

Agenda



Planning Committee

Date: Monday, 28 June 2021

Time: 9.15

Venue: Video Conference

Contact: committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a reconvened meeting of the Planning Committee that was scheduled to be held on 2 June 2021. **Please note the time of the meeting.**

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and so Members will attend this meeting of the **Planning Committee** remotely. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Gail Casey
Councillor Karen Conaghan
Councillor Ian Dickson
Councillor Diane Docherty (Vice Chair)
Councillor Daniel Lennie
Councillor Douglas McAllister
Councillor Jonathan McColl
Councillor Lawrence O'Neill

All other Councillors for information

Date of Issue: 15 June 2021

PLANNING COMMITTEE - RECONVENED

MONDAY, 28 JUNE 2021

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 MINUTES OF PREVIOUS MEETING 5 – 10

Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 21 April 2021.

4 NOTE OF VISITATION 11

Submit, for information, Note of Visitation carried out on 19 April 2021.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 PLANNING APPLICATIONS

Submit reports by the Chief Officer – Regulatory and Regeneration in respect of the following planning applications:-

- (a) DC21/030/FUL – Erection of 3 storey block of flats comprising 18 units and associated parking and open space at bowling green, John Knox Street, Clydebank by Clydebank Housing Association

13 – 28

- (b) DC/21/081/FUL - Section 42 application to amend Condition 2 (with revised brick type specification) and remove Condition 19 (traffic calming measures) of planning permission DC20/028 Residential Development Site on Land Adjacent to Miller Street, Clydebank by Miller Homes

29 - 45

PLANNING COMMITTEE

At a Meeting of the Planning Committee held by Video Conferencing on Wednesday, 21 April 2021 at 10.00 a.m.

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

Attending: Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Peter Hessel, Chief Officer – Regulatory and Regeneration; John Walker, Assistant Engineering Officer, Roads & Transportation; Ross Lee, Lead Planning Officer; Mark Walsh, Environmental Health Service Co-ordinator; Nigel Ettles, Section Head – Litigation (Legal Officer) and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Daniel Lennie, Marie McNair and Lawrence O'Neill.

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 MEETING

The Minutes of Meeting of the Planning Committee held on 17 March 2021 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 16 March 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 APPLICATION

A report was submitted by the Chief Officer – Regulatory and Regeneration in respect of the following planning application:-

DC20/242 – Planning Permission for change of use from Care Home to Single-use holiday let and formation of landscaped parking area

DC20/243 – Listed Building Consent for internal alteration to form en-suites

Dalmoak House, Renton Road, Dumbarton by Lords Capital Scotland Ltd.

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

Councillor Finn, Chair, invited Ms Ashley Williamson-Morton, Ms Jackie Mullen and Ms Karen Griffen, objectors, to address the Committee. All were heard in respect of their representations and in answer to Members' questions.

The Chair then invited Mr Peter Richardson of ZM Architects, agent, 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 Lead Planning Officer and the Environmental Health Service Co-ordinator in clarification of certain matters and in answer to Members' questions, Bailie Agnew, seconded by Councillor Casey, moved:-

That the Committee grant full planning permission (DC20/242) subject to the conditions set out in Section 9 of the report, as detailed within Appendix 2 hereto and that the Committee also grant Listed Building Consent (DC20/243).

As an amendment, Councillor Docherty, seconded by Councillor Conaghan, moved:-

That the Committee continue the applications to a future meeting of the Committee to enable further information to be obtained in relation to disabled access, possible noise pollution and soundproofing and also the security and privacy concerns of adjoining neighbours.

On a vote being taken, 3 Members voted for the amendment and 3 Members voted for the motion. There being an equality of votes, Councillor Finn, Chair, exercised his casting vote in favour of the motion which was accordingly declared carried.

VALEDICTORY – CRAIG STEWART

Councillor Finn, Chair, informed the Committee that this was the last meeting which Mr Craig Stewart, Committee Officer, would attend as he was moving to a new post within North Ayrshire Council.

On behalf of the Committee, Councillor Finn thanked Mr Stewart for all his hard work, dedication and commitment over 26 years and wished him well in his new role. All of the other Members present thanked Mr Stewart and wished him good luck for the future. In response, Mr Stewart thanked everyone for their kind words and advised that he had enjoyed his time working for West Dunbartonshire Council.

The meeting closed at 11.15 a.m.

DRAFT

PLANNING COMMITTEE

NOTE OF VISITATION – 16 MARCH 2021

Present: Bailie Denis Agnew and Councillors Karen Conaghan, Ian Dickson and Marie McNair.

Attending: Erin Goldie, Team Leader – Development Management and Ross Lee, Lead Planning Officer.

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application-

DC20/232 – Formation of car park and associated landscaping and footpaths at land adjacent to Dalreoch Railway Station, West Bridgend, Dumbarton by West Dunbartonshire Council.

DC20/242 – Planning Permission for change of use from Care Home to Single-use holiday let and formation of landscaped parking area

DC20/243 – Listed Building Consent for internal alteration to form ensembles

Dalmoak House, Renton Road, Dumbarton by Lords Capital Scotland Ltd.

GRANT planning permission subject to the following conditions:-

DC20/242 (Planning Permission)

1. The building (Dalmoak House) and application site shall be used as a Class 7 single let holiday use only as specifically detailed in the approved amended Planning Supporting Statement (dated: 14/01/21) and for no other purpose (including any other purpose in Class 7 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997(as amended) or any future order or enactment, unless a separate planning application is submitted to and approved by the Planning Authority.
2. The use as defined by Condition 1 above shall at all times operate and function in strict accordance with the approved 'Operation Management Report – Dalmoak Protocols' (dated 12/02/21). All mitigation measures and protocols as proposed within the 'Operation Management Report – Dalmoak Protocols' (dated 12/02/21) including those set out to mitigate noise disturbance and manage bookings shall be in place and fully operational prior to the single let holiday use becoming operational. Once installed and implemented, all of these protocols and mitigation measures shall remain in operation for the lifetime of the use and there shall be no deviations without the prior written consent of the Planning Authority.
3. Further to Condition 2 above, prior to the commencement of any development on site, details of the location, positioning and design of any external CCTV and directional signage as referenced in the approved 'Operation Management Report – Dalmoak Protocols' (dated 12/02/21), shall be submitted to and approved in writing by the Planning Authority. The CCTV equipment and directional signage shall be installed as approved prior to the single let holiday use becoming operational and no alterations to the location, positioning or design of any of these installations shall be undertaken without the prior written consent of the Planning Authority.
4. Prior to the commencement of any development on site, details of the final design and appearance of the proposed parking court shall be submitted to and approved in writing by the Planning Authority. This shall include complimentary landscaping and planting around the perimeter of the car park area. The approved parking court design and arrangement shall be constructed and formed prior to the single holiday let use becoming operational and once installed it shall remain in place and maintained for the

lifetime of the use unless otherwise agreed in writing by the Planning Authority.

5. Prior to the commencement of any development on site, details of the proposed upgrade works to the single track private access road shall be submitted to and approved in writing by the Planning Authority. These details shall also include a construction management plan which demonstrates how neighbouring residential properties who use the same road can continue to access their properties unhindered for the duration of the upgrade works taking place. The approved details for the single track private access shall be completed prior to the single holiday let use becoming operational and once installed it shall be maintained as such to this standard for the lifetime of the use.

DC20/243 (Listed Building Consent)

No conditions required.

PLANNING COMMITTEE

NOTE OF VISITATION – 19 APRIL 2021

Present: Bailie Denis Agnew and Councillors Jim Bollan, Karen Conaghan, Ian Dickson and Diane Docherty.

Attending: Ross Lee, Lead Planning Officer.

SITE VISIT

A site visit was undertaken in connection with the undernoted planning applications:-

DC20/241 – Dalmoak House, Renton Road, Dumbarton – Planning permission for change of use from care home to single-use holiday let and formation of landscaped parking area by Lords Capital Scotland Ltd.

DC20/243 – Dalmoak House, Renton Road, Dumbarton – Listed Building Consent for internal alteration to form en-suites by Lords Capital Scotland Ltd.

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Planning Committee (Reconvened): 28 June 2021

DC21/030/FUL: **Erection of three storey block of flats comprising 18 units for affordable rent (8 X 1bed and 10 X 2bed) and associated parking/open space at Bowling Green, 11 John Knox Street, Clydebank by Clydebank Housing Association.**

1. REASON FOR REPORT

- 1.1 This application is for a development that would be a departure from the adopted development plan and under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1 That the Committee indicate that it is **Minded to Grant** planning permission and delegate authority to the Planning and Building Standards Manager to issue the decision subject to the conditions set out in Section 9 and to the satisfactory conclusion of a legal agreement or other suitable mechanism to secure a financial payment towards open space provision/ green infrastructure improvements in the local area.

3. DEVELOPMENT DETAILS

- 3.1 The application site is located on John Knox Street in Clydebank and forms part of the Clydebank Bowling Club. The club has two bowling greens and the proposal relates to the green that is located furthest away from the Pavilion. The 0.2 hectare site is bounded by newly-built, residential Council properties to the north-west, by a railway line to the north-east, and by a road to the south-west with tenement properties on the opposite side. To the south-east lies the other bowling green and associated bowling club buildings. The area around the site is predominantly residential and characterised by three/four storey high flats, however, there are also leisure uses within a nearby warehouse-style building.

- 3.2 Planning permission is sought for the erection of 18 one and two bedroom flats. Two flats will be wheelchair accessible. The development would consist of a three-storey high, C-shaped block with a frontage on to John Knox Street and another overlooking a 18-space car park that would serve the development. Vehicular access into the site would be taken directly from John Knox Street. An area of private amenity space and an outdoor drying area would be provided at the rear of the building and a 216 square metre area of open space would be provided in the north-western corner of the site.
- 3.3 The building would have a fairly simple design with a dual-pitch roof and gable walls on the sections of the building that would project towards the bowling green. Communal entrance doors would have box profile canopies to provide shelter and to draw attention to their location, and larger windows reaching down to floor level would be incorporated into the ground floor flats to maximise light.
- 3.4 Supporting technical information has been provided as part of the application including a Contaminated Land Assessment.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service have no objections subject to a condition regarding the allocation of an area of landscaping for parking should it be required in the future.
- 4.2 Environmental Health Service have no objections subject to conditions including those regarding land remediation and noise.
- 4.3 Glasgow Airport has no objections subject to conditions regarding landscaping and solar panels.
- 4.4 Network Rail and SportScotland have no objections to the proposed development.

5. REPRESENTATIONS

- 5.1 No representations have been received in connection with the application.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Adopted Local Plan 2010

- 6.1** Policy UR1 encourages the redevelopment and re-use of underused, vacant and/or derelict land and buildings for appropriate uses such as housing. Policy H4 sets out standards expected of residential development, requiring high quality design in the range of house types and sizes and in terms of form, layout and materials. Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area. Policy H5 seeks to protect the character and amenity of existing residential areas.
- 6.2** Policy R1 aims to protect areas of functional and valued open space. Development on existing sports pitches is not supported except in certain circumstances, including where it has been demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand and that the site could be developed without detriment to the overall quality of provision. Policy R2 specifies the open space provision required for all developments. Assessment of open space requirements has been undertaken against the more updated “Our Green Network” Planning Guidance (2015) in Section 7 below.
- 6.3** Policies T1 and T4 require sites to be integrated with sustainable travel. Policies F1 and F2 aim to ensure that new development is not at risk from, and does not increase the risk of flooding, and has suitable SUDS drainage infrastructure. The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers’ Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** The site is identified as an Existing Neighbourhood. Policy BC4 supports the principle of residential development within existing residential locations, provided there is no adverse impact on neighbouring amenity or

character of an area. It is considered that there will be no adverse impacts on either of these. Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming.

- 7.3** Policy GN1 seeks to prevent development that would result in the loss of an open space. Playing fields and sports pitches should not be developed except where a proposed development is ancillary to the principle use of the site as a playing field/involves a minor part of the playing field, or where a new or upgraded playing field of comparable or greater benefit for sport is provided in a location which is convenient for its users and which maintains or improves the overall playing field capacity in the area. A replacement bowling green would not be provided as part of the development, however, the Club would still have one bowling green and this matter is considered further in section 7.11 below.
- 7.4** The consideration of policies DS1, GN2, SD1, DS6 and GN5 with regards to new residential development, green network, transport, flooding and drainage are similar to that of the Adopted Plan. DS7 requires any potential site contamination issues to be addressed and DS3 requires significant travel generating uses to be located within 400 metres of a public transport network. DS1 seeks to ensure a high design quality in housing and being suitable for a mix of occupants rather than a specific demographic.
- 7.5** The Residential Development: Principles of Good Design Guidance applies to all developments of more than 3 units and has been taken account of in the proposed design and site layout. The proposed development is assessed against the Proposed Plan and the Residential Development Guidance in Section 7 below.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.6** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.

- 7.7** The site is identified under Policy H4 as an Existing Neighbourhood, which seeks to protect, preserve and enhance the residential character and amenity of existing residential areas at all times. Policy GI1 seeks to safeguard open space and outdoor sports facilities, with development on playing fields and sports pitches only supported where the proposed development is ancillary to the principle use of the site as a playing field, or where a new/upgraded playing field of comparable or greater benefit for sport would be provided in the local area.
- 7.8** Similarly to Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that housing is of a high quality, adaptable and is designed to be suitable for a mix of occupants. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming).
- 7.9** Policy GI2, ENV1, ENV4, and ENV6 are similar to the green network, tree, and flooding policies of the Adopted and Proposed Plan 1 policies, albeit that Policy GI2 sets a higher open space standard to that of the adopted Local Plan and Local Development Plan 1. Policy CP2 requires the integration and consideration of green infrastructure from the outset of the design process through to its maintenance and stewardship of the resource. Policy GI4 relates to developer contributions which are to be used to improve the green network and areas of open space.
- 7.10** Policy CON1 requires that significant travel generating uses are designed to encourage sustainable transportation and Policy CON4 sets out a need for all developments to install sufficient broadband provisions. Policy ENV8 requires developments to address air quality, lighting and noise as part of the planning process, whilst policy ENV9 requires all potentially contaminated sites to be remediated where necessary to ensure that the site is suitable for the intended use. It is considered that the proposals comply with the above policies as discussed below.

Principle of Development

- 7.11** The site is identified as an Existing Residential Area/Existing Neighbourhood within the adopted local plan and proposed local development plans. The principle of the proposed residential use is therefore acceptable and would be in keeping with the surrounding residential area. However, the site is an existing bowling green and therefore it is also covered by the policies that seek to protect outdoor sports facilities. SportScotland was involved in pre-application discussions with the applicant, which also involved consultation with Bowls

Scotland. SportScotland notes that there has been a decline in Bowls participation and ongoing challenges in membership and financial sustainability for a number of years. They also note that in terms of local provision for the sport there are nearby greens which have capacity for more members. SportScotland concludes that the loss of one green would not be detrimental to the overall quality of provision for bowls in the surrounding area and therefore do not object to the current application. Policy R1 of the adopted local plan allows development of sports pitches where it has been demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand and that the site can be developed without detriment to the overall quality of provision. It is considered that the proposal meets the requirements of this policy. Policies GN1 and G11 of the proposed LDP1 and proposed LDP2 do not support development unless a new or upgraded facility is provided within the local area. The proposal does not involve the provision of a replacement facility, however, the sale of the bowling green will allow Clydebank Bowling Club to invest in their existing facility, and the presence of nearby bowling clubs with capacity for new members means that the loss of one green should not have a detrimental impact on the ability of local people to participate in the sport.

- 7.12** A statement has been submitted by the applicant, Clydebank Housing Association, in support of the application. They currently have a waiting list of over 800 applicants, with over 600 of those applicants waiting for one and 2 bedroom properties and 6 applicants requiring wheelchair adapted homes. The proposed development would provide 18 homes, including 2 suitable for wheelchair users, and will therefore go some way to meeting this demand. The Housing Association already has a number of properties within this area and the proposed development would make a valued addition to their housing stock. The proposed development will provide much needed homes for affordable rent near the centre of Clydebank and the principle of the development is considered to be acceptable.

Site Layout, Design and Appearance.

- 7.13** The development has been designed to reflect and complement its surroundings. Most of the surrounding flatted blocks are also 3 storey high and the building will be set back a similar distance from the edge of the street as the adjacent building to provide a consistent building line. While the longest frontage will face on to the car park, the end of the building has also been designed to provide an active frontage onto John Knox Street. The 18-space parking court will provide separation between the development and the newly-built flats on the adjacent site. Bin stores and a bike store with space for 20 bicycles will be provided next to the parking court.

7.14 The building will be finished with a mix of brick and cladding. Within the surrounding area there is a mix of finishing materials including sandstone, render and brick. The newly-built properties on the adjacent site are also finished with brick and therefore the development would be in keeping with this. The proposed development incorporates some traditional design features such as a dual-pitched roof and gables, however, it will also incorporate contemporary elements such as cladding, floor level windows on the ground floor and box canopies around the communal entrances. The design of the building is considered acceptable in this residential area.

7.15 An area of amenity space measuring over 200 square metres will be provided within the development. A small area of private amenity space for residents will be provided at the rear of the building along with an outdoor drying area. The building will have a border of grass and shrubs and much of the existing hedge along the edge of John Knox Street will be retained and trimmed. The development will therefore have an attractive green setting.

Impact on residential amenity

7.16 It is considered that the building will not have a detrimental impact on the amenity of surrounding residential properties. The newly-built flats to the north-west of the site will be over 28 metres away from the building and the existing tenements on the opposite side of John Knox Street will be over 19 metres away, which will minimise any impact that it will have in terms of overlooking or overbearing effect. The proposal is therefore considered acceptable as existing neighbouring amenity will be safeguarded.

7.17 It is considered that the development addresses the six qualities of successful places by having a distinctive identity, forming safe streets, having quality green infrastructure, using high quality materials and being sustainable, all complying with policies GD1, DS1 and CP1 of the Adopted and Proposed Plans alongside the Residential Development Design Guidance.

Open Space and Landscaping

7.18 An area of amenity open space for the development measuring 216 square metres will be provided in the north-western corner of the site. In terms of the open space for the site, while quality areas are being provided, it falls short of the provision as required by the 'Our Green Network Planning Guidance', and therefore a financial contribution is required in order to meet with the requirements of the Planning Guidance and applicable policies of LDP1 and LDP2. The required financial contribution fee is £19,965 and this will address the shortfall and can be secured through a legal agreement or other suitable mechanism. On

balance, the open space and landscaping provision proposed for the site is appropriate as the site also benefits from being approximately 350 metres walking distance to Whitecrook Park on the opposite side of the railway line.

- 7.19** The building will have a landscaped border consisting of grass and shrubs. The two wheelchair accessible flats will have their own private outdoor space to the front and side. The existing hedge along the southern edge of the site will be retained in parts and trimmed to provide a natural edge to the development and two trees will be planted on the area of open space.

Roads, Parking, Access and Permeability

- 7.20** Vehicular access into the site would be from John Knox Street and a 18-space car park, including 2 wheelchair accessible bays, would be formed along the western side of the site. The car park is around 4 spaces short of the number of parking spaces typically required for a development of this size. However, the site is close to the town centre and well served by public transport with bus stops within a few minutes walking distance. A cycle store capable of holding 20 bikes will be provided within the parking court and will help to support the use of this form of sustainable transport. The Council's Roads service has recommended that an area of the landscaping is identified for additional parking provision in the future should this be required. A condition is recommended which will allow the parking provision to be assessed after a period of time, and additional spaces formed if there are any issues.

Technical Matters

- 7.21** Phase 1 and Phase 2 contaminated land assessments have been submitted for the development, which found no significant contamination on the site. The Council's Environmental Health Service have recommended a number of conditions relating to the submission of a remediation strategy and mitigation measures. These matters alongside others regarding noise, dust mitigation and construction activity can be addressed as planning conditions.
- 7.22** Glasgow Airport has recommended conditions relating to the submission of details regarding landscaping and roof-mounted solar panels as these have the potential to affect aircraft safety. According to SEPA flooding maps the site is not at risk from flooding. To ensure that the site does not increase flood risk elsewhere, a sustainable drainage scheme for the site will be required. All can be dealt with by conditions.

8. CONCLUSION

- 8.1** The proposed development would provide much needed affordable housing within an existing residential area. Although the development would result in the loss of a bowling green, the proposal would allow investment in the bowling club and provide some financial security for the Club's future. The building has a quality, modern design that will contribute positively to the character and appearance of the local area. It will provide new homes within an established community with excellent access to public transport and to the town centre.

9. CONDITIONS

- 01.** Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
- 02.** Prior to the commencement of development on site, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
- 03.** Prior to the commencement of development on site, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development.
- 04.** Prior to the commencement of development on site, details of the design and location of all external lighting shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development, unless otherwise agreed in writing with the Planning Authority.
- 05.** Prior to the commencement of development on site, details of the design and location of bin stores shall be submitted for the further written approval of the Planning Authority and the development shall thereafter be completed in accordance with the approved details prior to the occupation of any unit within the development, unless otherwise agreed in writing with the Planning Authority.

- 06. No unit within the development shall be occupied until all of the vehicle parking spaces have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.**
- 07. Prior to the commencement of development on site, full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of any unit within the development.**
- 08. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan J3222-C-02 Rev B. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.**
- 09. 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 Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.**
- 10. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out 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 Planning Authority.

11. 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.
12. 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 scheme shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed with the Planning Authority in consultation with Environmental Health measures. 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.
13. 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.
14. During the period of construction, all works, including piling, 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

- 15. 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.**
- 16. No development shall take place on site until such time as a 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 the Bowling Club and adjacent railway line. 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 occupied 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.**

This area is subject to noise from aircraft and therefore the Noise Impact Assessment must also assess for mitigating this noise source. The development will require high specification acoustic roof insulation as a minimum and double/triple glazing.

- 17. No development shall take place on site until a vibration survey has been submitted to and approved in writing by the Planning Authority. The vibration survey shall determine the vibration dose value for properties within 30 metres of the railway track. Any mitigation measures recommended by the survey shall be implemented prior to the development being occupied and shall thereafter be retained in accordance with the approved scheme. The noise impact and/or vibration assessment and any recommendations in respect of mitigation measures shall be prepared by a suitable qualified person.**

18. 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.
19. 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.

20. 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 to the occupation of the any unit within the development and thereafter maintained for the lifetime of the development.
21. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority, in consultation with Glasgow Airport, prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first unit within the development. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.

- 22. Prior to the occupation of the development, the developer shall install the necessary infrastructure to enable the full development to be connected to the existing fibre optic network, where available in West Dunbartonshire, and in accordance with the relevant telecommunications provider's standards.**
- 23. All ground or vegetation clearance works, including any tree felling, shall take place outwith the main bird breeding season (i.e. outwith the period of March to September inclusive), and no ground or vegetation clearance works are permitted between March to September in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of any bird nesting activity and of any actions required to protect birds.**
- 24. Unless otherwise agreed in writing by the Planning Authority, 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.**
- 25. Twelve months after the full occupation of the building, a parking review including a methodology statement to be agreed with the Planning Authority shall be undertaken to ascertain levels of parking and to establish whether there are any parking related problems associated with the development. The findings and recommendations of the review shall be submitted for the written approval of the Planning Authority and any actions recommended in the review shall be implemented in a timescale agreed with the Planning Authority.**
- 26. No development shall take place on site until full details of any solar panels to be installed within the development site have been submitted to and approved in writing by the Planning Authority, in consultation with Glasgow Airport. The submitted details shall include a glint and glare assessment. No subsequent alterations shall be made to the approved development unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.**

Peter Hessett
Chief Officer – Regulatory and Regeneration
Date: 2 June 2021

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: None.

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
6. 'Our Green Network' Guidance
7. Residential Development Design Guidance

Wards affected: Ward 6 – Clydebank Waterfront

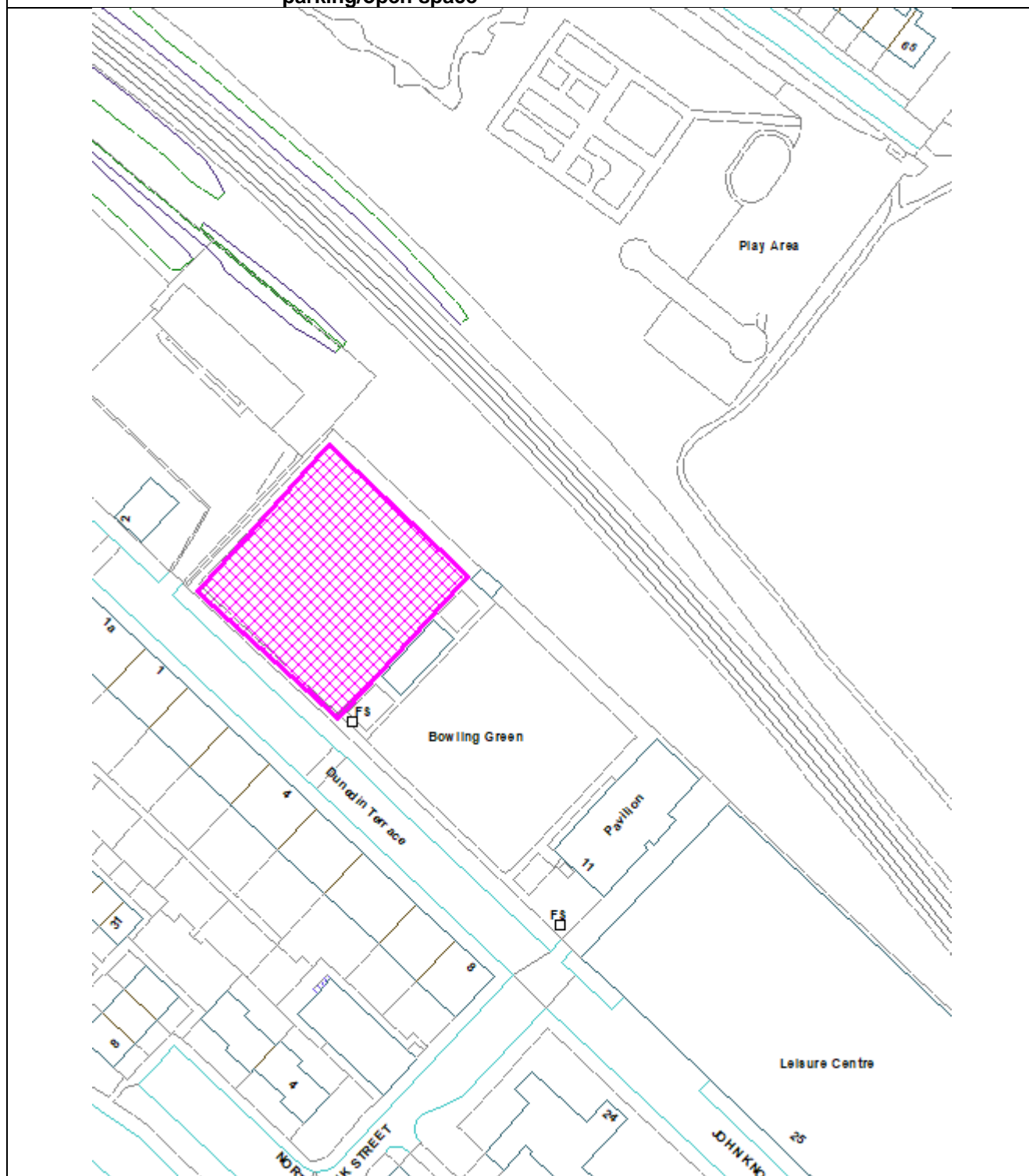
Map Register No: HQ654

Date: 18 May 2021

DC21/030/FUL

**Erection of three storey
block of flats comprising
18 units for affordable rent
(8 X 1bed and 10 X 2bed)
and associated
parking/open space**

**Bowling Green
11 John Knox Street
Clydebank
G81 1ND**



WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer - Regulatory and Regeneration

Planning Committee (Reconvened) - 28 June 2021

DC21/081/FUL: **Section 42 application to amend Condition 2 (with revised brick type specification) and remove Condition 19 (traffic calming measures) of planning permission DC20/028 on land adjacent to Miller Street, Clydebank, by Miller Homes.**

1. **REASON FOR REPORT**

- 1.1** This application seeks to modify and remove conditions previously agreed by the Planning Committee as part of the approval of an earlier planning permission application (DC20/028). Under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. **RECOMMENDATION**

- 2.1** **Grant** planning permission subject to the conditions set out in Section 9 of this report.

3. **DEVELOPMENT DETAILS**

- 3.1** The site extends to approximately 1.43 hectares and is located within Clydebank Town Centre, immediately to the south of Clydebank Business Park and south west of Clyde Shopping Centre. It is situated along the southern bank of the Forth and Clyde Canal. Flatted properties lie immediately beyond the site to the west with a series of commercial properties to the south and the Kilbowie Road (A8014) to the east of the site. In terms of site history, the northern part of the site previously contained a section of railway line and until its demolition in November 2017, the southern part of the site accommodated the former Clydebank Council office.
- 3.2** Planning permission was granted in May 2020 for a residential development of 62 units comprising of a mix of town houses, as well as, terraced family properties. Some preliminary works associated with the

construction of this development, including part of the access, have commenced on site, beginning in January 2021.

- 3.3** This current application seeks permission to modify the terms of condition 2 and to remove condition 19 which were attached to the planning permission which was previously granted. These conditions relevant to this application are set out follows:
- 3.4** Condition 2: Further to condition 1 above, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Western Blend Precon (Masonry Finish)' specification and variety. For the avoidance of doubt, the details, specification and samples of the final brick type provided in response to Condition 1 shall be predominantly red in tone and colour and shall be of tumbled finish.
- 3.5** Condition 19: Within twelve months of the occupation of the last house within the development and no sooner than 6 months after full occupation, a vehicle count survey shall be undertaken to ascertain volumes and levels of vehicle movements entering and exiting the site from Kilbowie Road and Miller Street respectively. The findings and recommendations of the survey shall be submitted to and approved in writing by the Planning Authority. If required by the review, any measures to reduce or deter such vehicle movements and address any traffic issues identified shall be formed and installed on site at a timescale to be agreed in writing by the Planning Authority. Thereafter, these measures shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
- 3.6** With regards to Condition 2, the applicant seeks to amend the brick type specification and variety cited within the wording of condition and modify it from a 'Western Blend Precon (Masonry Finish)' specification and variety to a 'Forterra Farmstead Antique (Clay Finish)' specification and variety. The reason for this is due to the manufacturer and supplier no longer manufacturing bespoke brick types such as the one originally agreed, with them now only offering standardised brick specifications for order.
- 3.7** With regards to Condition 19, the applicant wishes to remove this condition entirely from the permission. Instead of undertaking a post-development vehicle count survey as required by the condition and then potentially implementing traffic calming measures to react to potential issues identified, they instead wish to provide sufficient traffic calming measures upfront and as part of the construction of the development as a means to preventing any traffic issues from occurring. In doing so and by implementing these traffic calming measures as part of the construction of the development, they request that the obligation for a vehicle count survey is not required and that Condition 19 could be removed.

- 3.8** The applicant has submitted a separate Non-Material Variation alongside this Section 42 application which formally proposes the implementation of a series of traffic calming measures to be delivered as part of the construction of the development. This includes the introduction of two speed tables leading to the internal road junctions on both Kilbowie Road and Miller Street respectively. The applicant proposes that granting this Non-Material Variation would ensure that these measures are implemented, allowing for the safe removal of Condition 19 as a result.

4. CONSULTATIONS

- 4.1** West Dunbartonshire Council Roads Service have no objections to the removal of Condition 19 given the satisfactory traffic calming measures proposed by the applicant which will be secured and implemented through the requirements of the separate Non-Material Variation application and through the terms of Condition 18.

5. REPRESENTATIONS

- 5.1** None received.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- 6.1** As the principle of development has already been established through the earlier planning permission application granted (DC20/028), the policies referenced below only relate to those which have a direct impact and consideration on the scope of works and development associated with Conditions 2 and 19 respectively.

West Dunbartonshire Adopted Local Plan 2010

- 6.2** Policy GD1 seeks to ensure that all new development is of a high quality of design and respects the character and amenity of the area and is relevant to the consideration of this application given Condition 2 seeks to propose a variation in brick type specification for the elevational treatment of residential properties. Policy T1 relates to transport matters and sets a requirement for developments to comply with all national and local transport legislation. This policy is relevant for the consideration of the removal of condition 19 and the subsequent traffic calming measures proposed.
- 6.3** The proposal complies with the policies of the adopted local plan and is assessed fully in Section 7 below.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

- 7.1** On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglenan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.
- 7.2** Policy DS1 sets out general expectations for the quality of new development, including that it be distinctive, adaptable, resource-efficient and easy to get to and move around, safe, pleasant and welcoming. It is considered that the alternative, substitute brick type will maintain the overall design quality of the development.
- 7.3** The consideration of policies GN3 in terms of transport are similar to that of the Adopted Plan and it is also considered that the proposed traffic calming measures proposed meet with the policy requirements for this plan.

West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

- 7.4** The modified LDP2 was approved by the Council in August 2020 and the Council then advised the Scottish Ministers of its intention to adopt the Plan. The Scottish Government issued a direction to the Council on 18th December 2020 requiring modifications to the housing parts of LDP2. None of the policies considered in the determination of these applications is affected by the Direction. LDP2 is therefore the Council's most up to date policy position and has significant weight in the assessment and determination of planning applications at this time.
- 7.5** Similarly to Policy GD1 of the Adopted Plan and Policy DS1 of Proposed Plan 1, Policy CP1 seeks to ensure that housing is of a high quality. It indicates that all new development will be expected to contribute towards creating successful places by having regard to the six qualities of a successful place (distinctive, adaptable, resource efficient, easy to get to/move around, safe and pleasant, and welcoming). The variation in brick type will still contribute effectively towards the delivery of high quality housing on this site.
- 7.6** Policy CON1 requires that significant travel generating uses are designed to minimise impacts and encourage sustainable transportation. The traffic calming measures proposed are satisfactory to Council's Roads Service and it is considered that these will offer a deterrent and minimise

unwanted traffic and vehicle trips to the development site. Given the traffic calming measures proposed, it is considered that these arrangements comply with the spirit of this policy.

Principle of Development

- 7.7** The principle of the residential development on this site has already been established through the granting of permission DC20/028 and this is not being revisited as part of this application. Notwithstanding this, it is considered that the proposed application still complies with the policies relevant and contained in both the adopted and proposed local plans and the proposals for Conditions 2 and 19 respectively do not materially change this.

Revised Brick Type Specification (Condition 2)

- 7.8** The applicants reason for seeking to vary to the terms of the condition is accepted in that the original brick type specification and variety which was agreed is no longer available. This is due to the manufacturer and supplier ceasing manufacturing bespoke brick type specifications (such as the one originally agreed) and weight is given to the fact that this is a situation which is outwith the applicant's control. Given the current position, the applicant cannot fulfil the requirements of Condition 2 of the earlier planning permission granted.
- 7.9** The revised brick type specific proposed; 'Forterra Farmstead Antique (Clay Finish) is considered to be an acceptable substitute. This brick type possesses all of the same qualities and features as the original brick type specification and this will compliment the other materials which remain unaltered, the site, the surrounding area and its industrial past and background, ultimately ensuring that delivery of a high quality house design.

Traffic Calming Measures (Condition 19)

- 7.10** Instead of undertaking a vehicle count survey for the residential development post occupation of the last dwellinghouse on site (which may or may not stipulate the need for additional traffic calming measures to be introduced) as required by Condition 19, the applicant wishes to deliver traffic calming measures upfront as part of the construction of the development.
- 7.11** The applicants primary reason is that they would consider it more appropriate to offer measures which seek to deter and prevent traffic issues from the moment the residential development becomes habitable as opposed to reacting to it should an issue be identified through the surveys that would be completed at a later date. In addition to this, they

have also raised concerns with the potential disruption and impact on residents if they need to implement additional traffic calming measures once the development is fully inhabited and see more logic in constructing these features when the road geometry works are taking place on site.

- 7.12** The traffic calming measures proposed by the applicant, which include the introduction of two speed tables immediately offset from the accesses on the primary vehicular road networks within the site; Kilbowie Road and Miller Street respectively, are considered acceptable by the Council's Road Services. It is their consideration that these features combined with the existing approved features on the site including the general design of the road geometry alongside those which can still be secured through Condition 18 of the permission will collectively be effective in deterring vehicles from using the site as a through road together with the construction of entrance features so it is evident that this is a residential area. In turn, these traffic calming features negate the need for a vehicle count survey and these can be secured and delivered through the separate Non-Material Variation submission and Condition 18 of the approved permission. Having these in place through the Non-Material Variation and Condition 18 provides a mechanism to ensure these measures are implemented as part of the construction of the residential development, allowing Condition 19 to be removed as a result.

8. CONCLUSION

- 8.1** The modification of Condition 2 and the removal of Condition 19 are both considered to be acceptable for the reasons set out in this report and these changes comply with the applicable local plan and local development plan policies. More specifically, it is considered that the proposals associated with both conditions will maintain that the quality and high standards of residential development secured through the earlier planning permission granted.
- 8.2** As the effect of granting planning permission for Section 42 application is such that a new and separate standalone permission exists for the development, all other conditions associated with planning permission DC20/028 are re-imposed to this permission with the exception of condition 2 being varied to include the new brick type and the removal of condition 19.

9. 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 houses within the development site shall be submitted to and approved in writing by the Planning Authority. This shall include details of all materials and finishes as scheduled and annotated on the approved plan 'Site Layout (Drawing No. 001 Rev B)'. Thereafter, the development shall be completed in strict accordance with the approved material details and palette.**
- 2. Further to condition 1 above, the brick type to be used for the elevation treatment of all houses within the development site shall be of the 'Forterra Farmstead Antique (Clay Finish)' specification and variety. For the avoidance of doubt, the details, specification and samples of the final brick type provided in response to Condition 1 shall be predominantly red in tone and colour and shall be of tumbled finish.**
- 3. Further to Conditions 1 and 2 above, prior to the approved brickwork associated with any house being constructed or installed on site, a sample panel of this brickwork shall be constructed on site in order for it and the associated mortar to be reviewed, inspected and approved in writing by the Planning Authority. Thereafter, the development shall be completed in strict accordance with the approved brick details.**
- 4. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B)', prior to the commencement of development on site, full details of all hard and soft boundary treatments for across the site shall be submitted to and approved in writing by the Planning Authority. These details shall also include a variety of boundary treatments including the use of brick walls for the front, side and rear curtilages of residential properties within the site. Thereafter, the approved boundary treatments arrangements shall be installed prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority and maintained as such thereafter for the lifetime of the development.**
- 5. Prior to the commencement of development on site, details of alternative boundary treatments and means of enclosure for the existing substation building located on the north east corner of the site shall be submitted to and approved in writing by the Planning**

Authority. The details shall include a brick treatment and the approved boundary treatment details shall be undertaken and completed prior to the occupation of any houses within the site and maintained as such thereafter for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

- 6. Prior to the commencement of development on site, full details of all path upgrade works as indicated on approved plan 'Site Layout (Drawing No. 001 Rev B), including material finishes, surfaces, levelling works and associated landscaping shall be submitted to and approved in writing by the Planning Authority. This shall include specific details for the works to the existing footpath located on the north eastern side boundary of the development site and the existing path located immediately neighbouring the site to the west. Thereafter, the path upgrade and improvement works approved shall be undertaken in full and completed prior to the occupation of any houses within the site unless otherwise agreed in writing by the Planning Authority.**
- 7. Prior to the commencement of development on site, full details of the design, appearance, height and location of all retaining walls and other retention features and associated levelling works across the site shall be submitted to and approved in writing by the Planning Authority. Thereafter, the agreed retention and levelling details shall be implemented prior to the occupation of any associated houses unless otherwise agreed in writing by the Planning Authority. No changes or deviations from the approved and agreed levels and retention arrangements shall be undertaken without the further written consent of the Planning Authority.**
- 8. The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan 'Levels Layout for Planning (Drawing No E03 Rev A)'. Any alterations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.**
- 9. Prior to the commencement of development on site, details of the design and location of cycle storage provision, street furniture (including bin stores) and external lighting, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to the occupation of any of the houses and thereafter maintained, unless otherwise agreed in writing with Planning Authority.**

10. The soft landscape arrangements approved under drawing 'Landscape Proposals (Drawing No.109/103/02 Rev C)' including the associated planting schedule and maintenance arrangements shall be implemented no later than the next appropriate planting season or after occupation of the 30th property. 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 in writing by the Planning Authority.
11. Notwithstanding approved plan 'Play Area Landscape Proposals (Drawing No. 109.103.02 Rev B), a revised 'Play Equipment Strategy' for the site shall be submitted to and approved in writing by the Planning Authority. This shall include (but not be limited to) the following:
- Incorporate the reuse of existing trees within the site which are being felled as part of the development to create natural forms of play equipment.
 - Details and specifications of other forms of natural play equipment and structures which offer design solutions that effectively navigate and manage the increase in gradient of the central public open space area within the site.
 - Provide full details regarding the maintenance arrangements for all play equipment and associated features within the site.
- Thereafter, the approved play equipment strategy and all associated features and specifications shall be installed prior to the completion of the 30th unit within the development unless otherwise in agreed in writing by the Planning Authority and maintained in accordance with the approved details for the lifetime of the development.
12. Prior the commencement of development on site and further to Sections 4.2.2 and 4.3.3 of the approved 'Extended Phase 1 Habitat Survey (Dated September 2019), both an otter and bat survey and report (prepared and undertaken by a competent and qualified ecologist) shall be submitted to and approved writing by the Planning Authority. These surveys shall be undertaken a minimum of

- 6 weeks prior to any construction work commencing on site. Thereafter, any recommendations or mitigation measures contained within the reports shall be implemented prior to works commencing on site and shall be maintained as such for the lifetime of the development.
13. All construction work on site relevant to the application shall be carried out in accordance with the recommendation and mitigation measures outlined within Section 4 of the approved 'Extended Phase 1 Habitat Survey' (Dated September 2019). These measures and recommendations shall remain in effect until all construction work associated with the development is complete on site.
 14. Further to condition 12 and 13 above, all ground or vegetation clearance works, including any tree felling or demolition works, shall take place outwith the main bird breeding season (i.e. outwith the period of April to July inclusive), and no demolition or ground or vegetation clearance works are permitted between April to July in this respect. If this is not possible, a suitably qualified ornithologist/ecologist shall be engaged to survey any buildings, grounds and trees immediately prior to such works to advise the applicant/contractor/developer of a bird nesting activity and of any actions required to protect birds.
 15. Prior to the occupation of the 30th housing unit within the site, the drainage of surface water shall be completed in accordance with the approved Sustainable Urban Drainage System (SUDS) design, as set out in the approved 'Drainage Strategy Report' (Dated August 2019) and the approved plans. The SUDS and associated features including the planted swales once installed shall thereafter be maintained on site in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.
 16. No house shall be occupied within the site until the vehicle parking spaces associated with that house unit have been constructed provided within the site in accordance with approved plan 'Site Layout (Drawing No. 001 Rev B)'. Further to the approved plans, each vehicular parking space shall be constructed to include a marking which clearly identifies it to the house number it is to be attributed within the site or alternatively be marked to identify it as a visitor parking space where relevant. 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.

- 17. Further to condition 16 above and unless otherwise agreed in writing by the Planning Authority, 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.**
- 18. Notwithstanding the plans hereby approved including 'Site Layout (Drawing No. 001 Rev B), specific details of traffic calming measures and features to be incorporated into the junctions and accesses at Kilbowie Road and Miller Street from within the development site shall be submitted to and approved in writing by the Planning Authority. The measures proposed shall include the use of speed tables or similar features and shall all be designed with the intention to inform drivers that the road network is residential in nature. Thereafter, the approved traffic calming measures and features shall be installed prior to the occupation of any house within the site and shall be maintained as such within the site for the lifetime of the development.**
- 19. Unless otherwise agreed in writing, no development shall commence on site until a Travel Plan which includes details promoting sustainable travel to and from the site and appropriate measures and actions to reduce car dependence for the development is submitted for the written approval of the Planning Authority. The Travel Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. The approved Travel Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the 1st house associated with the development and maintained as such unless otherwise agreed in writing by the Planning Authority**
- 20. Notwithstanding the 'Ground Investigation Report' (Dated February 2020) submitted, 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 the contamination on the site (irrespective of whether this contamination originates on the site).
 - b) An assessment of the potential risks (where applicable) 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 scheme based on the preferred option.
21. 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 Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
22. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out 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 remediation works and prior to any house 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.
23. 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 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 in consultation with Environmental Health measures. 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.

24. 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.
25. 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.
26. 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.

27. No development shall take place on site until such time as a Noise Impact Assessment has been submitted to and approved in writing by the Planning Authority. This Noise Impact Assessment (alongside any recommendations in respect of attenuation measures) shall be prepared by a suitably qualified person and shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from nearby industrial / commercial units and from the impact of road traffic 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 occupation of any of the houses within the site and shall thereafter be retained in accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority.
28. Further to Condition 27 above, within 4 weeks of the completion of the development on site, a 'Verification Report' demonstrating compliance and validation of the maximum noise projections and effectiveness of the noise attenuation measures detailed within the approved 'Noise Impact Assessment' Report (approved through Condition 25) shall be submitted to and approved in writing by the Planning Authority. This 'Verification Report' shall be prepared and undertaken by an independent consultant and the measurements shall be carried out in accordance with BS4142:2014 - "Methods of rating and assessing industrial and commercial sound" (with respect to current best practice). These levels and measures as agreed and validated within the approved verification report shall be maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Planning Authority.
29. 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.

- 30. 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**
- 31. 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.**
- 32. 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.**
- 33. 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.**

Peter Hessett
Chief Officer - Regulatory and Regeneration
Date: 2nd June 2021

Person to Contact: Pamela Clifford, Planning & Building Standards Manager
Email: Pamela.Clifford@west-dunbarton.gov.uk

Appendix: Location Plan

Background Papers:

1. Application forms and plans;
2. Consultation responses;
3. West Dunbartonshire Local Plan 2010;
4. West Dunbartonshire Local Development Plan Proposed Plan;
5. West Dunbartonshire Local Development Plan 2 Proposed Plan.
- 6.. Residential Development Design Guidance

Wards affected: Ward 6 – Clydebank Waterfront

Map Register No: HQ655

Date: 18 May 2021

DC21/081/FUL

Section 42 application to
amend Condition 2 (with
revised brick type
specification) and remove
Condition 19 (traffic
calming measures) of
planning permission
DC20/028

Residential Development Site On Land
Adjacent To
Miller Street
Clydebank

