

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held by Video Conferencing on Wednesday, 10 February 2021 at 10.00 a.m.

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

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management; John Walker, Assistant Engineering Officer, Roads & Transportation; Nigel Ettles, Section Head – Litigation (Legal Officer) and Craig Stewart, Committee Officer.

Councillor Jim Finn in the Chair

### **CHAIR'S REMARKS**

Councillor Finn, Chair, welcomed everyone to the February meeting of the Planning Committee which was being held remotely, in terms of Section 43 of the Local Government in Scotland Act 2003.

Accordingly, the Chair advised that a process/procedure had been developed for the meeting (a copy of which had previously been circulated to Members). Thereafter, the Committee agreed to note the procedure in place for the conduct of the meeting and the meeting then continued by video conferencing.

### **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 13 January 2021 were submitted and approved as a correct record. It was acknowledged that Bailie Agnew had declared an interest in Item 6(b) 'Planning Application DC20/201' on the agenda and that he had left the meeting during consideration of the item.

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

**DC20/241 – Proposed residential development comprising 76 dwellings with associated car parking and landscaping at former Council offices, Garshake Road, Dumbarton by Miller Homes.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Team Leader – Development Management was then heard in further explanation of the report.

Councillor Finn, Chair, invited Mr & Mrs Love and Mr Barry Neil, objectors, to address the Committee. All were heard in respect of their representations.

The Chair then invited Mr Tom Cahill and Mr Paul Macari, applicant, to address the Committee and both were heard in respect of their representations and in answer to Members' questions.

After consideration and having heard the Team Leader – Development Management in clarification of certain matters and in answer to Members' questions, the Committee agreed to indicate that it was minded to grant planning permission and that authority be delegated to issue the decision to the Planning, Building Standards and Environmental Health Manager subject to the conditions set out in Section 9 of the report, as detailed within the Appendix hereto, and such other conditions as may arise from the outstanding consultation with SEPA.

The meeting closed at 11.12 a.m.

## APPENDIX

**DC20/241 – Proposed residential development comprising 76 dwellings with associated car parking and landscaping at former Council offices, Garshake Road, Dumbarton by Miller Homes.**

**Minded to Grant planning permission and that authority be delegated to issue the decision to the Planning, Building Standards and Environmental Health Manager subject to the following and such other conditions as may arise from the outstanding consultation with SEPA:-**

1. For the avoidance of doubt the approved development materials comprise of; i) Wienerberger Anglesey Weathered Buff brick, ii) Marley Modern Smooth Grey mock Bond or Marley Modern Old English Dark Red, iii) Hardiplank Soft Green and Boothbay Blue and iv) render colour Essno White Chip or Tuscan as detailed on drawing no. GAR/SK-01 Rev R (Site Layout). Any variation to this specification shall be agreed with the Planning Authority prior to works commencing and the works shall thereafter be completed in accordance with the approved details unless otherwise agreed by the Planning Authority.
2. The development hereby approved shall be constructed in accordance with the finished site levels and finished floor levels as shown on approved plan - drawing no.20057-SK-02,Site Levels (amendment date 18\_1\_2021). Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.
3. The soft landscaping arrangements approved on drawings titled 'landscape proposal sheets 1-3' and the associated planting schedule shall be implemented prior to the occupation of the 40<sup>th</sup> dwelling or no later than the next available planting season after the occupation the 40<sup>th</sup> dwelling. 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 be subject to a landscape maintenance schedule to be submitted to and agreed by the Planning Authority in writing. The landscape works shall be maintained in accordance with the approved landscape maintenance schedule details for the lifetime of the development unless otherwise agreed by the Planning Authority.
4. The play area and associated equipment hereby approved shall be installed prior to the occupation of the 40<sup>th</sup> dwelling. Thereafter the play area shall be maintained and retained for the lifetime of the development.
5. No house shall be occupied within the site until the vehicle parking spaces and/or detached garage (where applicable) associated with that house unit have been constructed provided within the site in accordance with approved plan - drawing no GAR/PK-01.). 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.

6. 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.
7. Prior to the occupation of the first house within the site, the developer shall install the necessary infrastructure to enable the full development and all associated properties to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.
8. 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.
9. During the period of construction, all external works including piling and ancillary operations shall be carried out between the following hours and at no other time, unless otherwise agreed in writing by the Planning Authority:

Mondays to Fridays : 0800 – 1800

Saturdays: 0800 – 1300

Sundays and public holidays: No working.

10. 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.
11. 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.

12. No development (other than investigative work) shall take place until such time as a comprehensive site investigation completed by a suitably qualified person has been carried out to the appropriate Phase level and submitted to and approved in writing by the Planning Authority. If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model shall be formalised and these linkages shall be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages will require to be submitted. If the risk assessment identifies any unacceptable risks, a detailed remediation strategy/plan shall be submitted to and approved in writing by the Planning Authority and implemented as approved.
13. If required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the above scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed by the Planning Authority. 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.
14. In the event that contamination, which has not previously been identified and assessed, becomes evident at any time during the development of the site, it shall be reported in writing to the Planning Authority within 1 week. If such contamination can be dealt with without departing from the principles and outcome of an already approved remediation strategy then works can continue on the affected part of the site. If the contamination would result in a departure from the principles and outcome of the approved remediation strategy and if requested by the Planning Authority, works shall cease and/or an investigation and risk assessment shall be undertaken and an amended remediation strategy shall be submitted to the Planning Authority for approval. The amended remediation strategy, once approved in writing by the Planning Authority, shall be implemented as approved prior to the recommencement of works in the affected area. If there is a requirement to either re-use site won material or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall be free from metals, plastic, wood, glass, tarmac, paper and odours. Prior to placement of any of the material, the developer shall submit a validation report for the approval in writing of the Planning Authority and it shall contain details of the source of the material and associated test results to demonstrate its suitability for use. Thereafter the development shall be undertaken in accordance with the approved details.
15. Should piling works be required these shall not 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.

16. Prior to the commencement of development on site details of a Sustainable Urban Drainage System (SUDS) and its required maintenance schedule, in accordance with CIRIA's SUDS Design Manual shall be submitted to and approved in writing by the Planning Authority. The approved SUDS shall be completed and maintained in accordance with the approved plans and shall be retained for the lifetime of the development.
17. No work shall commence on site until the retaining wall along the site's eastern boundary with properties in McGregor Drive shall be resurveyed and the findings submitted to the Planning Authority. Thereafter the applicant shall submit, for the written approval of the Planning Authority a schedule of remedial works to be carried out in accordance with a timescale to be agreed by the Planning Authority.
18. Unless otherwise agreed by the Planning Authority all trees to be retained as identified on plan title 'Retained, removed and proposed trees' (received 10<sup>th</sup> December 2020) shall have tree protection fencing installed in accordance with BS 5387 (2012) prior to works commencing on site and this shall be retained for the construction phase unless otherwise agreed with the Planning Authority. In addition there shall be no storage of materials within the root protection areas of those retained trees.
19. Prior to work commencing on site details of a lighting scheme for the site including all footpaths within the site shall be submitted for the written approval of the Planning Authority. The works shall be carried out in accordance with the approved scheme and fully implemented within a timescale to be agreed with the Planning Authority. The lighting scheme shall be retained for the lifetime of the development.
20. Prior to the construction of any buildings on site, a plan of the public footpath that runs along the length of the south of the application site and an accompanying schedule of works for the upgrading and resurfacing of this section of the footpath shall be submitted to and agreed in writing by the Planning Authority. Thereafter, and unless as may otherwise be agreed in writing by the Planning Authority, the works shall be carried out in full accordance with the approved plan and schedule of works before any houses approved as part of the development are occupied.