

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Civic Space, 16 Church Street, Dumbarton on Wednesday, 16 November 2022 at 10.00 a.m.

Present: Councillors Karen Conaghan, Ian Dickson, Diane Docherty, Gurpreet Singh Johal, June McKay, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

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

Apologies: Apologies for absence were intimated on behalf of Provost Douglas McAllister and Councillor Daniel Lennie.

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 on 12 October 2022 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 10 October 2022, a copy of which forms Appendix 1 hereto, was submitted and noted, subject to the addition of Councillors Karen Conaghan and Lawrence O'Neill to the attendance list and the removal of Councillors Diane Docherty, June McKay and Chris Pollock.ⁱ ⁱⁱ

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 Planning, Building Standards and Environmental Health Manager in respect of the following planning application:-

DC20/253 - Amendment to Condition 1 of planning permission DC07/233/FUL to extend the time of the approved landfilling operation and restoration by 15 years at Auchencarroch Landfill Site, Auchencarroch Road, Jamestown, Alexandria by Barr Environmental Ltd.

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

The Chair invited Mr Neil Sutherland (Applicant's agent – Wardell Armstrong LLP) to address the Committee. Mr Sutherland was heard in respect of the application and in answer to Members' questions.

The Chair invited Mr Gavin Ramsey, on behalf of the applicant (Barr Environmental Ltd) to address the Committee. Mr Ramsey was heard in respect of the application and in answer to Members' questions.

After discussion, and having heard the Planning, Building Standards and Environmental Health Manager in further explanation and in answer to Members' questions, Councillor Lawrence O'Neill moved, seconded by Councillor Hazel Sorrell, that:

The Committee be minded to grant planning permission for the operation of the site until 30th June 2024 and completion of the final restoration by 30th June 2026 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 the satisfactory review of the extant legal agreement and conclusion of a new or updated legal agreement or other suitable mechanism to secure an increased restoration bond value.

As an amendment, Councillor Ian Dickson moved, seconded by Councillor Chris Pollock, that:

The Committee refuse planning permission on the grounds that, insufficient consideration has been given to the detriment on the surrounding roads network, other road users including pedestrians and cyclists, gas emissions that can be detected by residents on a far more frequent basis than suggested, the shortcomings in the habitat management plan as described and because promises were made to residents when this was first granted

that it was for a fixed period of time on a fixed piece of ground. The scale has already been increased but the timescale should not be.

On a vote being taken, 6 members voted in favour of the motion and 2 members voted for the amendment. The motion, was accordingly, declared carried.

LOCAL DEVELOPMENT PLAN 2 – SUPPLEMENTARY GUIDANCE

A report was submitted by the Planning, Building Standards and Environmental Health Manager advising of the outcome of consultation on draft Supplementary Guidance and seeking approval of finalised version of the Guidance.

After discussion and having heard the Team Leader, Development Planning and Place in further explanation and in answer to Members' questions, the Committee agreed to approve the finalised versions of Supplementary Guidance as set out in the following Appendices of the Report:-

- Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (Appendix 1)
- Creating Places (Appendix 3)
- Green Network and Green Infrastructure (Appendix 5)

PLANNING APPEAL DECISION – COFFEE SHOP WITH DRIVE -THROUGH, MORRISONS CAR PARK, 36 GLASGOW ROAD, DUMBARTON

A report was submitted by the Planning, Building Standards and Environmental Health Manager, advising that an appeal relating to a Committee decision to refuse planning permission for a drive-through coffee shop on part of the Morrisons supermarket car park, 36 Glasgow Road, Dumbarton, has been dismissed, as has the appellant's claim for expenses.

After discussion and having heard the Team Leader, Development Planning and Place in further explanation and in answer to Members' questions, the Committee agreed to note the outcome of the appeal.

The meeting closed at 10.44 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 10 OCTOBER 2022

Present: Councillors Diane Docherty, Gurpreet Singh Johal, June McKay and Chris Pollock

Attending: Pamela Clifford - Planning, Building Standards and Environmental Health Manager

SITE VISITS

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

Farm Road, Duntocher, Clydebank by BDW Trading Ltd.

DC22/049/MS C - Approval of matters specified in conditions 1, 3, 5 and 7 of PPI P approval DC19/203 for the erection of 99 dwelling houses, formation of access, landscaping, open space, SUDS and associated infrastructure.

Former Our Lady and St Patrick's High School site, Hawthornhill Road, Dumbarton by Persimmon Homes

DC22/072/FUL – Residential development, landscaping and associated infrastructure

DC07/233/FUL to extend the time of the approved landfilling operation and restoration by 15 years at Auchencarroch Landfill Site, Auchencarroch Road, Jamestown, Alexandria by Barr Environmental Ltd.

GRANT planning permission subject to the following conditions:-

- (1) The development hereby permitted shall ensure for the benefit of the applicant only with the approved landfill operations to be completed by 30th June 2024 and the final restoration of the site by 30th June 2026 unless otherwise agreed in writing by the Planning Authority.
- (2) At all times during the lifetime of this permission, the landfill operations on site, the operational conduct of the site and the restoration of the site shall be undertaken as indicated in the Environmental Impact Assessment dated November 2020 together with all supporting documentation, plans and details that forms part of this application. For the avoidance of doubt, the landfill operations shall be undertaken and completed progressively as approved.
- (3) Except in the case of emergency the hours of working of the site shall be restricted to between the hours of 7.30am to 5.00pm Monday to Saturday only and not on a Sunday or on a recognised Public Holiday in West Dunbartonshire without the prior written approval of the Planning Authority with the exception of essential site maintenance and the maintenance of plant and machinery. Access to and exit from the site shall be by way of Auchencarroch Road.
- (4) The number of deliveries of landfill material to the site shall not exceed 116 in any one working day.
- (5) The site operator shall be responsible for the maintenance of a vehicle register log book of all deliveries to the site which shall be available for inspection by the Planning Authority upon request at any time.
- (6) The applicant shall be responsible for the collection and disposal of any windblown material emanating from the area of infill or deposited from vehicles on or around Auchencarroch Hill and Auchencarroch Road.
- (7) No burning of materials in connection with the infilling operations shall take place on or adjoining the site.
- (8) That within 8 weeks of the date of this permission, the applicant shall undertake a review of external lighting of the site and shall submit full details setting out how the impact of external lighting on the site shall be minimised in the landscape. For the avoidance of doubt this shall include full details of all existing and lighting at the site, details of the hours of illumination, location, height, angles, power rating, projection and any hoods or baffles to direct light. Any amendments of recommendations in relation to external lighting

shall be fully implemented within 8 weeks of the date the details are agreed in writing by the Planning Authority.

- (9) The annual monitoring on the progress of the mitigation areas shall be carried out as required by the Habitat Management Plan and by the applicant or by any person engaged by them. An annual report will be made available to the Technical Working Group at least 3 weeks prior to the formal review meeting of that Group and the annual monitoring report shall be approved by the Planning Authority.
- (10) The approved Habitat Management Plan dated July 2008 shall continue to be fully implemented in connection with the operation of the site.
- (11) All advance works, including habitat translocation to receptor areas for landfill restoration shall take place outside the bird nesting season (March to July inclusive) unless a checking survey confirms the absence of nests. The checking survey shall be carried out at a time and approved in advance by the Planning Authority.
- (12) All diversions of watercourses shall follow the details approved in respect of condition 18 of planning permission DC07/233/FUL.
- (13) The access track which runs partly through the active landfill and links up with the track leading to Paper Muir and the western edge of the commercial forestry plantation shall not be used for the export of timber without the prior written approval of the Planning Authority.
- (14) On completion of the landfill operations, except in so far as may be required for leachate and gas monitoring, the site shall be cleared of all buildings, plant and machinery with details of the phasing of this to be submitted for the approval of the Planning Authority prior to the cessation of landfill operations on site.
- (15) Appropriate measures to prevent mud, dirt, dust, slurry or stones being carried onto the highway shall be taken and such steps shall include the provision and the use of hard standing areas and a wheel wash facility for the cleaning of all lorries, dump trucks, other heavy vehicles and plant leaving the site.
- (16) The access road and public road adjacent to the site shall be kept clear of mud or other deposited materials at all times by means of mechanical brushing.
- (17) All road vehicle transporting waste to site shall be suitably covered/happed to ensure there is no escape of materials. Where appropriate, vehicles leaving the site shall also be happed to minimise traffic noise associated with empty vehicles.

- (18) Soils to be imported to the site shall share similar profile characteristics as the soil structure currently on site. Topsoil and sub-soil shall only be stripped when the soils are sufficiently dry so that when moved, no damage will be done to the structure of the soils. Apart from the works required to enclose the site, no operations shall be carried out until the topsoil is fully stripped and stored in the designated areas within the site.
- (19) Topsoil shall be stripped to full available depth from all areas within the site except those areas designated in the approved plans as topsoil dumps. Following topsoil stripping operations from any areas of land, sub-soil shall be stripped as a separate operation to a depth, where possible, to achieve topsoil and sub-soil not less than 0.9 metre at restoration.
- (20) Topsoil and sub-soil shall be carefully stored in separate dumps and prevented from mixing. Topsoil dumps shall not exceed 5 metres in height. Topsoil dumps and sub soil dumps shall be evenly graded and tops shaped to prevent water ponding. Sub-soil dumps shall not exceed 8 metres in height.
- (21) In the first available seeding season following their formation, all mounds of topsoil, sub-soil and soil making materials shall be seeded in grass and shall be so maintained until the soils are required for use in the restoration of the site except as may be otherwise agreed with the Planning Authority.
- (22) All water treatment areas and settlement lagoons shall be enclosed by a one metre high stock-proof fence and shall be implemented prior to any significant soil stripping.
- (23) Appropriate precautions shall be taken to prevent the discharge of oil from fuelling, oil storage, plant maintenance and vehicle wash areas within the site.
- (24) Dust monitoring shall be routinely carried out by the applicant and undertaken using appropriate equipment and recording devices. The results and records shall be made available to the Planning Authority on a monthly basis during the operational life of the site.
- (25) Noise monitoring programme shall be undertaken during the operational life of the site using appropriate equipment and recording devices, the results of which shall be made available to the Planning Authority on a monthly basis.
- (26) The total waste landfilled on site shall not exceed 225,000 tonnes (net) per year.

ⁱ As corrected at Meeting of the West Dunbartonshire Planning Committee on 14 December 2022