

Grant of Planning Consent

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT)
(SCOTLAND) ORDERS

Proposal

Change of use to licensed restaurant

Site

Clydebank Central Church
1 Montrose Street
Clydebank
G81 2LQ

Applicant

Senex Investments Ltd

Agent

Bob Holmes Design
15 Waverley Gardens
Shawlands
Glasgow
G41 2DN

Class of Development

Local Development

Decision Type

Committee

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

DECISION: GRANT PLANNING PERMISSION SUBJECT TO THE CONDITIONS AND REASONS CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

NOTE: *IT SHOULD BE UNDERSTOOD THAT THIS PERMISSION DOES NOT CARRY WITH IT ANY NECESSARY CONSENT OR APPROVAL TO THE PROPOSED DEVELOPMENT UNDER ANY OTHER STATUTORY ENACTMENTS.*

DATED THIS: 4th day of May 2010

EXECUTIVE DIRECTOR of HOUSING, ENVIRONMENTAL
AND ECONOMIC DEVELOPMENT
COUNCIL OFFICES,
CLYDEBANK G81 1TG

SIGNED
for WEST DUNBARTONSHIRE COUNCIL

01. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.

Reason In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.

Reason In accordance with the terms of Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

03. 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 the proposed use to cause noise nuisance affecting nearby properties. Where potential 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 brought into use and shall thereafter be retained in accordance with the approved scheme. Should the approved noise attenuation scheme impose restrictions upon the way in which operations on the site are carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The noise impact assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.

Reason To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise.

04. 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

Reason To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise and disturbance at unsocial hours.

05. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.

Reason To ensure that waste oil, grease and fat from food premises do not cause damage to the public sewer in the interests of public health and amenity

06. Prior to the commencement of development on site, details of the flue system/ extraction system shall be submitted to and approved by the Planning Authority. The submitted details shall include the noise output and filter system. The approved flue/extraction system shall be implemented prior to the use being brought into use and shall be maintained thereafter.

Reason To safeguard public health and to protect the amenity of the surrounding area

07. Prior to the commencement of development details of the design and location of the bin stores shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

Reason To ensure the position and design of the bin stores is acceptable.

08. Notwithstanding the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) and the Use Classes Order (Scotland)1997 the church hall shall be used for storage associated with the restaurant only and no other use unless a separate application for planning permission is submitted to and approved by the Planning Authority.

Reason To allow the Planning Authority to retain effective control over the use of the hall to safeguard the amenity of the area.

09. Prior to the building brought into use, the windows marked Green on the approved plans shall be glazed with opaque glass which shall be retained at all times. A sample of the opaque glass shall be submitted to and approved by the Planning Authority and shall be implemented as approved.

Reason To prevent overlooking of adjacent residential properties.

10. For the duration of the development taking place, the developer shall display the sign or signs provided, or copies thereof. Such sign(s) shall be displayed in a prominent place or places at or in the immediate vicinity of the site, must be readily visible to the public and any copies must be printed on a sufficiently durable material to remain legible throughout the period of development. In the event of the sign(s) being lost, damaged or removed whilst the development is ongoing, they shall be replaced at the earliest time practical.

Reason In accordance with the terms of Section 27C of the Town and Country Planning (Scotland) Act 1997 (as amended).

11. Notwithstanding the submitted details, servicing of the restaurant shall be between the hours of 10:00am and 4:00 pm daily and details of the service arrangements shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented as approved.

Reason To ensure that servicing of the premises takes place outwith peak traffic hours and in such a way that will not affect the amenity of adjacent residential properties.

12. Notwithstanding the submitted plans, details of the location and treatment of the area for smokers shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the restaurant being brought into use.

Reason To ensure that the area used by smokers does not have an adverse impact on the adjacent residential properties and the area in general.

13. Notwithstanding the submitted plans the northern boundary of the site adjacent to 282 Kilbowie Road shall be screened and landscaped. Prior to the commencement of development on site, details of the treatment and landscaping of this boundary shall be submitted to and approved by the Planning Authority and shall be implemented prior to the restaurant being brought into use.

Reason To protect the amenity of adjacent residential properties.

14. Details of the design and construction of walls and fences to be erected on site shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented as approved.

Reason To allow the Planning Authority to control the design and construction of such features in the interests of visual and residential amenity.

FOR NOTING

Informatives

01. The plans referred to as part of this decision are O.S plan, 2015/02 Rev A, 2015/03, 2015/04 Rev A, 2015/05
02. A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (COMMITTEE DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may lodge an appeal to the Scottish Ministers against this decision within 3 months of the date of this notice.

The appeals may be submitted electronically via the Scottish Government's website:

<http://www.scotland.gov.uk/Topics/Built-Environment/planning/decisions-appeals/Appeals/appeal-forms>

Alternatively, appeals may be submitted in writing to the address below. Appeal forms can be obtained from the above website or from the Scottish Government at the following address.

**Scottish Government
Directorate of Planning and Environmental Appeals
4 The Courtyard, Callendar Business Park
Callendar Road
Falkirk FK1 1XR**

Telephone	01324 696400
E-mail	dpea@scotland.gsi.gov.uk

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or 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, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.