

## **PLANNING COMMITTEE**

At a Hybrid Meeting of the Planning Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 8 June 2022 at 10.22 a.m.

**Present:** Councillors Karen Conaghan, Ian Dickson, Diane Docherty, Gurpreet Johal, Daniel Lennie, 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; Gillian Neil, Biodiversity Officer; Nigel Ettles, Section Head – Litigation (Legal Officer); Ashley McIntyre and Nicola Moorcroft, Committee Officers.

**Apologies:** An apology for absence was intimated on behalf of Provost Douglas McAllister.

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

### **DECLARATIONS OF INTEREST**

Councillor Lawrence O'Neill declared a personal interest in Item 5c (DC22/052/FUL – Installation of decking (Retrospective)), stating that family members had previously owned this property, was not involved in the sale of the property and it was his intention to remain in the meeting during consideration of this item.

### **RECORDING OF VOTES**

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

### **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:-

**DC21/178/ADV – Range of advertisements include fascia signs and freestanding 8m high double sided pole sign (associated with proposed coffee shop and drive-thru facility subject to application DC21/176/FUL) at Morrison's Supermarket 36 Glasgow Road, Dumbarton, G82 1QZ by Trilogy (Leamington Spa) 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 Mike Powell, on behalf of the applicant, to address the Committee. Mr Powell was heard in respect of the application and in answer to Members' questions.

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

- to grant advertisement consent subject to the condition set out in Section 9 of the report, as detailed within Appendix 1 hereto.

**DC21/217/FUL – Development of a Plastics to Hydrogen Facility, Hydrogen Vehicle Refuelling Station and Associated Infrastructure and Landscaping at Vacant Land At Rothesay Dock, Cart Street, Clydebank by AXIS PED.**

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 Donald Anderson, Richard Barker and Laura Mackey, on behalf of the applicant, to address the Committee. Mr Anderson, Mr Barker and Ms Mackey were heard in respect of the application and in answer to Members' questions.

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

- 1) to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto;
- 2) that a detailed phasing programme be submitted to the Planning Authority prior to commencement of the development on site ; and;
- 3) that any flaring is completed during the hours of darkness, at times agreed, in consultation with West Dunbartonshire Council Environmental Health and Glasgow Airport.

**DC22/052/FUL – Installation of decking (Retrospective) at No. 144 Mirren Drive, Duntocher, Clydebank, G81 6LD.**

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 Laura McCormick, objector, to address the Committee. Ms McCormick was heard in support of her objections and in answer to Members' questions.

The Chair then invited Christine Shields (applicant) to address the Committee. Ms Shields was heard in support of the application and in answer to Members' questions.

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

- to grant full planning permission.

**DC21/138/FUL – Residential development 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.**

The Planning, Building Standards and Environmental Health Manager was heard in further explanation of the report and in answer to Members' questions. and Matt McPhee (Anderson Bell and Christie, Architects) in answer to Members' questions, the Committee agreed:

- 1) to grant full planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 4 hereto: and additional condition
- 2) notwithstanding the submitted details, the size, design and siting of fibre/telecommunication cabinets and salt/grit bins shall be submitted to and approved by the Planning Authority and shall be implemented within a timescale agreed by the Planning Authority.

**FELLING OF TREES WITHIN BRUCEHILL CLIFFS TREE PRESERVATION AREA**

. Reference was made to a site visit that had been undertaken in respect of the above matter. The Development Planning and Place Team Leader was heard in further explanation of the report regarding tree felling within the Brucehill Cliffs Tree Preservation Order area and seeking agreement of replanting/landscaping proposals for the affected area.

The Chair invited Lynsey Breen in further explanation of the tree felling. Ms Breen was then heard in answer to Members' questions.

The Chair then invited Cathy Hunter (objector) to address the Committee. Ms Hunter, was heard in support of her objections and in answer to Members' questions.

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

- 1) to note the replanting/landscaping proposals attached as Appendix 3 to the report;
- 2) to agree the additional condition for planning application DC21/211 in Appendix 2 to the report with an adjustment for phasing; and that, in discussion with West Dunbartonshire Council and Miller Homes a heavy standing tree is planted within the vicinity of the new properties and close to boundary, to replace the felled mature sycamore.

#### **APPEAL NOTICE OF INTENTION – DC02/447: EXTENSION TO QUARRY, SHEEPHILL QUARRY, MILTON, DUMBARTON**

A report was submitted by the Chief Officer – Regulatory and Regeneration, providing an update regarding the appeal decision for the above application, and further information relevant to the Review of Minerals Permission application (ROMP) and the Scheduled Monuments Permission.

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

- to note the intended outcome of the appeal and current situation regarding the ROMP and Scheduled Monument Consent.

#### **STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT FORMER BOWLING GREEN JOHN KNOX STREET CLYDEBANK**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval to allocate one street name within the new housing development at former Bowling Green, John Knox Street, Whitecrook, Clydebank

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

- that Pavillion Court be the street name allocated.

## **DEVELOPER CONTRIBUTIONS**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking agreement for a process to report and allocate developer contributions received through the planning system.

After having heard the Team Leader, Development Planning and Place in further explanation, the Committee agreed:-

- 1) the proposed procedures for managing developer contributions as set out in Appendix 1 of the report ; and
- 2) the criteria for the allocation of developer contributions towards green network and green infrastructure projects/enhancement as set out in Appendix 2 of the report.

## **FRONTIERS OF THE ROMAN EMPIRE (ANTONINE WALL) WORLD HERITAGE SITE SUPPLEMENTARY GUIDANCE**

A report was submitted by the Chief Officer – Regulatory and Regeneration, seeking approval to consult on the draft Supplementary Guidance (SG) relating to the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site.

After having heard the Planning, Building Standards and Environmental Health Manager in further explanation, the Committee agreed:-

- to approve the publication of the Draft Frontiers of the Roman Empire (Antonine Wall) World Heritage Site Supplementary Guidance for consultation.

The meeting closed at 1.05 p.m.

## **APPENDIX 1**

**DC21/178/ADV – Range of advertisements include fascia signs and freestanding 8m high double sided pole sign (associated with proposed coffee shop and drive-thru facility subject to application DC21/176/FUL) at Morrison's Supermarket 36 Glasgow Road, Dumbarton, G82 1QZ by Trilogy (Leamington Spa) Ltd.**

**GRANT advertisement consent subject to the following conditions:-**

1. The proposed banners framed advertisements – Item M, as presented in drawing “Costa Coffee Drive Thru Dumbarton, Glasgow Road – Pack Revision 3”, shall be removed from site within 6 months of the date of opening of the associated drive-thru coffee shop premises.

**DC21/217/FUL – Development of a Plastics to Hydrogen Facility, Hydrogen Vehicle Refuelling Station and Associated Infrastructure and Landscaping at Vacant Land At Rothesay Dock, Cart Street, Clydebank by AXIS PED.**

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

1. Unless otherwise agreed in writing, no development shall commence on site until such time as full details of the design and location of all walls and fences to be erected on site have been submitted to and approved in writing by the Planning Authority, and these shall thereafter be implemented as approved.
2. Unless otherwise agreed in writing, no development shall commence on site until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority, and these materials shall thereafter be implemented as approved.
3. Unless otherwise agreed in writing, no development shall commence on site until such time as full details of all hard surfaces have been submitted to and approved in writing by the Planning Authority, and these shall thereafter be implemented as approved.
4. Unless otherwise agreed in writing, no development shall commence on site until such time as a landscaping scheme for the boundaries of the site has been submitted to and approved by the Planning Authority. Such scheme shall take account of BAA Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design', and shall include details of the maintenance arrangements. The approved landscaping shall thereafter be implemented not later than the next appropriate planting season after the opening of the facility (or, in the case of landscaping which serves a noise attenuation function, not later than the opening of the facility), and the landscaping shall thereafter be maintained in accordance with the approved arrangements.
5. Unless otherwise agreed in writing, no development shall commence on site until such time as details of a pedestrian/cycle crossing facility on Dock Street for use by persons using the cycle track along the former railway line have been submitted to and approved in writing by the Planning Authority. Such crossing shall be completed prior to the opening of the facility.
6. 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 of the site (irrespective of whether this contamination originates on the site);

- b) An assessment of the potential risks 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 strategy based on the preferred option.
7. No development (other than investigative works) shall commence on site until 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 its management procedures. The scheme shall ensure that upon completion of the remediation works of the site will not qualify as contaminated land under Environmental Health Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
8. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that requiring to carry out the 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 Local Planning Authority.
9. The presence of any previously unencountered 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 affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to, and approved in writing by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.



10. 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 in writing by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale with the Planning Authority. 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.
11. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used, in addition to this and in accordance with BS3882:2015 and BS8601:2013, materials to be used in the top 300mm shall also 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 on the source of the material and appropriate test results to demonstrate its suitability for use.
12. Prior to the commencement of development on site, details of the Sustainable 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 the contaminants present on the site are not mobilised and that pollution pathways are not created. The SuDS shall thereafter be formed and maintained on site in accordance with the approved details prior to development
13. Unless otherwise agreed in writing, deliveries shall take place between 0700 hours and 1900 hours and HGV vehicles shall visit the site hydrogen refuelling station only between 0700 hours and 2300 hours.
14. Unless otherwise agreed in writing, no development shall commence on site until a noise mitigation strategy as noted in Section 7.10 of the Noise Impact Assessment (25<sup>th</sup> June 2021) has been submitted to, and approved in writing by the Planning Authority and any measures arising from the approved strategy shall be implemented as approved.
15. Upon completion of the development hereby approved an independently sourced 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.

16. Unless otherwise agreed in writing, 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 particular 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.
17. During the period of construction, all works and ancillary operations which are audible, at the site boundary (or at such other places(s) as may first be agreed in writing within the Planning Authority), shall be carried out between the following hours unless otherwise agreed in writing by the Planning Authority:
- |                              |            |
|------------------------------|------------|
| Monday to Fridays:           | 0800-1800  |
| Saturdays:                   | 0800-1300  |
| Sundays and public holidays: | No working |
18. 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 the impact on the piling on surrounding properties, taking into account the guidance contained in BS6472:1992 "Evaluation of Human Response to Vibration in Buildings". It shall detail any procedures, which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
19. Unless otherwise agreed in writing no development shall commence on site, until an external lighting scheme shall be submitted to and approved in writing by the Planning Authority. The scheme shall take into account all of the lighting needs associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task, it shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the sky and to avoid dazzle of distract drivers on nearby road.

The scheme shall include:

- A statement settling out and justifying why the lighting scheme is required
- A report, prepared by a lighting engineer setting out the technical details of the luminaries and columns, including their location, type, shape, dimensions and expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.

- A plan illustrating illuminance levels across the development site and at the boundary of the site. The level of illuminance shall be appropriate to the character of the surrounding area as a whole. Four environmental zones are internationally recognised, and the design will require to show that control of overspill light is limited to the level required by the particular environmental setting.
- A plan illustrating illuminance levels beyond the boundary or the site, together with the downward light output ratio of the lights.
- A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimising the day and night-time visual impact of the installation.
- An operational statement, the purpose of which is to ensure that the developer and the lighting designer have considered operational regimes that can provide energy savings.
- Details of the proposed hours of operation (unless explicitly agreed in writing, all external lighting luminaires shall be turned off during daylight hours and when not actively required).

Applicants should have regard to the guidance document “Controlling light pollution and energy consumption” produced by the Scottish Executive (March 2007).

20. Unless otherwise agreed in writing, no development shall commence on site 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 any flat/shallow pitched/green roofs on buildings 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. The Bird Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the lifetime of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.

## **APPENDIX 3**

**DC22/052/FUL – Installation of decking (Retrospective) at No. 144 Mirren Drive, Duntocher, Clydebank, G81 6LD.**

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

None

**DC21/138/FUL – Residential development 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.**

**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 dwellings/flats 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) Ibstock Arden Weathered Grey, ii) Ibstock Himley Ebony Black, and iii) a glazed black brick. Full details the proposed glazed black brick and its exact location for use on the buildings shall be submitted to and agreed by the Planning Authority prior to works commencing on site. 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](http://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 30<sup>th</sup> 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.