

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 28 January 2015 at 2.10 p.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning & Building Standards Manager; Raymond Walsh, Network Services Co-ordinator; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Councillor Lawrence O'Neill 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 at this point in the meeting.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 17 December 2014 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of Visitation carried out on 15 December 2014, a copy of which forms Appendix 1 hereto, was submitted and noted.

### **PLANNING APPLICATIONS**

A report was submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

#### **New Applications:-**

- (a) **DC14/037 & DC14/038 - Change of use from a care home to hotel and events centre (Planning Permission and Listed Building Consent), at Dalmoak House, Renton Road, Dumbarton, by Mr Nitin Satpute.**

Reference was made to the site visit which had been undertaken in respect of the above application.

Councillor O'Neill advised that an updated presentation had been received from Mr Griffen, a local resident, who had indicated that he wished to address the Committee. Having heard the Legal Officer in answer to Members' questions, Mr Griffen decided to withdraw his updated presentation and the submitted presentation was used.

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair, Councillor O'Neill, invited Mr James Turner, a local farmer, to address the Committee. Mr Turner made his views on the application known. Mr Turner was also heard in answer to Members' questions.

The Chair then invited Mr Stephen Griffen, local resident speaking on behalf of a number of objectors, to address the Committee. Mr Griffen gave a presentation and made the objectors' views on the application known.

The Network Services Co-ordinator and the Planning & Building Standards Manager were then heard in answer to Members' questions.

The Chair then invited Mr John Daly, agent for the applicant, to address the Committee. Mr Daly spoke in support of the application and was heard in answer to Members' questions.

Following discussions the Committee agreed to refuse both application on the grounds that development is contrary to existing policies and would result in a loss of amenity in an area where there is no specific locational need for the proposed use. The proposed conditions would not mitigate against the adverse impacts.

## **ADJOURNMENT**

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a period of 5 minutes.

The meeting reconvened at 3.10 p.m. with all those Members shown on the sederunt in attendance.

- (b) DC14/202 - Residential development of 24 flats (removal of Conditions 20 and 21 of permission DC12/275 which link construction of the last 12 flats to the completion repair, restoration and conversion of Helenslee House), at the former Keil School, Helenslee Road, Dumbarton by Bett Homes Limited; and**

**DC14/203 - Residential development of 13 houses (removal of Condition 21 of permission DC12/211 which links construction of the last 11 new-build houses within the wider Keil School site to the completion repair, restoration and conversion of Helenslee House), at the former Keil School, Helenslee Road, Dumbarton by Bett Homes Limited.**

Reference was made to the site visit which had been undertaken in respect of the above application.

The Planning & Building Standards Manager was heard in further explanation of the report.

The Chair, Councillor O'Neill, invited Mr Paul Niven and Mr Steven Beveridge, local residents, to address the Committee. Mr Niven and Mr Beveridge made their views on the application known.

The Chair then invited Mr Neil Davidson, representing the applicant to address the Committee. Mr Davidson was heard in support of the application and in answer to Members' questions.

Having heard the Planning & Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed to refuse both planning applications, reasons for which are specified within the report, and details of which are contained within Appendix 2 hereto.

**(c) DC14/228 - Change of use to form car park at Crosslet Road, Dumbarton by West Dunbartonshire Council.**

Reference was made to the site visit which had been undertaken in respect of the above application.

Having heard the Planning & Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 3 hereto.

**(d) DC14/254 - Erection of conservatory (retrospective, removal of Condition 2 of permission DC13/087 requiring implementation of noise mitigation measures) at 11 Park Avenue, Dumbarton by Mrs Elaine Lawrie.**

The Committee agreed to grant planning permission for the removal of the condition.

## **PLANNING PERFORMANCE FRAMEWORK 2013/14**

A report was submitted by the Executive Director of Infrastructure and Regeneration informing of the recent comments received from the Scottish Government regarding the Planning Performance Framework submitted by this Council for 2013/14.

Having heard the Planning & Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Committee's thanks be conveyed to all staff involved for their diligence and performance;
- (2) to the implementation of the improvement plan, as detailed within Appendix 4 to the report; and
- (3) to note the contents of the report.

The meeting closed at 4.03 p.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 15 DECEMBER 2014

- Present:** Councillors Denis Agnew and John Mooney\*
- Attending:** Pamela Clifford Planning & Building Standards Manager and Keith Bathgate, Team Leader (Development Management)\*
- Also attending:** Councillor Kath Ryall
- Apologies:** Councillors Gail Casey, Patrick McGlinchey and Laurence O'Neill.
- \*Note:-** Councillor Mooney and the Team Leader (Development Management) attended both site locations, all others attended Aurora Avenue and Ossian Way, Queens Quay, Clydebank only.

SITE VISIT

Site visits were undertaken in connection with the undernoted planning applications:-

(a) Aurora Avenue and Ossian Way, Queens Quay, Clydebank

DC14/180 - New Leisure Centre over 4 floors comprising 25 metre pool, teaching pool, leisure pool, cafe, sports hall, fitness suite and ancillary spaces by West Dunbartonshire Council.

(b) 127 College Street, Dumbarton

DC13/166 - Change of use from public house to restaurant and associated works including the installation of an external flue and DC14/247 - Installation of galvanised steel external flue (Listed Building Consent) by Mr Santokh Singh.

**DC14/202 - Residential development of 24 flats (removal of Conditions 20 and 21 of permission DC12/275 which link construction of the last 12 flats to the completion repair, restoration and conversion of Helenslee House), at the former Keil School, Helenslee Road, Dumbarton by Bett Homes Limited; and**

**DC14/203 - Residential development of 13 houses (removal of Condition 21 of permission DC12/211 which links construction of the last 11 new-build houses within the wider Keil School site to the completion repair, restoration and conversion of Helenslee House), at the former Keil School, Helenslee Road, Dumbarton by Bett Homes Limited.**

**Permission REFUSED for the following reasons:-**

**DC14/202**

1. The completion of the flats without complying with the terms of conditions 20 and 21 of planning permission DC12/275 would remove any link between this phase of the enabling development and the restoration/conversion of Helenslee House, and would reduce the likelihood that the value of enabling development on the remaining parts of the Keil School site would be sufficient to cover restoration of the listed building. The proposal would therefore endanger the future of a listed building which is of architectural and historic interest and which contributes positively towards the appearance and character of the Kirktonhill Conservation Area. The proposal is therefore contrary to Policy BE2 of the West Dunbartonshire Local Plan (2010) and Policy BH3 of the West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan.

**DC14/203**

1. The completion of the new houses without complying with the terms of condition 21 of planning permission DC12/211 would remove any link between this phase of the enabling development and the restoration/conversion of Helenslee House, and would reduce the likelihood that the value of enabling development on the remaining parts of the Keil School site would be sufficient to cover restoration of the listed building. The proposal would therefore endanger the future of a listed building which is of architectural and historic interest and which contributes positively towards the appearance and character of the Kirktonhill Conservation Area. The proposal is therefore contrary to Policy BE2 of the West Dunbartonshire Local Plan (2010) and Policy BH3 of the West Dunbartonshire Local Development Plan (WDLDP), Proposed Plan.

**DC14/228 - Change of use to form car park at Crosslet Road, Dumbarton by West Dunbartonshire Council.**

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

1. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and implemented as approved.
2. The proposed landscaping scheme shown on drawing number 13043/RW/LP-02 shall be implemented not later than the next appropriate planting season after the car park is brought into use.

DRAFT

## PLANNING COMMITTEE

### NOTE OF VISITATIONS – 26 JANUARY 2015

- Present:** Councillor Jim Finn
- Attending:** Pamela Clifford Planning & Building Standards Manager and Lorna Ramsay, Planning Officer
- Apologies:** Councillors Gail Casey; John Mooney and Tommy Rainey

### SITE VISIT

Site visits were undertaken in connection with the undernoted planning applications:-

(a) Crosslet Road, Dumbarton

DC14/228 - Change of use to form car park by West Dunbartonshire Council.

(b) Former Keil School, Helenslee Road, Dumbarton

DC14/202 - Residential development of 24 flats (removal of Conditions 20 and 21 of permission DC12/275 which link construction of the last 12 flats to the completion repair, restoration and conversion of Helenslee House) and DC14/203 - Residential development of 13 houses (removal of Condition 21 of permission DC12/211 which links construction of the last 11 new-build houses within the wider Keil School site to the completion repair, restoration and conversion of Helenslee House by Bett Homes Limited.

(c) Dalmoak House, Renton Road, Dumbarton

DC14/037 & DC14/038 - Change of use from a care home to hotel and events centre (Planning Permission and Listed Building Consent) by Mr Nitin Satpute.

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Executive Director of Infrastructure and Regeneration**

**Planning Committee: 25 February 2015**

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**Subject: New street name for housing development at former Hill Street, Dumbarton**

#### **1. Purpose**

- 1.1** To allocate a street name to the proposed housing development at the former Hill Street, Brucehill, Dumbarton.

#### **2. Recommendations**

- 2.1** It is recommended that Cunningham Square is approved as the new street name.

#### **3. Background**

- 3.1** The suggested street name is required to complete the development. New housing is being built by the Council to replace the existing houses that have now been demolished. The site being developed was previously known as Hill Street however it is now proposed that the development is renamed to reflect the new housing layout.

#### **4. Main Issues**

- 4.1** The street name is taken from the history surrounding the inception of Brucehill. The Burgh Council approached the then landowner Laird Robert Bontine Cunningham Graham with a proposal to purchase about thirty acres of land to allow the construction of council houses in the area.
- 4.2** The street name proposed for consideration is Cunningham Square which reflects the history of the area and replicates the road layout being in the formation of a square design.
- 4.3** The name proposed meets the requirement of the Councils Street Naming Policy.
- 4.4** In line with the street naming policy the elected members for Ward 3 have been consulted and no comments have been received at the time of writing this report.

#### **5. People Implications**

- 5.1** There are no people implications.

## **6. Financial Implications**

**6.1** There are no financial implications.

## **7. Risk Analysis**

**7.1** There are no known risks to the Council.

## **8. Equalities Impact Assessment (EIA)**

**8.1** None.

## **9. Consultation**

**9.1** As part of the Councils Street Naming Policy elected members for Ward 3 Dumbarton have been consulted. No comments were received back as part of the consultation.

## **10. Strategic Assessment**

**10.1** This proposal does not impact on any of the Council's strategic priorities.

### **Richard Cairns**

Executive Director of Infrastructure and Regeneration

Date: 02 February 2015

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**Person to Contact:** Pamela Clifford, Planning & Building Standards Manager,  
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**Appendices:** None

**Background Papers:** None

**Wards Affected:** Ward 3 Dumbarton

## WEST DUNBARTONSHIRE COUNCIL

### Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 25 February 2015

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**Subject: Determination of appeal against the refusal of planning application DC14/167 for the sub-division of existing retail unit and change of use to betting office and installation of shopfront at 18 Britannia Way, Clydebank**

#### **1. Purpose**

- 1.1** To inform the Committee of the outcome of a planning appeal.

#### **2. Recommendations**

- 2.1** That the Committee **notes the outcome** of the appeal.

#### **3. Background**

- 3.1** A planning application for the change of use of part of an existing retail unit into a betting office and the associated installation of a shopfront was refused by the Planning Committee on 29 October 2014. The application was refused on the grounds that it would result in:

- (1) loss of ground retail floorspace and frontage within the core retail area of Clydebank in circumstances where the resultant use would not serve to reinforce or revitalise the centre; and
- (2) an undue concentration of betting shops and other non-retail uses within Clydebank Town Centre to the detriment of the character and amenity of the area and the economic wellbeing of the local community.

#### **4. Main Issues**

- 4.1** The applicant submitted an appeal against the refusal of planning permission, which has now been determined by a Scottish Government Reporter following a site visit and written submissions.
- 4.2** The Reporter noted that betting offices are a recognised town centre use, which it is preferable to site within town centres rather than outwith them. As regards the loss of retail floorspace/frontage the Reporter noted that the loss would be small and that the proposal would not in itself result in the loss of any retail unit (as the remainder of the existing shop was not

part of the application). He also noted that the existing home furnishing retailer had been trading at a loss and would not be able to continue to operate the store in its present format, but that reducing the size of the unit might help it to regain viability, and he considered that the impact on the balance of retail/non-retail uses on Britannia Way would not be significant. The Reporter therefore found no reason to conclude that the proposal would make this part of Clydebank Town Centre less attractive to shoppers.

- 4.3** In terms of the concentration of betting shops, the Reporter considered that the introduction of a fourth betting shop within a centre of the size of Clydebank Town Centre would not be excessive. Whilst there is arguably a localised concentration of betting shops at the southern end of the town centre the proposal is around 400m away from the nearest of these. Given that the covered shopping centre would be unsuitable for a betting shop which trades in the evening, and that it may not be desirable to increase the concentration of such uses at the south end of the shopping centre, Britannia Way is the most suitable location within Clydebank Town Centre for a new betting shop. The Reporter therefore did not agree that the proposal would give rise to any undue concentration of betting shops.
- 4.4** The Reporter acknowledged the Council's concern about the economic well-being of the area, and confirmed that the Scottish Planning Policy indicated that overprovision of certain uses could undermine the well-being of communities. However, he noted that the Council had not identified any strategy, policy or other evidence regarding the negative impacts which might arise in this particular case.
- 4.5** Overall, the Reporter concluded that the proposed change of use of the unit would be consistent with all relevant local and national policies, and there were no material considerations which would justify refusing the planning permission. The appeal was therefore allowed and planning permission was granted, subject to a condition requiring agreement of an accurate elevation drawing for the new shopfront.

#### Issues Arising

- 4.6** The Reporter's comments about economic wellbeing reflect a recent change in the Scottish Planning Policy (SPP), which has introduced community economic wellbeing as a potential material consideration in applications such as this. This change was made in response to concerns raised by a number of local authorities about the social impacts of uses such as betting shops and payday loans, which had not hitherto been a material planning consideration. The Council is currently working with the Scottish Government and Glasgow City Council on a pilot project related to the Scottish Government's Town Centre Action Plan to develop a robust evidence base and planning position in the form of Supplementary

Guidance to support its position on payday loan and betting shops planning applications and appeals.

**5. People Implications**

**5.1** None.

**6. Financial Implications**

**6.1** The appellant did not submit an application for an award of costs, and there are no financial implications for the Council.

**7. Risk Analysis**

**7.1** No risks have been identified.

**8. Equalities Impact Assessment (EIA)**

**8.1** An equalities impact assessment was not required.

**9. Consultation**

**9.1** Not required.

**10. Strategic Assessment**

**10.1** There are no strategic issues.

**Richard Cairns**

**Executive Director of Infrastructure and Regeneration**

**Date: 4 February 2014**

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**Person to Contact:**

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**Appendices:**

None

**Background Papers:**

1. Report to 29 October 2014 Planning Committee
2. Appeal decision letter dated 4 February 2015 Decision

**Wards Affected:** Ward 6 (Clydebank Waterfront)