

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 26 October 2016 at 10.00 a.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jonathan McColl, John Mooney and Tommy Rainey.

**Attending:** Peter Hessel, Strategic Lead – Regulatory; Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader – Development Management; Alan Williamson, Team Leader – Forward Planning; Raymond Walsh, Interim Manager – Roads and Transportation; Nigel Ettles, Section Head - Litigation and Nuala Quinn-Ross, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn, Lawrence O'Neill and Hazel Sorrell.

**Provost Douglas McAllister 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 21 September 2016 were submitted and approved as a correct record.

### **PLANNING APPLICATION**

A report was submitted by the Strategic Lead - Regulatory in respect of the following planning application.

**New Application:-**

- (a) **DC15/251 – Development of a recycling sorting facility, recyclables recovery facility, anaerobic digestion facility including junction works to Glasgow Road/Dock Street and associated ancillary work (Variation to Conditions 1, 2, 4, 6, 7, 8, 11, 13, 18 and 21 of DC12/143) at Dock Street, Clydebank by Peel Environmental Ltd.**

Officers were heard in further explanation of the report and in answer to Members' questions.

The Chair invited Mr Hoyle, representing Peel Environmental Ltd to answer Members' questions, thereafter Mr Hoyle was heard in response to the questions.

Following discussion, Councillor Casey, seconded by Councillor Agnew, moved:-

That the Committee refuse the application on the grounds of impact on the road network and local area.

As an amendment, Councillor McColl, seconded by Provost McAllister, moved:-

That the Committee agree to grant planning permission subject to the conditions set out in Section 9 of the report, as detailed within Appendix 1 herewith.

On a vote being taken, 4 Members voted for the amendment and 2 Members voted for the motion. The amendment was accordingly declared carried.

### **ENFORCEMENT APPEAL DECISIONS**

A report was submitted by the Strategic Lead - Regulatory advising on the outcome of two enforcement appeals on:-

- (1) Unauthorised change of use of domestic outbuilding to separate dwelling/holiday accommodation and erection of fence at Fisherwood House, Balloch (EP14/047 & EP15/057); and
- (2) Unauthorised change of use of retail units to amusement centre at Units 57-61, Shopping Hall 1, 36 Sylvania Way South, Clydebank (EP15/003).

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Development Management in further explanation of the report and in answer to Members' questions, the Committee agreed to note the outcome of the appeals.

### **ANTONINE WALL HERITAGE LOTTERY FUND BID**

A report was submitted by the Strategic Lead – Regulatory recommending approval of a Stage 1 Heritage Lottery Fund bid for Antonine Wall related projects.

After discussion and having heard the Planning and Building Standards Manager and the Team Leader – Forward Planning in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Stage 1 bid for Heritage Lottery Fund funding be submitted;
- (2) that authority be delegated to the Planning & Building Standards Manager to decide, in conjunction with the partner organisations whether West Dunbartonshire Council would be best placed to act as lead applicant for the bid; and
- (3) that as part of the project, the Council would support efforts to return artefacts from the Antonine Wall to the local area and expects these efforts to be made as part of the project.

The meeting closed at 11.10 a.m.

**DC15/251 – Development of a recycling sorting facility, recyclables recovery facility, anaerobic digestion facility including junction works to Glasgow Road/Dock Street and associated ancillary work (Variation to Conditions 1, 2, 4, 6, 7, 8, 11, 13, 18 and 21 of DC12/143) at Dock Street, Clydebank by Peel Environmental Ltd.**

**Permission GRANTED subject to the following conditions:-**

1. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall commence until such time as full details of the design and location of all walls and fences to be erected on site have been submitted to and approved in writing by the Planning Authority, and these shall thereafter be implemented as approved.
2. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority, and these materials shall thereafter be implemented as approved.
3. No development shall commence until such time as full details of all hard surfaces have been submitted to and approved in writing by the Planning Authority, and these shall thereafter be implemented as approved.
4. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall commence until such time as a landscaping scheme for the boundaries of the site has been submitted to and approved by the Planning Authority. Such schemes shall take account of BAA Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)), and shall include details of the maintenance arrangements. The approved landscaping shall thereafter be implemented not later than the next appropriate planting season after the opening of the waste management facility (or, in the case of landscaping which serves a noise attenuation function, not later than the opening of the facility), and the landscaping shall thereafter be maintained in accordance with the approved arrangements.
5. The development hereby approved shall not be brought into use until such time as a Routing Management Plan for heavy goods vehicles travelling to and from the development has been submitted to and approved in writing by the Planning Authority, and implemented by the site operator. Such Plan shall include measures to ensure that (other than vehicles collecting waste from local households and businesses etc.), access and egress to/from the development site shall wherever possible be confined to the following main roads:

- (a) A814 Dumbarton Road, thence Anniesland Road to Anniesland Cross;
  - (b) A814 Dumbarton Road/Victoria Park Drive South to Clydeside Expressway or A739 Clyde Tunnel; and
  - (c) A814 Glasgow Road, thence either A8014 Kilbowie Road or A814 Dumbarton Road and Mountblow Road to A82 Great Western Road/Erskine Bridge. The Plan shall include measures for monitoring to ensure that the approved strategy is being adhered to.
6. No development shall commence until such time as details of a pedestrian/cycle crossing facility on Dock Street for use by persons using the cycle track along the former railway line have been submitted to and approved in writing by the Planning Authority. Such crossing shall be completed prior to the commencement of use in Area B development in accordance with the approved plans.
7. No built development shall commence in Area B as identified on Drawing 1751-01-03 until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
- (a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether such contamination originates on the site);
  - (b) An assessment of the potential risks (where applicable) to groundwater, surface water, human health, ecological systems, archaeological sites and property; and
  - (c) An appraisal of remedial options including a detailed remediation scheme based on the preferred option.
8. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of built development in each development area, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement 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 and approved by the Planning Authority.

9. 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.
10. 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 of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.
11. No development shall commence in Area B as identified on Drawing 1751-01-03 until such time as details of the SUDS and its maintenance following installation for that specific development area have been submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that the contaminants present on the site are not mobilised and that pollution pathways are not created. The SUDS shall thereafter be formed and maintained on site in accordance with the approved details prior to the facility being operational.
12. The noise attenuation/soundproofing measures detailed in the approved noise impact assessment shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.
13. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built 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 sources upon nearby residential properties and other noisesensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless approved in writing by the Planning Authority.
14. During the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning

Authority: Mondays to Fridays: 0800-1800 Saturdays: 0800-1300 Sundays and public holidays No working

15. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472:1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimize the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
16. The recycling facility shall not commence operation until such time as all of the measures to safeguard local air quality and to minimise the risk of dust and odour have been fully implemented in accordance with the approved air quality impact assessment, and all such measures shall be retained thereafter.
17. In the event of complaints of odour or dust arising once the development is operational, the site operator shall investigate any such complaints and shall submit a report to the Planning Authority detailing the source of the problem and the measures proposed (which shall be all measures that are reasonably practicable) to prevent its recurrence. Such measures once approved shall be implemented immediately.
18. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall take place on site until such time as details of all external lighting (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and columns types/colours) have been submitted to and approved in writing by the Planning Authority. Lighting shall be designed to avoid light nuisance for residential properties and to avoid impaction upon the effectiveness of approach lighting for Glasgow Airport. Such lighting shall then be implemented in accordance with the approved details and shall be maintained in this condition. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.
19. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the

plan are to take place unless first submitted to and approved in writing by the Planning Authority.

20. No deliveries of waste or recyclable material and no collections of material from the site shall take place out with the hours of 0700 hours to 1900 hours.
21. Other than works associated with the construction of the site access as shown on Drawing 1751-01-02, no built development shall commence until such time as the following have been submitted to and agreed in writing by the Planning Authority:
  - (a) a Construction Environmental Management Plan, which shall include details of mitigation measures to protect the water environment during the construction phase, including the provision of sacrificial SUDS;
  - (b) an Environmental Management Plan, which shall include details of the treatment of runoff from the digester storage and effluent treatment facility;
  - (c) a Site Waste Management Plan; and
  - (d) a revised Site Surface Water Management Plan, having regard to the comments contained in SEPA's letter dated 21 September 2012 (attached) The development shall thereafter be implemented and operated in accordance with these approved plans unless otherwise approved in writing by the Planning Authority.
22. For the avoidance of doubt, "built development" is defined as any works required to form any buildings, internal roads, service/access yards, weighbridges, plant equipment, tanks or landscaping in the area identified as Development Area B on Drawing No.1751-01-03 but does not include any works necessary to remediate Development Area B.
23. Notwithstanding the details of the approved plans, in the event that prior to the formation of the new access being implemented the Planning Authority notifies the developer of the emergence of detailed proposals for significant road improvements on Dock Street, the developer shall be required to make such reasonable alterations to the detail of the new junction as may be agreed with the Planning Authority at that time.