

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 23 March 2016 at 2.06 p.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jonathan McColl, Patrick McGlinchey, John Mooney, Lawrence O'Neill and Tommy Rainey.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader – Development Management; Alan Williamson, Team Leader – Forward Planning; Raymond Walsh, Network Services Co-ordinator; Karen McChesney, Lead Planner; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn and Hazel Sorrell.

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

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 24 February 2016 were submitted and approved as a correct record.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 22 February 2016, a copy of which forms Appendix 1 hereto, was submitted and noted.

## **PLANNING APPLICATION**

A report was submitted by the Head of Regeneration and Economic Development in respect of the following planning application.

### **New Application:-**

- (a) **DC15/234 - Mixed use development including residential, retail, financial/service, restaurant, public house, office, hotel, care home, health centre, assembly and leisure uses with associated car parking, access road, quay wall improvements and landscaping (Planning Permission in Principle) at Queens Quay, Cart Street by Clydeside Regeneration Limited.**

The Planning and Building Standards Manager was heard in further explanation of the report. The Lead Planner provided further background details of the application.

The Planning and Building Standards Manager, the Team Leader – Development Management and the Lead Planner were then heard in answer to Members' questions.

The Chair, Councillor O'Neill then invited Mr Paul O'Donnell from Clydeside Regeneration Limited to address the Committee. Mr O'Donnell was heard in support of the application and in answer to Members' questions.

The Committee agreed:-

- (1) that it was Minded to Grant planning permission in principle; and
- (2) that authority be delegated to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of the report, details of which are contained within Appendix 2 herewith and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure the payment of a developer contribution towards future bus services.

## **WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN**

A report was submitted by the Head of Regeneration and Economic Development providing an update on the Local Development Plan.

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Forward Planning in further explanation of the report and in answer to Members' questions, the Committee agreed to continue this item of business to the April meeting of the Committee to allow external independent advice to be sought on the legal options available with regards to the West Dunbartonshire Local Development Plan.

## **HARDGATE HALL AND ADJACENT LAND AT GLASGOW ROAD, HARDGATE**

A report was submitted by the Executive Director of Infrastructure and Regeneration provided an update on the matters detailed in the report to the November 2015 Planning Committee.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that no further direct action be taken;
- (2) that discussions continue between Council Officers and any prospective developers to ensure the site's long-term future; and
- (3) that an update report would be brought to Planning Committee in May.

## **REVIEW OF THE PLANNING ENFORCEMENT CHARTER**

A report was submitted by the Head of Regeneration and Economic Development seeking approval of the Planning Enforcement Charter.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to approve the content and the implementation of the updated Planning Enforcement Charter.

## **DRAFT PLANNING DELIVERY ADVICE: HOUSING AND INFRASTRUCTURE**

A report was submitted by the Head of Regeneration and Economic Development informing of the content of draft Planning Delivery Advice that has been prepared by the Scottish Government.

The Committee agreed that Appendix 1 to the report be this Council's response to the draft Planning Delivery Advice consultation.

The meeting closed at 3.36 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 22 FEBRUARY 2016**

**Attending:** Keith Bathgate, Team Leader – Development Management

**Apologies:** Councillors Casey, McGlinchey and Rainey

**SITE VISITS**

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

(a) Muirhouses Cottage, off Cochno Road, Hardgate

DC15/216 Siting of portacabins for use as temporary office (retrospective) at Muirhouses Cottage, off Cochno Road, Hardgate by DS Construction (Scotland) Ltd; and

DC16/013 - Erection of an agricultural building and outbuilding including associated works to form an area of hardstanding and landscaping (retrospective) at Muirhouses Cottage, off Cochno Road, Hardgate by Mr Donald Reddie.

(b) 196 Dumbarton Road, Old Kilpatrick

DC15/263 Change of use from vacant shop to hot food takeaway at 196 Dumbarton Road, Old Kilpatrick by Omar Singh Uppal.

## APPENDIX 2

**DC15/234 - Mixed use development including residential, retail, financial/service, restaurant, public house, office, hotel, care home, health centre, assembly and leisure uses with associated car parking, access road, quay wall improvements and landscaping (Planning Permission in Principle) at Queens Quay, Cart Street by Clydeside Regeneration Limited.**

**MINDED TO GRANT subject to the following conditions:-**

1. For the avoidance of doubt, Phase 1 works relate to any works associated with the spine road, road improvements, quay walls, public realm, linear park and pocket parks.
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 October 2015, and the accompanying Framework Drawing No. P(0) 003 rev E (or any subsequent amendments thereto), 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. Prior to or at the same time as the submission of the first application for the approval of matters specified in conditions for the health centre and care home (whichever comes first), a “minimasterplan” (including an integrated access and parking strategy, building design, materials, landscaping, streetscape) shall be submitted for the further approval of the Planning Authority.
6. 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.
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 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.

8. 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 make reference 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.
9. 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.
10. 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.
11. 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.
12. 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.

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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). These works shall be implemented as approved as part of the Phase 1 works to the site.
21. 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.
22. Prior to commencement of any work on the site, a Site Access and Management Plan shall be submitted providing details of the means of construction traffic entering and exiting the site. It shall include details of accesses proposed for different phases of the site and shall be implemented as approved by the Planning Authority.
23. 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.
24. 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.

25. The amount of retail floorspace permitted is 3,000m<sup>2</sup> (gross). Any unit trading primarily in convenience goods shall not exceed 1,000m<sup>2</sup>. Any unit trading in comparison goods shall not exceed 250m<sup>2</sup>. Proposals to exceed these floorspace thresholds shall be the subject of a separate planning application and retail statement for the further approval of the Planning Authority.
26. 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.

27. Any development that would create a roof area greater than 500 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".