

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Council Chambers, Council Offices, Garshake Road, Dumbarton on Wednesday, 21 March 2018 at 10.13 a.m.

**Present:** Bailie Denis Agnew and Councillors Jim Brown, Gail Casey, Karen Conaghan, Diane Docherty, Jim Finn, Marie McNair, John Mooney and Lawrence O'Neill.

**Attending:** Peter Hissett, Strategic Lead – Regulatory; Pamela Clifford, Planning & Building Standards Manager; Erin Goldie, Team Leader – Development Management; Raymond Walsh, Interim Roads & Transportation Manager; Antony McGuinness, Team Leader – Forward Planning; James Hall, Policy Planning Officer; Bernard Darroch, Lead Planning Officer; Sarah Hamill, Contaminated Land Officer; Nigel Ettles, Section Head – Litigation and Craig Stewart, Committee Officer.

**Also Attending:** Michael McGuinness, Economic Development Manager and Marnie Ritchie, Regeneration Coordinator.

**Apology:** An apology was intimated on behalf of Councillor Douglas McAllister.

**Councillor Jim Finn 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 MEETINGS**

The Minutes of Meetings of the Planning Committee held on the following dates were submitted and approved as correct records:-

- (1) 21 February 2018 (Ordinary Meeting); and
- (2) 26 February 2018 (Special Meeting).

## 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 Strategic Lead – Regulatory in respect of the following planning applications:-

- (1) **DC17/140 – Mixed use development incorporating a football stadium and associated uses (including restaurant, hospitality and function suites), residential development, commercial and tourism development, floodlit sports pitches, access, parking, and landscaping etc. at Land at Young's Farm, Renton Road, Dumbarton by DFC Community Stadium Company Ltd.**

The Planning & Building Standards Manager was heard in further explanation of the report. The Committee were advised that a total of 28 representations had been submitted, comprising of 18 in support and 10 in objection to the proposal. The Committee were also advised that the match day analysis had been submitted on the afternoon of 19 March 2018 and both the Roads and Planning Service had not had an opportunity to review it. This new information also raised planning procedure matters which would require to be addressed and, therefore, the Committee were further advised that the submitted match day analysis information did not form part of the application under consideration.

The Chair invited Mrs Rose Harvie, on behalf of Silverton & Overtoun Community Council; Mr Kenneth Goodwin, Mr Jack Fordy, on behalf of Bonhill & Dalmonach Community Council; Mr Edward Barrett; Mr James Fraser and Mr Jim Turner to address the Committee. All were heard in respect of their representations in regard to the application.

The Chair then invited Mr Roddie MacLeod, Montagu Evans, agent for the applicant, Mr Michael Summer, Penny Lochhead and Ian Wilson, applicant, to address the Committee. All were heard in support of the application and were heard in answer to Members' questions.

At this point in the proceedings, the Chair invited Councillor Jonathan McColl (Councillor McColl intimated that he was participating as an individual and not as a Councillor and that he would be declaring an interest and would refrain from voting on the application when it was considered at the March Council meeting); Colin Hosie, Dumbarton Football Club; Sandy Wilson, Chivas Bros.; Andrew Gilchrist, SFA; Kevin McIntyre and Gerry Docherty, Local clubs to address the Committee. All were heard in respect of their representations in regard to the application.

## ADJOURNMENT

After hearing Councillor Finn, Chair, the Committee agreed to adjourn at 12.11 p.m. to allow for a short comfort break.

The meeting reconvened at 12.26 p.m. with all those Members shown on the sederunt in attendance.

After consideration and having heard the Planning & Building Standards Manager and the Interim Manager - Roads and Transportation in answer to Members' questions, Councillor O'Neill, seconded by Councillor Mooney, moved:-

That the Committee agree to refer the application to the full Council for determination, expressing the provisional view that planning permission should be granted in principle.

As an amendment, Bailie Agnew, seconded by Councillor McNair, moved:-

That Committee agrees to refer the application to the full Council for determination, expressing the provisional view that the application should be refused for the reasons set out in Section 9 of the report.

On a vote being taken, 6 Members voted for the amendment and 3 for the motion. The amendment was accordingly declared carried.

- (2) **DC17/293 – Change of use of former school site to public open space including construction of footpath network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures at the former St Eunan's primary school site, Melfort Avenue, Clydebank by West Dunbartonshire Council.**

The Planning & Building Standards Manager was heard in further explanation of the report.

During the course of discussion on the application, Mr Michael McGuinness, Economic Development Manager and Ms Sarah Hamill, Contaminated Land Officer, were heard in explanation of certain matters.

After discussion, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report as detailed within the Appendix hereto and to an additional condition that prior to the commencement of the community park, an investigation of possible leaching of contamination from the site into the lane, to the rear of the terraced row of residential properties to the immediate south of the site, shall be submitted to and approved in writing by the Planning Authority and any necessary actions

arising from the discovery of leachates from the investigation shall be agreed with the Planning Authority.

Note: Councillors Casey and O'Neill left the meeting during consideration of the above item.

### **STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT THE FORMER BONHILL PRIMARY SCHOOL SITE, BONHILL**

A report was submitted by the Strategic Lead – Regulatory seeking approval for a new street name for the housing development site on land at the former Bonhill Primary School site.

The Committee agreed that Old School Place be approved as the preferred street name for this development.

### **STREET NAMES FOR NEW HOUSING DEVELOPMENT SITE AT LOMONDGATE AREA 5 BY TAYLOR WIMPEY UK LTD.**

A report was submitted by the Strategic Lead – Regulatory seeking approval for new street names for the housing development site at Lomondgate Area 5, Dumbarton.

The Committee agreed that Glen Orchy Crescent, Glen Etive Gardens and Glenalmond Place be approved as the street names for this development.

### **LOCAL DEVELOPMENT PLAN 2: MAIN ISSUES REPORT CONSULTATION RESPONSES**

A report was submitted by the Strategic Lead – Regulatory informing of the responses received to the Main Issues Report consultation exercise and advising on the next steps

The Committee agreed to approve the Council's response to the representations received and agreed to the recommended next steps for the Proposed Plan.

The meeting closed at 1.11 p.m.

## APPENDIX

**DC17/140 – Mixed use development incorporating a football stadium and associated uses (including restaurant, hospitality and function suites), residential development, commercial and tourism development, floodlit sports pitches, access, parking, and landscaping etc. at Land at Young's Farm, Renton Road, Dumbarton by DFC Community Stadium Company Ltd.**

**REFER the application to the full Council for determination, expressing the provisional view that the application should be refused for the following reasons:-**

1. The site is in the green belt and the development is not in accordance with Policy 14 and Box 2 of Diagram 10 in Clydeplan as no further sites are required to be allocated in order to fulfil the housing land supply targets within West Dunbartonshire.
2. The site is in the green belt and remote from the existing urban area. It is an inappropriate location for housing development and the proposal is therefore contrary to the principles of Scottish Planning Policy.
3. The site is remote from the existing urban area and is contrary to policies GB1, RD1, H2 GD1, R3, E9, T1 and T4 of the adopted West Dunbartonshire Local Plan 2010 in terms of being housing in the green belt. It is an inappropriate location and would set an unacceptable precedent for the release of further housing land within the green belt.
4. There is no requirement for additional green belt land to be identified to meet the strategic housing requirement. The proposal is therefore contrary to policies DS2, DS3, BC1, BC2 and GN4 of the West Dunbartonshire Local Development Plan (Proposed Plan) in terms of housing development in the green belt which is an inappropriate location and would set an unacceptable precedent for the release of further housing land within the green belt.
5. The proposal is not in accordance with the specific requirements of the relevant 'Changing Place' section contained within the West Dunbartonshire Local Development Plan (Proposed Plan).
6. The development site is remote and is not easily accessible by active travel or sustainable means of transport and insufficient information has been submitted to demonstrate that the existing road network can accommodate the development. The proposal is therefore contrary to policies T1 and T4 of the adopted West Dunbartonshire Local Plan 2010 and policy DS3 of the West Dunbartonshire Local Development Plan (Proposed Plan).

**DC17/293 – Change of use of former school site to public open space including construction of footpath network, installation of play and leisure equipment, biodiversity landscaping, community garden with associated parking and ancillary structures at the former St Eunan’s primary school site, Melfort Avenue, Clydebank by West Dunbartonshire Council.**

**Permission GRANTED subject to the following conditions, and an additional condition that prior to the commencement of the community park, an investigation of possible leaching of contamination from the site into the lane, to the rear of the terraced row of residential properties to the immediate south of the site, shall be submitted to and approved in writing by the Planning Authority and any necessary actions arising from the discovery of leachates from the investigation shall be agreed with the Planning Authority:-**

1. 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 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  
Saturdays: 0800-1300  
Sundays and public holidays: No working
2. No commercial vehicle making deliveries to or collecting material from the development shall enter or leave the site before 08:00 or after 18:00.
3. No development shall take place on site until such time as details (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and columns types/colours) of the floodlights have been submitted to and approved in writing by the Planning Authority. The floodlights shall then be implemented in accordance with the approved details and shall thereafter be maintained. Any subsequent changed to their position or specification shall be subject to the prior written approval of the Planning Authority.
4. 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.

5. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development 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 Planning Authority.
6. 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.
7. 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 shall thereafter be formed and maintained on site in accordance with the approved details prior to development on site.
8. Prior to the car park being brought into use, the existing vehicular access to the former school shall be altered as necessary to conform to fig.9 of the SCOTS 'National Roads Development Guide' (NRDG) 2014 (as amended).
9. Prior to the community garden being brought into use, 6 parking spaces (one for disabled use) shall be constructed, surfaced and delineated on site.
10. Prior to the commencement of development on site, details of cycle parking at points of interest within the park shall be submitted to the Planning Authority for approval and shall be implemented as approved.
11. Prior to the commencement of development on site, appropriate measures to ensure that surrounding roads remain free of deleterious material at all times shall be implemented.