



**Renfrewshire
Council**

DECISION NOTICE

Town and Country Planning (Scotland) Act 1997
Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2008

TO

BAE Systems (Property Investments) Ltd/
Warwick House
PO Box 87, Farnborough
Aerospace Centre
Hants
GU14 6YU

With reference to your application registered on 06/07/2009 for Planning Consent for the following development:-

PROPOSAL

Construction of a landfill facility.

LOCATION

Land at Western Edge (east of Turningshaw Road) of the Royal Ordnance Site, Station Road, Bishopton

DECISION

The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

GRANT Planning Consent subject to the conditions listed on the attached paper apart.

PLANS AND DRAWINGS

The plans and drawings relative to this permission are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

NOTE: It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under any other statutory enactments, for example Building (Scotland) Acts, Roads (Scotland) Act 1984 etc.

Dated 24/03/2010

Signed
Head of Planning and Development

Note: This decision notice includes conditions which are suspensive in nature. Should development commence without compliance with these suspensive conditions, the development will be unauthorised and the Council, as planning authority, is entitled to take enforcement action under Part VI of the Town and Country Planning (Scotland) Act 1997.



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PAPER APART

TERMS AND CONDITIONS

- 1 That planning permission lapses on the expiration of a period of 3 years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

- 2 No material other than that sourced from within the former Bishopton Royal Ordnance Factory site (and arising from or as a result of the remediation and bulk earthworks necessary to make the site suitable for the redevelopment proposals approved in planning permission 06/0602/PP for the formation of a Community Growth Area) shall be deposited within the landfill facility.

Reason: To define the permission, to ensure that the operation of the landfill facility remains consistent with the proximity principle and the supporting Environmental Impact Assessment; in the interests of general amenity; and, to prevent the importation of waste.

- 3 The gross void space of the landfill facility hereby approved shall not exceed 100,000 m³.

Reason: To define the permission, to ensure that the facility remains consistent with the supporting Environmental Impact Assessment and in the interests of general amenity.

- 4 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To ensure that any sensitive archaeological remains or artefacts, affected by the proposed works, may be adequately recorded.

- 5 That should any mature broadleaved trees require to be removed they shall be felled by hand in such a manner as to minimise impacts to bats should they be present.

Reason: To ensure that the works do not unacceptably impact on any protected species.



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- 6 That any vegetation clearance works required on site be undertaken outwith the main bird breeding season of March to July inclusive. Where this is not operationally possible, such works should be preceded by a nesting bird survey with steps taken to protect any nest sites identified.

Reason: To ensure that the works do not unacceptably impact on the ecological interests on the site.

- 7 That all grass mixes to be seeded on the site's disturbed ground post-works be approved in writing by the Planning Authority in consultation with Scottish Natural Heritage.

Reason: To ensure that the seed mixes are appropriate and to safeguard the ecological interests of the site.

- 8 That detailed design plans for the final landform of the landfill site shall be submitted for the written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of visual and landscape amenity.

- 9 Development shall not 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:

- Monitoring of any standing water within the site temporary or permanent
- Monitoring of the reed beds to ensure that starling roosts do not form
- Monitoring of the water bodies until the reeds have become fully established to ensure that hazardous birds do not utilise them
- Details of a goose proof fence around reed beds until they become fully established.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Glasgow Airport.

- 10 Prior to the commencement of works on site, a surface water management plan shall be submitted for the written approval of the Planning Authority. The plan thereafter agreed shall be implemented on site and maintained in the approved manner.

Reason: In the interests of amenity and to demonstrate that the rate of surface water discharge does not result in increased flood risk.



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- 11 That prior to any works commencing on site, detailed drawings of the vehicular access onto the B790 Houston Road demonstrating its design and construction complying with the Scottish Executive Design Manual for Roads and Bridges and the Council's Guidelines for Development Roads shall be submitted for the written approval of the Planning Authority. The details thereafter agreed shall be implemented on site in the approved manner prior to the commencement of the construction of the landfill hereby approved and the access shall thereafter be maintained as such subject to the limitation imposed by Condition 16 below.

Reason: In the interests of amenity and traffic safety.

- 12 That prior to the vehicular access onto the B790 Houston Road being brought into use, the applicant shall provide details of and make provision for wheel washing facilities and any other required associated facilities to ensure that vehicles travelling to and from the site do not discharge deleterious materials onto the public road. The details thereafter agreed shall be implemented on site and maintained in the approved manner for the duration of the activities hereby approved.

Reason: In the interests of amenity and traffic safety.

- 13 That prior to the vehicular access onto the B790 Houston Road being brought into use, the applicant shall enter into a Vehicle Routing Agreement with the Council to ensure that all vehicles associated with the works travel on routes that are considered most suitable for the purpose of gaining access to and from the nearest trunk and principal roads. The Vehicle Routing Agreement once concluded shall be adhered to for the duration of the development hereby approved unless altered or revised with the permission of the Planning Authority.

Reason: In the interests of amenity and traffic safety.

- 14 That prior to the commencement of the works hereby approved, the applicant, in conjunction with the Planning Authority, shall agree a methodology and programme for undertaking dilapidation surveys of the roads connecting to the site before, during and after the landfill works. The dilapidation surveys shall monitor the effects of site traffic and shall identify any abnormal site vehicles load that may lead to extraordinary expenses in repairing local roads damaged by these heavy vehicles. The methodology, programme and surveys agreed shall thereafter be carried out in the approved manner for the duration of the works hereby approved.

Reason: In the interests of amenity and traffic safety.

- 15 All employees and contractors vehicles shall be accommodated within designated off-road/on-site parking areas and all vehicles associated with the works hereby approved shall be parked within the confines of the site.

Reason: In the interests of amenity and traffic safety.



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- 16 That the vehicular access onto the B790 Houston Road as may be agreed in terms of Condition 11 above, shall be used only for the duration of the works hereby approved and it shall thereafter be removed and the site restored to a clean and tidy condition unless alternative permanent access arrangements for the community woodland park have been submitted to and approved in writing by the Planning Authority.

Reason: In the interests of amenity and traffic safety.

- 17 Prior to the commencement of construction of the landfill facility, any required remediation works within the boundary of the planning application site must be completed, verified and approved in writing by the Planning Authority.

Reason: To ensure that the land is suitable for its proposed use as a landfill facility.

- 18 Unless otherwise agreed in writing by the Planning Authority in consultation with SEPA, construction of the landfill facility shall be carried out in accordance with the approved detailed strategies, method statements and any other plans, drawings, documents, details, schemes or strategies which have been approved in writing by the Planning Authority pursuant to these conditions.

Reason: To ensure that all construction activities are conducted as agreed and that any deviations are brought to the attention of the Planning Authority and agreed as appropriate.

- 19 All assessment criteria utilised for interpretation of data or for the screening of imported or site won materials for re-use should be protective of all relevant receptors and agreed in writing with the Planning Authority in consultation with SEPA. Assessment criteria shall be updated following any changes in legislation and/or authoritative guidance during the period of landfill construction. Where new assessment criteria are developed, full justification for the changes to criteria should be provided in writing and subsequently approved in writing by the Planning Authority in consultation with SEPA.

Reason: To ensure that best practice and guidance current at the time of the construction of the landfill are used in the assessment and development of the site. To ensure that no new pollutant linkages are created through the movement and/or importation of materials to the site.

- 20 Following closure of the landfill, and prior to any public access to the landfill area, a validation report confirming suitability for final end use shall be submitted to the Planning Authority for written approval.

Reason: To ensure that the site is suitable for intended final end use as recreational open space.



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Notification of initiation of development

Notice under Section 27A(1) Town and Country Planning (Scotland) Act 1997

1. A person who intends to carry out development for which planning permission has been given must, as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to the planning authority as to that date.
2. The notice to be given in accordance with section 27A(1) of the Act by a person intending to carry out development must—
 - (a) include the full name and address of the person intending to carry out the development;
 - (b) state if that person is the owner of the land to which the development relates and if that person is not the owner provide the full name and address of the owner;
 - (c) where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name of that person and details of how that person may be contacted; and
 - (d) include the date of issue and reference number of the notice of the decision to grant planning permission for such development.
3. Your attention is drawn to Section 123(1) of the Town and Country Planning (Scotland) Act 1997 set out below.

“123 Expressions used in connection with enforcement

(1) For the purposes of this Act—

- (a) carrying out development without the required planning permission, or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted,

constitutes a breach of planning control.”

NB Failure to comply with the requirements of this Notice constitutes a breach of planning control.

Attention is also drawn to Section 27B of the Town and Country Planning (Scotland) Act 1997 as set out below:

“27B Notification of completion of development

- (1) A person who completes development for which planning permission has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.
- (2) If an application to a planning authority for planning permission discloses, in the opinion of the authority, that the development in question is to be carried out in phases then any such permission granted is to be granted subject to a condition, imposed under section 37(1)(a) in respect of each phase except the last (notice of the completion of which is to be given under subsection (1)), that as soon as practicable after the phase is completed the person carrying out the development is to give notice of that completion to the planning authority”



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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning Act (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk, FK1 1XR.

A copy of any notice of appeal should at the same time be sent to the Director of Planning and Transport, Renfrewshire Council, Cotton Street, Paisley, PA1 1LL.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.