



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
Farnborough
GU14 6YU

With reference to your application registered on 29/07/2009 for Planning Consent for the following development:-

PROPOSAL

Engineering operations comprising remediation and bulk earthworks

LOCATION

Royal Ordnance, 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 Prior to the commencement of development the developer shall submit for the Council's approval an archaeological mitigation strategy. Thereafter the developer shall ensure that the approved strategy 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 the correct level of mitigation fieldwork is undertaken and reported on throughout the remediation and earthmoving programme.

- 3 Prior to any works commencing on site a Management Plan for the protection of the water environment shall be submitted for the written approval of the Planning Authority, in consultation with the Scottish Environmental Protection Agency, and the plan thereafter agreed shall be implemented in the approved manner to the satisfaction of the Planning Authority in consultation with SEPA.

Reason: To ensure that the works do not adversely impact on the water environment and in the interests of amenity.

- 4 Prior to any work commencing on site a Surface Water Management Plan shall be submitted for the written approval of the planning authority and the details thereafter agreed shall be implemented in the approved manner to the satisfaction of the Planning Authority.

Reason: To ensure that the proposed works adopt the principles of Sustainable Urban Drainage Systems and in the interest of amenity.

- 5 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
 - Details of measures taken to reduce the attractiveness of the proposed water bodies to birds for example through design and planting
 - Details of bird deterrent techniques and their application at various phases of site development
 - Details of monitoring and inspections of the site and record keeping
 - Details of threshold criteria and the application of failure criteria

The Bird Hazard Management Plan shall be implemented as approved upon commencement of the development and shall remain in force for the life of the



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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.

- 6 No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping and Building Design' (available at www.aoa.org.uk/publications/safeguarding.asp). These details shall include:
- Any earthworks
 - Grassed areas
 - The species, number and spacing of trees and shrubs
 - Details of planting to the SUDS ponds

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation Glasgow Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

- 7 That prior to any on-site works commencing a suitably qualified Ecological Clerk of Works shall be confirmed as being in post. This appointment shall be approved by the planning authority in consultation with Scottish Natural Heritage.

Reason: In the interests of amenity, to safeguard the ecological resources on the site and to ensure that the ecological mitigation identified in the Environmental Statement is carried out.

- 8 Prior to the commencement of works on site, an Ecological Design and Management Plan shall be submitted for the written approval of the Planning Authority in consultation with Scottish Natural Heritage. The scope, content and means of implementation of this plan, including lines of responsibility and means of regular update and review shall be agreed by the Planning Authority in consultation with SNH. The details thereafter agreed shall be implemented in the approved manner with the implementation of the Plan being overseen by the Ecological Clerk of Works.

Reason: To ensure that the works remain consistent with the ecological mitigation measures identified within the Environmental Statement and in the interests of amenity.

- 9 That prior to any works commencing on site, and in addition to the Ecological Design and Management Plan, a more detailed Badger Management Plan shall be produced, the content of which shall be agreed in writing by the Planning Authority in consultation with SNH. The plan shall demonstrate the management of the mitigation of the loss of badgers setts and access to foraging territory throughout



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the lifetime of the proposal and will form the basis of all badger development license applications to SNH. The Plan shall thereafter be implemented in the approved manner to the satisfaction of the Planning Authority and the implementation of this Plan including regular update and review shall be overseen by the Ecological Clerk of Works.

Reason: In the interests of amenity, to safeguard the ecological resources on the site and to ensure that the ecological mitigation identified in the Environmental Statement is carried out.

- 10 The bat roost identified on the site shall not be removed until a timescale has been agreed with the Planning Authority in consultation with SNH.

Reason: In the interests of amenity, to safeguard the ecological resources on the site and to ensure that the ecological mitigation identified in the Environmental Statement is carried out.

- 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 remediation and earthworks hereby approved and shall thereafter be maintained as such subject to the limitation imposed by Condition 16 below.

Reason: In the interests of traffic safety.

- 12 That prior to the 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 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 interest of traffic safety and amenity.



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- 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 remediation and bulk earthworks. 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.

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.

- 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 Detailed plans of the final landform of the landscape mounds including heights, contours, profiles, landscaping, planting, footpaths or other features shall be submitted for the written approval of the Planning Authority prior to any works commencing on this aspect on site. The location of the landscape mounds shall be as identified in Figure 3.17: Bulk Reclamation Earthworks of the Environmental Statement. The volume of material in Landscape Mound 1 shall not exceed 105,000 cubic metres and its height shall not exceed 27 metres; the volume of material in Landscape Mound 2 shall not exceed 612,000 cubic metres and its height shall not exceed 35 metres; and, the volume of material in Landscape Mound 3 shall not exceed 60,000 cubic metres and its height shall not exceed 12 metres (all as generally indicated in Figure 3.16(ii), Figure 3.16(iii) and Figure 3.16(iv) of the Environmental Statement).

Reason: In the interest of visual amenity and to ensure that the proposals remain consistent with the supporting Environmental Assessment.

- 18 The borrow area shall be restored to its original levels. Detailed plans and details of the phasing, restoration and final landform of the borrow area including heights, contours, profiles, landscaping, planting, footpaths or other features shall be submitted for the written approval of the Planning Authority prior to any works commencing on this aspect on site. The location of the borrow area shall be as identified in Figure 3.17: Bulk Reclamation Earthworks of the Environmental Statement. The details of phasing, extraction, restoration and landscaping shall all be as generally indicated in Figure 3.13 Borrow Area Stages and Figure 3.14 Aerial Perspectives of Borrow Area Landform of the Environmental Statement.



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Reason: In the interest of visual amenity and to ensure that the proposals remain consistent with the supporting Environmental Assessment.

- 19 Detailed plans of the final landform of Boghall Meadow and Central Meadow including heights, contours, profiles, landscaping, planting, footpaths or other features shall be submitted for the written approval of the Planning Authority prior to any works commencing on this aspect on site. The location of Boghall Meadow and Central Meadow shall be as identified in Figure 3.16(i): Strategic Landscape Restoration Proposals of the Environmental Statement. The details of phasing, extraction, capping, and landscaping shall all be as generally indicated in Figure 3.16(v) Strategic Landscape Restoration Proposals Boghall Meadow and Figure 3.16(viii) Strategic Landscape Restoration Proposals Central Meadow of the Environmental Statement.

Reason: In the interest of visual amenity and to ensure that the proposals remain consistent with the supporting Environmental Assessment.

- 20 Full details of the location, duration, height and composition of individual stockpiles shall be submitted for the prior written approval of the Planning Authority before a particular stockpile is brought into use. Stockpiles shall be generally located as indicated on Drawing Numbers RM1-0 to RM1-6 Bishopton Remediation Phasing of the Remediation Strategy Report.

Reason: In the interests of amenity and to ensure that the proposals remain consistent with the supporting Environmental Statement.

- 21 Prior to written approval for the discharge of each individual planning condition, a final version of all relevant documents as agreed with the Planning Authority shall be provided to the Planning Authority.

Reason: To ensure that a proper record is kept, including the complete collation of documentation and a final version as agreed for future reference and FOI reasons.

- 22 Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the remediation works and earthworks 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 remediation works and earthworks are conducted as agreed and that any deviations are brought to the attention of the Planning Authority and agreed as appropriate.

- 23 Prior to any demolition, clearance, enabling, building or other works commencing on site, the following documents, as listed within supporting documents submitted by BAE shall be submitted for the written approval of the Planning Authority. The proposed content of each plan shall be approved in writing with the Planning Authority in consultation with SEPA. Thereafter all works shall be undertaken in accordance with the approved documents:



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- (a) Water Management Plan (including impact of remediation);
- (b) Logistics Management Plan;
- (c) Materials Handling and Storage Plan;
- (d) Site Clearance Method Statement;
- (e) Building Decontamination Method Statement;
- (f) Asbestos Monitoring Plan;
- (g) Detailed Verification Plan;
- (h) Detailed Monitoring Plan;
- (i) Remediation & Construction Traffic Management Plan (potentially incorporated into the overall Traffic Management Plan); and
- (j) A phased Submission of Information Statement.

Reason: To ensure that all appropriate detailed documentation is provided and approved by the Planning Authority.

- 24 Where the Masterplan changes and/or the phases of development alter from that submitted with the Planning Application, details of all changes shall be submitted in writing to the Planning Authority. Subsequently, suitable re-assessment and interpretation of data, and, where appropriate revision of the Remediation Strategy, shall be completed and submitted for the approval in writing by the Planning Authority in consultation with SEPA.

Reason: To ensure that any changes to the proposed development are considered appropriately and remediation and earthworks are suitable to any changes to the proposed development.

- 25 Prior to the commencement of works on site, a plan sub-dividing the site into defined Land Quality Management Areas (LQMA), for the purposes of land contamination assessment and remediation, shall be issued for the written approval of the Planning Authority. Thereafter all works shall be undertaken in accordance with the approved plan.

Reason: To ensure the appropriate sub-division of a) the entire site and b) the proposed phases of investigation, remediation and verification into manageable sub-areas to allow clear management of land quality issues and allow future sign off of related conditions in a staged manner.

- 26 Prior to any remediation and earthworks commencing within a specific LQMA as required by Condition 25, the applicant shall provide a revised Interpretative Report for that specified area to the satisfaction of the Planning Authority in relation to proposed land use. This shall include the interpretation of factual data; justification of the interpretations provided; the revision of detailed risk assessment processes and revised Conceptual Site Model(s) with regards to all relevant receptors for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that the factual data is suitably interpreted and assessed to ensure that potential risks to future users and the wider environment are appropriately considered.



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- 27 Prior to commencement of works, a Sediment Assessment Plan shall be provided for the written approval of the Planning Authority in consultation with SEPA. Thereafter, additional works shall be undertaken in accordance with the plan to provide further data, interpretation and risk assessment in relation to the presence, fate and transport of contaminants associated with sediments within process drains, ditches and other surface water features for the written approval of the Planning Authority.

Reason: To ensure that any ongoing impacts to the water environment from sediments are adequately characterised.

- 28 Prior to any remediation and earthworks commencing within a specific LQMA as required by Condition 25, the applicant shall provide further options appraisals in relation to the proposed remediation works for each specific LQMA for the written approval of the Planning Authority in consultation with SEPA. This options appraisal shall conform to the requirements of relevant authoritative technical guidance (e.g. paragraph A.13 of PAN 33, and Chapter C of Scottish Executive Paper SE/2006/44) and shall take cognisance of the impacts on receptors during implementation and also wider issues (e.g. the long term performance and post-treatment management requirements, and social and community impacts) as discussed within such documents. The applicant shall provide evidence to ensure that the Best Practicable Technique for Remediation has been selected for each remediation requirement, including the decontamination of buildings by burning.

Reason: To ensure that the Best Practicable Technique for Remediation is utilised to be suitably protective of the local community and environment.

- 29 Prior to commencement of any works, a framework for incorporating the requirements of any future legislation and changes to authoritative guidance for the assessment of data shall be provided for the written approval of the Planning Authority in consultation with SEPA. Thereafter, all works shall be undertaken in accordance with the approved framework.

Reason: To ensure that best practice and guidance current at the time of the each remediation and earthworks phase are used in the assessment and development of the site.

- 30 All assessment criteria utilised for interpretation of data or for the screening of imported or site won materials for re-use shall 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 over the remediation time period. 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 various remediation and earthworks phases 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.



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- 31 Prior to commencement of development within the CDA, a Remediation Options Appraisal and Remediation Strategy Report specifically for the Retained Land, shall be submitted for the written approval of the Planning Authority in consultation with SEPA. Thereafter, all works required shall be implemented, completed and verified within a suitable timescale to be agreed in writing with the Planning Authority in consultation with SEPA.

Reason: To ensure that any/all significant pollutant linkages identified within Retained Land are remediated in a timely manner. Although no development is proposed within Retained Land, this part of the site requires to be made suitable for use.

- 32 Prior to commencement of remediation and earthworks, a revised Remediation Strategy specifically for the remediation of the landfill and all ancillary areas (as included within the boundary of application 09/0456/PP) shall be completed and issued for the written approval of the Planning Authority. Thereafter, works shall be implemented as agreed.

Reason: To ensure that remediation of the entire landfill area renders the site suitable for use, taking into account all proposed land uses both during and after operation of the landfill.

- 33 Prior to commencement of remediation and earthworks within each specific LQMA as required by Condition 25, a Remediation Method Statement which incorporates details of the various remediation and earthworks activities within that specific area shall be submitted for the written approval of the Planning Authority. Each Remediation Method Statement shall include details of earthworks to be completed; remedial techniques to be employed; the locations where those techniques will be used; the types of contaminant(s) and materials handled; estimated areas and volumes of contaminated material to be remediated/relocated; items of plant and equipment to be used; monitoring of emissions and control measures and any required environmental authorisations. These Method Statements thereafter agreed shall be implemented in the approved manner.

Reason: To ensure that an appropriate level of detail is provided on the type and location of remediation and earthwork activities within each phase of works; to demonstrate that the works will be completed in line with best practice at the time of each phase of works; and to minimise adverse environmental impacts.

- 34 Prior to the commencement of remediation and earthworks, a Communication Strategy shall be provided for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that appropriate level of communication is maintained throughout the duration of the remedial works, and to ensure information is made available to the Planning Authority in a timely manner.



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- 35 If at any time during the enabling works, remediation works, earthworks and subsequent construction phase, contamination is encountered which was not identified in the course of site investigation to date, works shall cease in that specific area (except to the extent that it would not further disturb that contamination) until the necessary investigation, assessment and appropriate method statement is prepared to allow the contamination to be treated or removed, and submitted for the written approval of the Planning Authority in consultation with SEPA, and any necessary remediation has been carried out.

Reason: To ensure that any as yet unidentified contamination identified during the redevelopment is properly remediated.

- 36 Prior to commencement of remediation works, a Site Waste Management Plan and Soils Reuse Plan shall be provided for the written approval of the Planning Authority. Thereafter, imported or site won materials (including sediment dredged from watercourses), shall only be placed or re-used on the site in accordance with the Site Waste Management Plan and Soils Reuse Plan, which shall ensure that they present no unacceptable risk to human health, the water environment, planting and the wider environment. The import onto the site of material classified as 'waste' shall only be acceptable with the prior approval of the Planning Authority.

Reason: To ensure that the movement of materials around the site is undertaken in a controlled manner and that appropriate records are kept; to ensure that no contaminated material is brought onto site and that all site won materials placed onsite are suitable for re-use.

- 37 Further monitoring and gas risk assessment from the Made Ground and Peat strata shall be completed post-remediation and prior to construction to ensure that the risk to all existing and proposed buildings onsite, including the landfill area, is adequately characterised. This information shall be provided as a supplementary report which shall include details of the investigation, risk assessment, and proposed gas mitigation measures for the written approval of Planning Authority.

Reason: To ensure that the risk to receptors in the CDA and to the landfill and ancillary structures is properly defined and any required mitigation measures are integrated into the development.

- 38 Prior to the commencement of development within a specific LQMA as required by Condition 25, site verification report(s) for that area shall be submitted to, and approved in writing by, the Planning Authority. In areas where no development is to occur, a verification report shall be submitted to, and approved in writing by, the Planning Authority within 3 months of completion of the remediation works to confirm that the required remediation works have been satisfactorily completed. This condition may be discharged on a phased basis where agreed with the Planning authority.

Reason: To ensure that all appropriate steps have been taken in respect of remediation; that the required levels of remediation have been achieved in the interests of environmental and public safety; to ensure that all remediation is properly validated and recorded.



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- 39 Burning shall not take place within or on the site, unless undertaken in accordance with the relevant documents required by Condition 23.

Reason: To prevent disamenity and prevent any unacceptable risks to public health.



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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.