

## **PLANNING COMMITTEE**

At a Special Meeting of the Planning Committee held by video conference on Wednesday, 28 June 2021 at 10.31 a.m.

**Present:** Bailie Denis Agnew and Councillors Gail Casey, Ian Dickson, Diane Docherty and Jim Finn.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Nigel Ettles, Section Head – Litigation (Legal Officer); Scott Kelly and Gabriella Gonda Committee Officers.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Karen Conaghan, Daniel Lennie and Jonathan McColl.

**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.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 21 June 2021, a copy of which forms Appendix 1 hereto, was submitted and noted.

### **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:-

- (a) **DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited.**

Reference was made to a site visit which had been undertaken in respect of the above application.

Having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report, the Committee agreed to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto.

- (b) **DC21/012/FUL: Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank by KMC Tyres & Recovery Ltd.**

Having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report and in answer to Members' questions, Councillor Finn, Chair, invited Ms Amy Ramage and Tracey Hogarth, objectors, to address the Committee. Ms Ramage and Ms Hogarth were heard in respect of their representations

The Chair then invited Mr Euan Pearson, agent for the applicant, to address the Committee and he was heard in support of the application and in answer to Members' questions.

After consideration and having heard the Planning, Building Standards and Environmental Health Manager in clarification of certain matters and in answer to Members' questions, the Committee agreed:-

- (a) The proposed development would result in the introduction of a type of use that would be out of character with the surrounding area and would have a significant detrimental impact on the amenity and appearance of the surrounding area and would not be compatible with adjacent residential uses. The proposal is unacceptable and contrary to Policy H5 of the adopted West Dunbartonshire Local Plan (2010), Policy BC4 of Local Development Plan 1 and Policy H4 of Local Development Plan2(Proposed Plan 2020)
- (c) **DC21/018/FUL: Change of use of office to flat at Flat 1/3, 10 Castle Terrace, Castle Street, Dumbarton by Richmond Architects.**

Reference was made to a site visit which had been undertaken in respect of the above application. After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation of the report, and in answer to Members' questions, the Committee agreed that it was minded to

grant planning permission and that authority be delegated to the Planning, Building Standards and Environmental Health Manager to issue the decision and to the satisfactory conclusion of the referral of the planning application to Scottish Ministers.

The meeting closed at 11.16 a.m.

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**PLANNING COMMITTEE**

**NOTE OF VISITATION – 21 JUNE 2021**

**Present:** Councillors Ian Dickson and Jim Finn.  
(The above lists Members who attended at least one site visit)

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager, Antony McGuinness, Team Leader, Forward Planning, Mark Walsh, Environmental Health Service Co-ordinator and Kemp Lindsey, for Applicant.

**SITE VISITS**

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

**DC19/162 and DC19/163: Dumbuckhill Quarry, Dumbarton**

Section 42 application to vary condition 2 of planning permission ref: DC02/187 to allow the continuation of operations at Dumbuckhill Quarry beyond the current consented expiry date of 2024 to 2041; and

Review of Minerals Permission relating to DC02/187 at Dumbuckhill Quarry, Stirling Road, Dumbarton by Patersons of Greenoakhill Limited.

**DC21/012/FUL: Land adjacent to Public House, Dumbarton Road, Duntocher**

Siting of 3 containers on existing car park to accommodate tyre fitting business at land adjacent to Public House, Dumbarton Road, Duntocher, Clydebank.

**DC21/115/FUL: Section 42 to vary Condition no. 1 (development phasing), Condition no. 3 (Design Codes reference) and Condition no. 27 (Bird Hazard Management Plan) of permission DC15/234 at Queens Quay, Cart Street, Clydebank by Clydeside Regeneration Limited.**

1. For the avoidance of doubt, Phase 1 works relate to any works associated with the spine road, road improvements, quay walls, and public realm. The linear park will be completed following completion of the relevant residential phase to which it relates with the pocket parks and basin play park to be completed within a timescale agreed with the Planning Authority, all identified on annotated masterplan E2604.Sk001revJ received on 22<sup>nd</sup> June 2021.
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 (Rev C, March 2016), the accompanying Framework Drawing No. P(0) 003 Rev E (or any subsequent amendments thereto), and the approved Design Codes for Queens Quay (approved September 2020) 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. 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.

6. 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.

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 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 refer 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.

8. As part of any application(s) for the approval of matter 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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)).
  - c) These works shall be implemented as approved as part of the Phase 1 works to the site.

20. 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.
21. 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.
22. 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.
23. The amount of retail floor space 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 floor space thresholds shall be the subject of a separate planning application and retail statement for the further approval of the Planning Authority.
24. 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.
25. Any development that would create a roof area greater than 250 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".