mill Road, Clydebank. Glasgow Road forms the site's southern boundary and Mill Road runs along the site's eastern boundary. Mill Road marks West Dunbartonshire's boundary with Glasgow City Council. To the site's northern boundary is the railway line and Yoker train station which has a small car parking area accessed off Mill Road. There is a bus stop directly adjacent to the site's access on Mill Road and to the south there is a bus stop on Glasgow Road. On the eastern side of Mill Road, opposite the application site is a supermarket. To the site's western boundary there are a number of light industrial units that accommodate car workshops/garages and printers and are accessed off Hamilton Street. There is also a parade of shops to the site's western boundary and there is direct access to these amenities from the application site through Hamilton Terrace. The site is broadly rectangular and flat. There are mature trees located on the south-eastern corner of the site. Within the site itself there is an existing Scottish Water trunk sewer that runs north to south though the site to the western side of the site. There is also a

Scottish Water below ground storage facility along part of the boundary with Glasgow Road.

- 3.2** Planning permission is sought for 88 dwellings in total comprising of 38 houses and 50 flats. The dwelling sizes range from two to five bedrooms and the proposed flats are one and two bedrooms. Nine wheelchair accessible properties are proposed across the site. Access to the site makes use of the existing vehicle access from Mill Road. The proposed internal road layout takes the form of circulatory road that follows the broadly rectangular form of the site. Within the circulatory road there are blocks of terrace houses that are sited close to the road edge to form a strong building line. Private garden grounds and car parking is proposed to the rear of these houses with a secondary mews type road running between these spaces. To the north of the circulatory road there are a mix of houses and cottage flats. The cottage flats face in to a semi public landscaped area. The gables of these properties face the railway line in order partly to address railway noise and provide opportunity for views in to the site.
- 3.3** At the site's north-western corner the proposal includes a large area of open space with tree planting and wildflower planting. There are 3 bungalows proposed that have views to the open space and there are two blocks of terrace houses proposed that face on to Glasgow Road. These properties have private gardens and car parking to the rear and are accessed off the main circulatory road. Landscaping is proposed in front of these houses to provide a visual buffer to Glasgow Road and setting to the development. In between these two housing blocks a significant landscaped area is also proposed. The layout partly responds to the underground constraints but will provide high quality landscaped areas that provides opportunities for movement through the site from Glasgow Road and beyond and provides a high quality natural residential environment.
- 3.4** On the corner adjacent to Glasgow Road and Mill Road the scale of the development increases to four storey blocks of flats that then further increases to a six storey block. These taller buildings represent a distinctive landmark building and incorporate a 'saw tooth' roof form that accentuates the height and verticality further. The proposed layout includes urban street planting to this corner facing the public elevations and private space with car parking, cycle and refuse storage to the rear. Within the site the house designs are simple in form making use of active gable ends to add visual interest and passive surveillance of surrounding streets. The saw tooth roof feature is also incorporated in to the house type designs. Finishes proposed include dark grey windows and a mix of dark grey and buff bricks. Recessed entrances to feature a black glazed brick and soldier brick courses also add some visual interest and texture to the dwellings. A similar materials palette is proposed for the taller flatted

part of the development and their design will include the use of a darker brick for the ground level and metal 'zig zag' shape to be included on the window railings, again large window openings are also proposed. A simple window design which repeats across the taller blocks of flats also unifies the flatted development and similar, generous window opening feature on the houses around the rest of the site.

- 3.5 Supporting technical information has been provided as part of the application and this includes a Design and Access Statement, a Pre-application Consultation Report, Phase 2 Site Investigation, and Transport Statement.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service have raised no objections provided that a further review of car parking provision can be undertaken upon full occupation and that further car parking spaces can be formed if necessary.
- 4.2 West Dunbartonshire Council Environmental Health has raised no objections in principle but requested conditions with respect to contaminated land, SUDS and maintenance, Noise Impact Assessment and required mitigation measures, construction noise, piling method statement, dust control and storage of waste.
- 4.3 West Dunbartonshire Council Biodiversity Officer, Waste Services and Scottish Water have raised no objections to the proposed development.
- 4.4 Network Rail advise of no issues in principle but would wish to see the provision of a suitable trespass fence of at least 1.8m in height along the sites northern boundary.
- 4.5 Glasgow Airport Safeguarding has raised no objection, having now considered the submitted Glint and Glare Assessment. A condition is however recommended with respect to landscape species.
- 4.6 Glasgow City Council have not responded at the time of writing this report.

5. REPRESENTATIONS

- 5.1 One representation has been received with the focus of the comments concerning the new bridge construction and the impact this could have on the road infrastructure when combined with the construction of 88 dwellings within close proximity.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area.
- 6.2** Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Our Green Network” Planning Guidance (2015) in Section 7 below.
- 6.3** Policy T1 and T4 requires sites to integrated with sustainable travel and Policy E5 relates to trees and requires new development proposals to consider impacts on trees and incorporate suitable tree planting. Policies F1 and F2 aims to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers’ Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The consideration of policies DS1, GN2, SD1, DS6 and GN3 and GN5 with regards to new residential development, green network, transport, flooding and drainage are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure a high design quality in housing and being suitable for a mix of occupants.
- 7.3** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.
- 7.5** Similarly to Policy DS1 of LDP 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.6** Policy GI2, BE1, FCC1, ENV1, ENV4, ENV5 and ENV6 are similar to the green network, built heritage, tree, water environment and flooding policies of the Adopted and LDP 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and LDP 1. Policies CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource.
- 7.7** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transport and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use. It is considered that the proposals comply with the above policies as discussed below.
- 7.8** Principle of Development
The site had previously accommodated three multi-storey blocks of flats with some lower level maisonettes. There were circa. 330 dwellings across the site but these had historically suffered with maintenance and repair issues. It was agreed in November 2015 by the Council to proceed with the demolition of these blocks and work was completed last year on the demolition and site clearance. The construction of new dwellings on a site previously used for residential purposes is therefore acceptable in principal and does not conflict with the land use policies of the adopted and Proposed Plans.

7.9 Compatibility with surrounding land uses

The site is surrounded by a range of existing land uses. To the north of the site is the main Glasgow to Balloch railway line and Yoker train station. Mill Road and Glasgow Road form the site's more public boundaries with a supermarket store being on the opposite side of Mill Road. To the site's southern and western sites there are mix of commercial properties. The site is also under the flight path to Glasgow airport and therefore has the potential to be impacted by a number of noise sources. It is acknowledged that the site had accommodated residential properties in the past but these were much denser and with an entirely different layout.

- 7.10** A Noise Impact Assessment and supplementary reports have been submitted as part of the proposals and it makes recommendations with respect to mitigation measures that should be incorporated in to the building construction. These mitigation measures include the use of a higher performing type of glazing, specific glazing combinations, use of attenuated trickle ventilation and the use of tiles or other weatherproof outer sheeting for the proposed roofs. A combination of these measures will help to address rail, road and aircraft noise, as well as commercial noise sources. Having regard to the well established use of the site for residential in the past and current construction methods to include the aforementioned mitigation measures it is considered that the site remains suitable for residential development. The measures necessary to mitigate the noise sources can be secured by condition and are necessary for a site of such urban character.

Site Layout, Design and Appearance

- 7.11** The layout has been the subject to extensive pre-application discussion with suggested layout changes having been incorporated in to the final submission. The development has been designed to reflect and complement its surroundings but to also act as a landmark feature to announce the arrival in West Dunbartonshire as it is on the Council boundary between West Dunbartonshire and Glasgow City Council.
- 7.12** The nature of the proposal is broadly described at paragraphs 3.2-3.4 above. The proposed layout uses a circulatory road within the centre of the site with an internal 'mews' style road sitting in the centre that allows easy movement through for pedestrians and cyclists. A range of house types are orientated and sited around the edge of the site to make the most of their location and to add interest and variation to the streets. At the north western corner of the site is an existing mound of contaminated land that would be cost prohibitive to remove from the site. It is intended to securely cap this area and cover with a 450mm deep layer of clean soil and introduce wildflower planting which is considered an appropriate response to the constraint on site.
- 7.13** Design of the houses and flats take advantage of its prominent location whilst reflecting the constraints within and alongside the site. The corner flatted development features a 'saw tooth' roof and taller window form to

create a degree of dominance to the corner. The repeated window arrangement is also a strong design element when read alongside the proposed recessed entrance features. Soldier brick courses, deep window reveals and zig zag metal railings also add interest to the flats and are features that are repeated on the houses and cottage flats within the site. A mix of materials is proposed across the site with bricks that have a buff and dark grey tone that will complement each other and provide an attractive contrast within the site together with a high quality black glazed brick which will be used in recessed entrances. Concrete dark grey roof tiles are also proposed and will blend with the brick choices. The fenestration will have matt dark grey frames and the Juliet balconies that feature on the taller flats will be matt dark grey too with a 'zig zag' shape too add more visual interest.

- 7.14** It is considered that the proposed layout responds well to the site constraints and will create a landmark building to mark the arrival in to West Dunbartonshire. The layout is imaginative and will provide a range of housing options using high quality materials and represents a well considered design solution and placemaking approach.

Open Space and Landscaping

- 7.15** The presence of the main Scottish Water sewer and the underground storage facility along Glasgow Road has resulted in generous areas of landscaping and open space. The proposed amenity space equates to over 7800 sqm which exceeds the requirements of 'Our Green Network Planning Guidance.' The amenity areas take a number of different forms. There are spaces provided to the rear of the flats for communal amenity purposes, there are more open landscaped areas that will face Glasgow Road and the land in the northern corner will also provide a valuable green space and setting for the development. Individual houses and the bungalows will also have their own private and defined garden space which are considered to be commensurate with the amenity needs of each dwelling type. High quality landscaping suited to the setting of the development will also be provided and includes a range of treatments across the site including the use of wildflower meadow grass planting to the earth mound to the north-western corner. Other areas will be formally planted with amenity shrubs, hedges and tree planting and species will be selected to add to the sites biodiversity value. Native trees will also be selected and bulb and wildflowers will also feature to add seasonal interest. The landscaping will also include swales and rainwater gardens to help to manage rainwater runoff. It is envisaged that the required play space can be located at various locations within the site along with public art and these requirements can be addressed via conditions.

7.16 The proposed layout does result in the loss of existing trees at the corner of Glasgow Road and Mill Road. In total 18 trees across the whole site will be removed as part of the development. The loss of the existing trees at the site's southwestern corner is unfortunate but necessary to create the landmark building and the siting it requires to maximise its visual impact. The proposed landscape plans illustrate that heavy standard trees will be planted along the street edge with Mill Road and Glasgow Road to create a strong green edge to the site. The landscape plans indicate that over 80 trees will be planted on the site along with shrubs. Quality landscape spaces are also proposed within other parts of the site which will mitigate against the loss of the aforementioned trees on the corner. It is felt that the levels of new planting across the site as part of a well considered landscape approach with trees having been selected that are better suited to a new urban layout will provide a quality landscape setting to the development that can not only be enjoyed by residents but people passing through the development too. The development will therefore have an attractive green setting which is welcomed given the site's urban surroundings

Roads, Parking, Access and Permeability

7.17 The site is well connected with bus routes along Mill Road and Glasgow Road. Yoker train station adjoins the site and established cycle routes run parallel to Glasgow Road. It should also be noted that the new Renfrew/Clyde Bridge will also be built within close proximity to the application site. A total of 79 car parking spaces are proposed which is slightly below the standard required for this type of development. The submitted Transport Statement provides justification for the reduced level based on the profile and habits of future residents and the sustainable location. Given the highly sustainable location of the site and the submission of supporting information the number of car parking spaces is considered acceptable by the Roads Service. If the needs of the residents change as the development is occupied then functioning additional spaces can be provided. This can be achieved via a planning condition.

7.18 The development will also be providing electric vehicle charging points and cycle storage for the flats. Accessible spaces are also included in the layout for the residents of the wheelchair accessible dwellings. In terms of the layout it is anticipated that the layout would create a 'shared zone' where the road network is shared by vehicles, cyclists and pedestrians with the aim being to prioritise people over car users. The layout provides links through the site to Yoker train station and the location of the new Renfrew Bridge which will increase the permeability through the site and create new pedestrian movements through the site.

Technical Matters

- 7.19** The Council's Environmental Health Service have requested a site investigation report including remediation and mitigation measures for treatment of the ground conditions. These matters alongside other matters including dust mitigation and construction activity can be addressed as planning conditions. It should be noted that the contaminated land to the site's north-western corner is to be capped and soil to a depth of 450mm shall be added. Thereafter the mound will be treated with wildflower planting mix to enhance the visual impact. This approach is considered to be acceptable.
- 7.20** In support of the application a Flood Risk Assessment, Energies Strategy, Invasive Weed Strategy, Ecological Survey Report, Drainage strategy to include SUDS and Reflectivity Analysis Report have been submitted. The Council's Road Service have advised that the findings of the Flood Risk Assessment is acceptable and will not present a flood risk to residents and the surroundings. The SUDS design includes swales and rainwater gardens to manage rainwater runoff from hard surfaces. This approach to SUDS being integrated in to the landscaping proposal is a welcome response given the urban nature of the site.

Pre-application Consultation

- 7.21** As the proposal constitutes a major development, statutory pre-application consultation was carried out prior to the submission of the application. A Proposal of Application Notice was received in February 2019 regarding the redevelopment of the site. Given that two years had lapsed since the original Proposal of Application Notice process started and the scheme has evolved, further engagement with the local community on the revised proposals took place recently. The applicant has subsequently submitted a Public Consultation Report which identifies that an online consultation/information event was held on 17th February 2021. This event comprised of a presentation and participants had the opportunity to ask questions. The event was publicised on the Council's website, Facebook page and tenant participation Facebook pages. In addition to the statutory requirements

As a response of these public discussion forums lifts were introduced to all closes of the flatted blocks which includes the four storey blocks, they had previously only been in the six storey blocks.

Place and Design Panel and Pre application Elected Member Briefing

- 7.22** The development has evolved over the last three years. Earlier versions of layouts and early capacity studies were presented to the Place and Design Panel in September 2018. The Panel were of the view that the urban setting would not lend itself to supporting detached suburban type development that might lose its scale on the site but would perhaps be suited to town houses and flatted development which would allow the

volume to change across the site. The concepts discussed at the Panel session are evident in the current layout.

- 7.23** The application was also presented to a pre application Elected Member Briefing on 30th March 2021. The Elected Member Briefing raised matters concerning accessibility and lift access, sustainability aspects, zero carbon approach as renewable energy sources and the use of triple glazing. These issues have been addressed in the final submission.

8. CONCLUSION

- 8.1** The redevelopment of this vacant and brownfield site for residential purposes complies with local planning policies which seeks to support urban renewal and regeneration. The proposals have been subject to extensive discussions with officers at the pre-application stage and the design of the site has clearly evolved through and been informed by the feedback provided through this pre-application process, the Place and Design Panel and the separate Elected Member Briefing. The development will provide high quality housing with excellent open space provision and connections to the surrounding area. The design and prominence of the flatted development at the corner between Mill Street and Glasgow Road will be a bold landmark building and will enhance and contribute positively to the further regeneration of the area.

9. CONDITIONS

- 1. Prior to the commencement of development on site, exact details, specifications and samples of all proposed external materials to be used for the dwellings and associated hard landscaping, to include boundary treatments and waste storage facilities within the development site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the brick to be used shall comprise of i) Arden Weathered Grey and ii) Ibstock Himley Ebony Black The development shall be completed in accordance with the approved material details and palette unless otherwise agreed by the Planning Authority.**
- 2. Prior to the first occupation of the flats hereby approved details of the proposed cycle storage and refuse/recycling stores shall be submitted for the written approval of the Planning Authority. The approved details shall be installed prior to the first occupation of the flats hereby approved on an agreed phased basis. The constructed cycle stores and refuse/recycling stores shall be maintained for the lifetime of the development unless otherwise agreed by the Planning Authority.**

3. Prior to works commencing on site a proposed planting schedule to include heavy standard tree planting shall be submitted for the written approval of the Planning Authority to be read in conjunction with the soft landscape arrangements approved under drawings XX – DR-L-90-002 Rev A and XX-DR-L-90-001. The planting schedule include native species and planting to increase the biodiversity value of the site. The approved landscape plans shall be implemented no later than the next available planting season or a phased scheme to be agreed with the Planning Authority. Any trees, shrubs or plants forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation. The landscaping arrangements as approved shall thereafter be maintained in accordance with these details for the lifetime of the development unless otherwise agreed by the Planning Authority.

It should be noted that the submitted landscape details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at www.aoa.org.uk/publications/safeguarding.asp).

No subsequent alterations to the approved landscaping scheme shall take place unless submitted to and approved in writing by the Planning Authority.

4. Prior to works commencing on site details of a children's play area to be incorporated in to the site's landscaping areas shall be submitted for the written approval of the Planning Authority. The children's play shall be installed upon occupation of the 30th dwelling unless otherwise agreed by the Planning Authority and shall be maintained for the lifetime of the development unless otherwise agreed.
5. Prior to works commencing on site details of public art to be incorporated in the site's landscaping scheme shall be submitted for the written approval of the Planning Authority. The agreed public art shall be installed upon completion of the development and shall be maintained for the lifetime of the development unless otherwise agreed.
6. No house/bungalow shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed and provided within the site in accordance with

approved site layout (drawing no. ABC-XX-XX-DR-A-0010-Rev J – Proposed site plan). The aforementioned parking shall thereafter be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.

7. Twelve months after the full occupation of the dwellings hereby approved a Transport Statement and survey findings shall be submitted for the approval of the Planning Authority. The required submissions shall detail the use of the approved car parking provision and if necessary shall provide details of additional spaces to include location and a timescale for their implementation. Thereafter the additional parking, if constructed, shall be retained and be capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.
8. Prior to the commencement of development with the site, details of the location and design of an electric charging point(s)/unit(s) to serve the development shall be submitted to and approved in writing by the Planning Authority. The approved car charging point(s)/unit(s) and associated infrastructure shall thereafter be installed in accordance with the approved details at a timescale agreed by the Planning Authority and maintained as such thereafter.
9. Prior to the occupation of the first unit 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.
10. Notwithstanding the plans hereby approved details of additional horizontal traffic calming measures throughout the development site shall be submitted for the written approval of the Planning Authority. The approved works shall be installed as agreed prior to the first occupation of the unit hereby approved or an alternative timeframe to be agreed by the Planning Authority. The constructed traffic calming measures shall be maintained thereafter for the lifetime of the development.
11. Notwithstanding the plans hereby approved full details of the junction between Mill Road, the development access and Yoker Train Station shall be submitted for the written approval of the Planning Authority. The works shall thereafter be carried out in accordance with the approved plans and maintained as such for the lifetime of the development unless otherwise agreed.

12. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
- a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
 - b) An assessment of the potential risks (where applicable) to:
 - a. Human health
 - b. Property (existing and proposed) including buildings, crops and livestock, pets, woodland and service lines and pipes
 - c. Groundwater and surface waters
 - d. Ecological systems
 - e. Archaeological sites and ancient monuments
 - c) An appraisal of remedial options, including a detailed remediation strategy based on the preferred option.
13. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that upon completion of the remediation works the site will not qualify as contaminated land under the Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
14. 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.

- 15. If the remediation plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed by 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.**
- 16. 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 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 be free from metals, plastic, wood, glass, tarmac, paper and odours. 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 associated test results to demonstrate its suitability for use.**
- 17. Prior to the commencement of development on site, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The Sustainable Urban Drainage System (SUDS) shall thereafter be formed and maintained on site in accordance with the approved details.**
- 18. No development shall take place on site until such time as a suitably updated noise impact assessment has been submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby sources including commercial premises, plant noise. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the**

development being brought into use and shall thereafter be retained in accordance with the approved scheme. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

As this area is subject to noise from aircraft, assessment of this source must be detailed within the Noise Impact Assessment including detailed mitigation measures for this noise source. The development will require high specification acoustic roof insulation as a minimum and double/triple glazing.

19. No development shall commence on site until such time that a noise assessment has been submitted and approved by the Planning Authority in writing, The noise assessment shall determine the impact of road traffic noise on the development using the principles set out in 'Calculation of Road Traffic Noise' (DoT/Welsh Office, HMSO, 1988) or by a method to be agreed by the Planning Authority. The survey shall take cognisance of the Scottish Government Document: "Technical Advice Note Assessment of Noise". Where the submitted report identifies potential noise disturbance, it shall include a scheme for protecting residents of the proposed dwellings from road traffic noise. The scheme shall ensure that the internal levels do not exceed 40dB daytime and 35 dB night time and the external levels do not exceed 55dB daytime in any rear garden areas, when measured as LAeq.T. The approved mitigation measures shall be implemented prior to the first occupation of the dwellings hereby approved and shall be retained and maintained for the lifetime of the development.
- 20 No development shall commence until such time that details of noise attenuation/soundproofing works have been submitted to and approved in writing by the Planning Authority. The approved noise attenuation/soundproofing measures shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.
- 21 Upon completion of the development hereby approved an independently Verification Report shall be submitted for the written approval of the Planning Authority which shall demonstrate compliance with noise conditions of this planning permission. The report shall demonstrate that the projections as detailed within the approved Noise Impact Assessment are reliable and mitigate the noise sources.
- 22 No development shall commence on site until such time as a noise control method statement for the construction period has been

submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

- 23 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 by 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

24. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of and take into account the following:

- The impact of the piling on surrounding properties.
- Detail any procedures which are required to minimise the impact of noise and vibrations on the occupants of surrounding properties.

This statement as submitted shall be prepared by a suitably qualified person and shall take into account the guidance contained in BS6472:1984 'Evaluation of Human Response to Vibration of Buildings'. The piling works shall thereafter be carried out in accordance with the approved method statement until they are completed on site.

25. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust

- generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
26. Prior to the commencement of development on site, an Air Quality Impact Assessment shall be submitted for the written approval of the Planning Authority. The report should use a method based on the principles set out in the Environmental Protection UK document Development Control: Planning for Air Quality (2010 Update), Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG (09)' and 'Delivering Cleaner Air for Scotland – Guidance from Environmental Protection Scotland and the RTPI Scotland – January 2017'. The recommendations within the approved Air Quality Report shall be implemented prior to the first occupation of the dwellings or an alternative timescale agreed by the Planning Authority.
 27. Prior to work commencing details of the sites proposed lighting scheme shall be submitted for the written approval of the Planning Authority and should include details of lamp type and luminaire. The lighting installation shall thereafter be carried out in accordance with the approved details unless otherwise agreed by the Planning Authority.
 28. No development shall commence on site until details for the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Planning Authority. The agreed details shall be in place prior the occupation of the first housing unit/property within the site and thereafter maintained for the lifetime of the development.
 29. Should works commence on the development hereby approved after the start of the next bat breeding season (April 2022) then a further Bat Survey shall be undertaken and submitted for the written approval of the Planning Authority. In the event that bats are encountered during other works, all works should cease and Nature Scot or a licenced ecologist contacted.

Peter Hissett

Chief Officer – Regulatory and Regeneration

Date: 6th October 2021

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: Location Plan

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. 'Our Green Network' Guidance
7. Residential Development Design Guidance

Wards affected: Ward 6 - Clydebank Waterfront

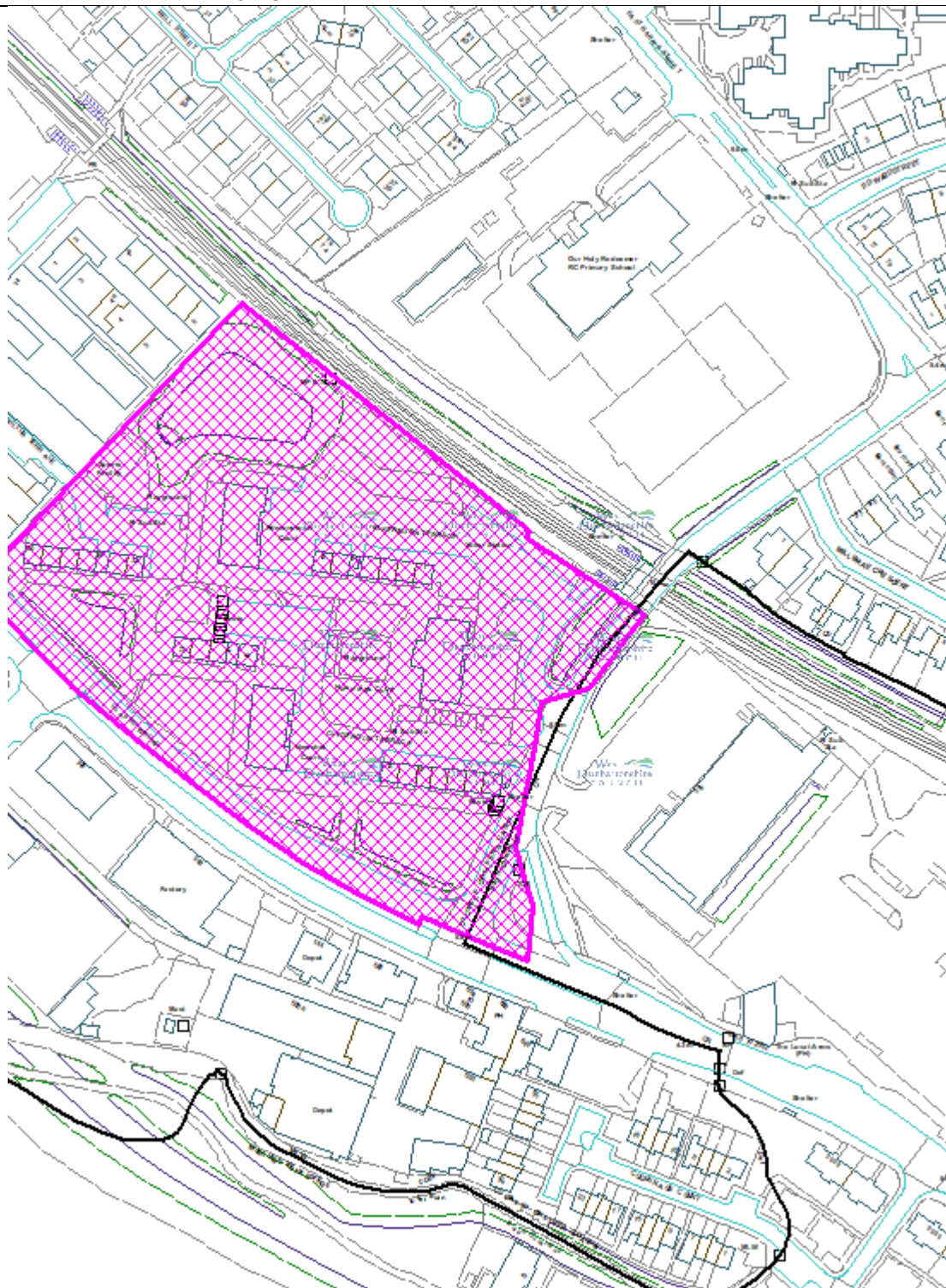
Map Register No: HQ658

Date: 22 September 2021

DC21/138/FUL

**Residential development of
88 dwellings comprising of
cottage flats, bungalows
and flats with vehicular
access, associated car
parking and landscape
works**

**Development Site At Glasgow Road And
Mill Road
Clydebank**



WEST DUNBARTONSHIRE COUNCIL**Report by the Chief Officer - Regulatory and Regeneration****Planning Committee: 6th October 2021**

Subject: Street names for new housing development site at Miller Street, Clydebank by Miller Homes.

1. PURPOSE

- 1.2** To allocate two street names within the new housing development at Miller Street, Clydebank.

2. RECOMMENDATIONS

- 2.1** It is recommended that Rosebery Street and Millerbank Street are the street names.

3. BACKGROUND

- 3.1** Permission was granted for 62 housing units on the former Council Offices site of Rosebery Place which is situated along the southern bank of the Forth and Clyde Canal. The development comprises of 3 and 4 bedroom properties in the form of a mix of town houses, as well as, terraced family properties. Access to the site will be from via Kilbowie Road and Miller Street and a new internal circulatory road is to be constructed.

4. MAIN ISSUES

- 4.1** The street names proposed for consideration is Rosebery Street and Millerbank Street. Rosebery Street is derived from the previously demolished office building which was referred to as "Rosebery Place" offices. Rosebery Street was a suggestion from one of the local ward councillors. Millerbank Street is suggested as the development is adjacent to the banks of the Forth and Clyde Canal and adjoins the existing Miller Street. Rosebery Street will be accessed from Kilbowie Road and egressed at Miller Street with Millerbank Street being entered and exited on two separate junctions off of Rosebery Street. The names proposed meets the requirement of the Council's Street Naming Policy.

5. PEOPLE IMPLICATIONS

- 5.1** There are no people implications.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7. RISK ANALYSIS

7.1 There are no known risks to the Council.

8. EQUALITIES IMPACT ASSESSMENT (EIA)

8.1 None.

9. CONSULTATION

9.1 As part of the Council's Street Naming Policy Clydebank East Community Council and the elected members for Clydebank Waterfront (Ward 6) have been consulted on the suggestions of Kilbowie Street and Millerbank Street. Councillor Marie McNair made the suggestion of Rosebery Street which has now been included as a recommendation.

10. STRATEGIC ASSESSMENT

10.1 This proposal does not impact on any of the Council's strategic priorities.

Peter Hessett
Chief Officer – Regulatory and Regeneration
Date: 6th October 2021

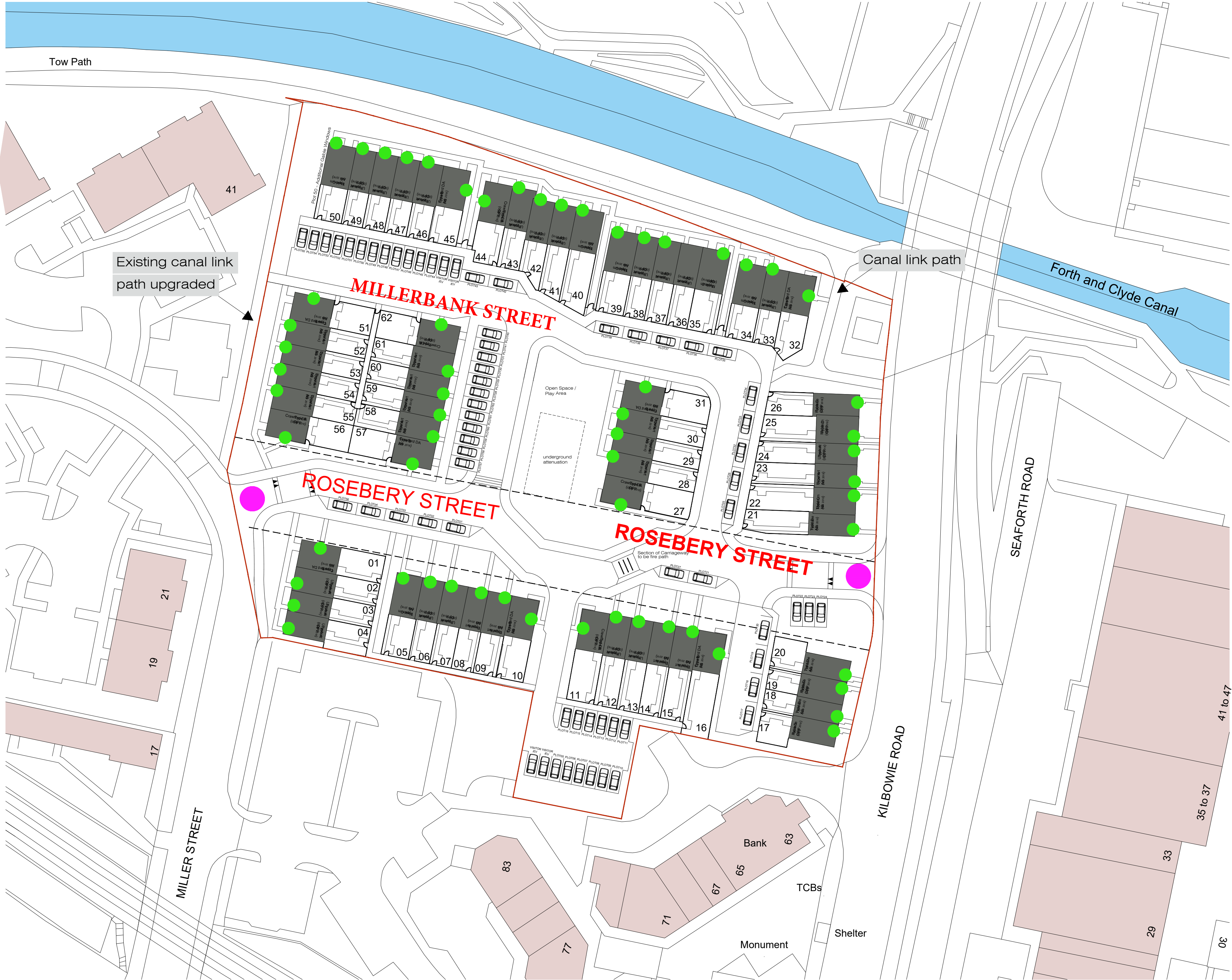
Person to Contact: Pamela Clifford, Planning & Building Standards Manager,

Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendices: Site plan.

Background Papers: Street Naming and Numbering Policy

Wards Affected: Ward 6 – Clydebank Waterfront



- ACCESS ROAD INTO DEVELOPMENT
- MAIN ENTRANCE / FRONT ACCESS DOOR TO PLOT

Rev.	Description	Drawn	Date

Miller Homes Ltd
Miller House, 2 Lochside View
Edinburgh Park
Edinburgh, EH12 9DH
Telephone 0870 336 5000
Fax 0870 336 5160
www.millerhomes.co.uk

Project Title
**MILLER STREET
CLYDEBANK**

Drawing Title
POSTAL ADDRESS REQUEST PLAN

Scale	Drawn By	Checked By	Authorised By
1:500	M.H.		
	Date JULY 21	Date	Date

Job No.	Drawing No.	Revision
	POSTAL001	-

Original Sheet Size A1