

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank, on Wednesday, 13 March 2024 at 10.02 a.m.

Present: Councillors Karen Murray Conaghan, Lawrence O'Neill and Chris Pollock.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; James McColl, Development Management Team Leader; Amy Melkevik, Lead Planning Officer; Nigel Ettles, Principal Solicitor and Lynn Straker, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillors Gurpreet Singh Johal, Daniel Lennie, Hazel Sorrell and Sophie Traynor.

Councillor Lawrence O'Neill in the Chair

MINUTE OF SILENCE

A Minute of Silence was held in remembrance of the Clydebank Blitz.

DECLARATIONS OF INTEREST

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

OPEN FORUM

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 14 February 2024 were submitted and approved as a correct record, subject to the Chair of that meeting being amended from Councillor Lawrence O'Neill to Councillor Gurpreet Singh Johal.

NOTE OF VISITATIONS

A Note of Visitations carried out on 12 February 2024, a copy of which forms

Appendix 1 hereto, was submitted and noted.

Note: Councillors Ian Dickson and June McKay advised that they would not take part in consideration of the following item of business as neither had been present at the meeting of the Planning Committee held on 14 February 2024.

PLANNING APPLICATIONS

With reference to the Minutes of Meeting of the Planning Committee held on 14 February 2024, a report was re-submitted by the Planning, Building Standards and Environmental Health Manager, in respect of the following Planning application:-

DC23/177/FUL: Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.

It was noted that, at its meeting on 14 February 2024, the Committee had agreed to continue its consideration of this matter in order to allow the applicant to attend and answer questions from Members. Reference was made to a site visit which had been undertaken in respect of the application. After discussion and having heard the Planning and Building Standards and Environmental Health Manager and the Development Management Team Leader in further explanation, the Applicant, Mr Harris Smith, and his solicitor, Mr Waseem Hussain, were heard in answer to Members' questions.

After further discussion, the Committee agreed to refuse planning permission citing Policy 6 and Policy 8 as detailed in Appendix 1 of the report in their reasoning for refusal. The applicant was advised they retained their right of appeal regarding the decision.

VALEDICTORY – IRENE MCKECHNIE

Councillor O'Neill, Chair, requested that formal thanks be recorded to Irene McKechnie, who was due to retire later this month after 37 years of distinguished service to the Council. Councillor O'Neill thanked her for her dedicated work and commitment to the Planning Committee and wished her a long and happy retirement.

The meeting closed at 10.49 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 12 FEBRUARY 2024

Present: Councillors Lawrence O'Neill and Chris Pollock.

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager and James McColl, Development Management Team Leader.

SITE VISITS

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

Old Carman Water Works Site, Cardross Road, Renton, Dumbarton

DC23/210/PPP: Erection of three dwelling houses (in principle) by Mr J McDougal.

Land to East of Broomhill Wood, Bonhill, Alexandria

DC22/190/FUL - Erection of single wind turbine, 30m hub and 43m tip, access track, substation, agricultural shed and associated works by Mr Harris Smith.

DC23/177/FUL: Erection of single wind turbine, 30m hub and 43m tip, access track, substation and associated works at land to East of Broomhill Wood, Bonhill, Alexandria by Mr Harris Smith.

GRANT full planning permission subject to the following conditions:-

1. The planning permission for the wind turbine hereby granted shall be for a maximum period of 25 years and 6 months from the date of the permission. This period consists of a 25 year period of operation of the turbine followed by a 6 month period for removal of the turbine, ancillary equipment, associated hard standing and access track and restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below.
2. Unless otherwise agreed in writing by the Planning Authority, should the turbine cease to generate electricity for a continuous period of 6 months, the turbine, ancillary equipment, associated hard standing and access track shall be removed. Restoration of the site to its former condition, or other such condition as agreed in writing as acceptable to the Planning Authority in accordance with the terms of Condition 6 below, shall thereafter take place within 6 months.
3. All external colours of the turbine and associated equipment cabinet shall be agreed with the Planning Authority prior to the commencement of works and shall be implemented as approved.
4. No turbine, transformer building or any other above ground infrastructure shall be illuminated or display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.
5. Within one year of the date of this consent, the turbine operator shall submit an Outline Decommissioning, Restoration and Aftercare Scheme (the Outline Decommissioning Scheme) for the Turbine development, for the written approval of Planning Authority. The Outline Decommissioning Scheme shall include (but not necessarily be limited to) details of:
 - a) Works for the decommissioning and removal of the turbine (together with the foundations to a depth of at least one meter) and all above ground ancillary infrastructure and equipment;
 - b) The treatment of any ground surfaces including access tracks, hardstanding areas and any sub-surface elements including cabling to restore the site to its former condition, or other such condition as is agreed in writing by the Planning Authority;
 - c) Environmental management provisions, including waste management;
 - d) A decommissioning timetable;
 - e) Appropriate aftercare following site restoration; and

- f) How and when the Outline Decommissioning Scheme will be reviewed during the operational life of the development.

The approved Outline Decommissioning Scheme shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.

6. No later than 12 months prior to the decommissioning of the development, or the expiration of the 25 year period of operation (whichever is earlier), a detailed Decommissioning, Restoration and Aftercare Scheme, which takes account of the latest version of the Outline Decommissioning Scheme (approved under Condition 5) and which also takes into account of the current best environmental practice, shall be submitted to and approved in writing by the Planning Authority.

The development shall be decommissioned, the site restored and aftercare thereafter in accordance with the scheme approved as part of this condition, unless otherwise agreed in writing in advance by the Planning Authority.

7. Unless otherwise agreed in writing by the Planning Authority, if the wind turbine fails to generate electricity for a continuous period of 12 months, the turbine shall be deemed to have ceased to be required, and a scheme that takes cognizance of Condition 6, setting out how the wind turbine and associated infrastructure will be removed from the site, the ground restored and aftercare carried out, shall be submitted for the written approval of the Planning Authority no later than one month after the date of the expiry of the 6 months.

The scheme approved shall be implemented within 12 months of the date of its approval.

8. In order to ensure compliance with Condition 7, the wind turbine operator shall submit 12 monthly generation and output figures to the Planning Authority to evidence that the turbine is continuing to generate electricity and the 12 monthly reporting cycle shall commence from the date the turbine is commissioned (turned on).

9. Notwithstanding the approved plans, all recommendations within the Preliminary Ecological Appraisal dated December 2022 shall be followed to the satisfaction of the Planning Authority.

10. That prior to works commencing on site a traffic management plan indicating the proposals for the construction and delivery of the turbine and all associated construction material shall be submitted to the Planning Authority for their written approval, and shall thereafter be implemented as approved. The statement shall include the following information:

- a) The intended turbine transportation route including swept path analysis, timings and methodology.
- b) All temporary works including relocation of signs, guardrails, bollards, street furniture and all temporary measures.

- c) Any alteration to the public road network.
 - d) Details of the construction compound including staff car parking.
 - e) Details of proposed signage during the delivery and construction period.
 - f) Any necessary mitigation.
 - g) Details of the type, weight, frequency and number of delivery and construction vehicles inclusive of those delivering all associated construction materials, for example, hardcore and associated tonnage.
 - h) Details of wheel washing facilities.
 - i) A condition report based on a joint survey of the proposed route to ensure that all temporary alterations and any damage to the road network are made good.
11. No development shall take place within the development site until the developer has secured the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicant and agreed in writing with the Planning Authority in consultation with the West of Scotland Archaeology Service prior to the commencement of the watching brief.
- The name of the archaeological organisation retained by the developer shall be given the Planning Authority in writing prior to any works on site.
12. Prior to the commencement of development full details of the surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Drainage Systems within its design, and shall thereafter be implemented as approved.
13. In accordance with ETSU- R- 97 (Simplified Method) the noise from the wind turbine shall not exceed an LA90(10min) of 35dB at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 10 metres per second at 10m height as measured within the site.
14. Prior to the installation of the turbine, the developer shall submit a report for approval by the Planning Authority which demonstrates compliance with the noise limits in Condition 13 above. The report shall be prepared in accordance with reference to the Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 and associated supplementary guidance notes.
15. Prior to the installation of the turbine, the applicant shall provide written confirmation to the Planning Authority that the noise from turbine operation will be broad-band with no discernible tonal characteristics.

16. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority from the occupant of a dwelling regarding noise from the wind turbine operation, the wind turbine operator shall, at the wind turbine operator's expense, employ an independent consultant approved by the Planning Authority to assess the level of noise emissions from the wind turbine at the complainant's property following procedures to be agreed with the Planning Authority. The wind turbine operator shall provide to the Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information shall be provided within 28 days of the date of the written request of the Planning Authority unless otherwise extended in writing by the Planning Authority. The wind turbine operator shall take such remedial action as required by the Planning Authority.
17. Wind speed, wind direction and power generation data shall be continuously logged and provided to the Planning Authority in a format to be agreed at its request and within 28 days of such a request. Such data shall be retained by the operator for a period of not less than 12 months.
18. No development shall commence on site until details of a nominated person have been submitted in writing to the Planning Authority for the development who will act as a point of contact for local residents (in connection with conditions 13 - 17), together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with the Planning Authority in connection with any noise complaints made during the construction, operation and decommissioning of the wind turbines.
19. During the period of construction, all works and ancillary operations (including piling) 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
Saturday:	0800-1300
Sundays and public holidays:	No working
20. During the period of construction no delivery or removal of material from the site shall take place outwith the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
21. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. No further 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 sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

22. Before any further plant and machinery is used on the premises it shall be enclosed with sound insulating material in accordance with a scheme which shall first be approved in writing by the Planning Authority. The sound insulation measures shall thereafter be retained.
23. Within 14 days from the receipt of a written request from the Planning Authority or following a complaint to the Planning Authority following a complaint alleging shadow flicker nuisance, the wind turbine operator shall at the wind turbine operator's expense:
 - a) Employ an independent consultant approved by the Planning Authority to assess the conditions likely to be causing the incidences of shadow flicker to which the complaint relates.
 - b) Within 28 days of receipt of the written request from the Planning Authority, the wind turbine operator shall submit to the Planning Authority, the independent consultant's report on shadow flicker, detailing any amendments to the operation of the wind turbine necessary to mitigate any further incidences of shadow flicker, for the written approval of the Planning Authority. The turbine shall thereafter operate in accordance with the amendments to operation as approved.
24. Notwithstanding the approved plans, and prior to any works on site, a further submission which demonstrates an understanding on how the proposal enhances biodiversity beyond the current baseline shall be submitted to and approved in writing by the Planning Authority. All measures shall then be implemented as approved.