

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Tuesday, 7 February 2012 at 10.02 a.m.

**Present:** Provost Denis Agnew, Councillors Jim Brown, Gail Casey, Douglas McAllister, Jonathan McColl, Willie McLaughlin, Marie McNair and Lawrence O'Neill.

**Attending:** Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Team Leader – Development Management ; Craig Jardine, Corporate Asset Manager; Colin Newman, Team Leader - Building Standards; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn and Craig McLaughlin.

## **APPOINTMENT OF CHAIR**

In the absence of the Chair, Councillor J. Finn and Vice-Chair, Councillor C. McLaughlin, the Principal Solicitor invited the Members present to appoint a Chair for this meeting of the Committee.

It was agreed that Councillor J. McColl be appointed as Chair. Accordingly, Councillor McColl assumed the Chair.

## **Councillor Jonathan McColl in the Chair**

## **URGENT ITEM OF BUSINESS**

The Chair, Councillor McColl, informed the Committee that a request had been received from Network Rail to obtain agreement for the colours to paint rail bridges in the Clydebank Area.

The Committee agreed that consideration of this item would be considered following the conclusion of all items of business on the agenda.

## **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 10 January 2012 were submitted and approved as a correct record.

## **PLANNING APPLICATIONS**

Reports were submitted by the Executive Director of Housing, Environmental and Economic Development in respect of the following planning applications:-

### **New Applications:-**

- (a) DC10/310 – Demolition of secondary school and bowling club, and erection of replacement secondary school with associated works at Dumbarton Academy, Crosslet Road, Dumbarton by West Dunbartonshire Council.

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

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

A late representation was presented to Members. The Committee agreed to accept the late representation and a copy was circulated to all Members present.

The Chair, Councillor McColl, invited Mrs Anne McQuillan, local resident, and objector to the proposal, to address the Committee and she made her views on the application known and was heard in response to Members' questions.

The Planning and Building Standards Manager and Corporate Asset Manager were then heard in further explanation of the report and in answer to Members' questions.

The Chair then invited Mr Iain Ellis, representative of Dumbarton East & Central Community Council, to address the Committee. Mr Ellis declined to speak.

The Chair then invited Mr Brian Kirk, Chair of the Dumbarton Academy Parent Council, to address the Committee and he presented the Parent Council's views in support of the application and was heard in response to Members' questions.

Following discussion and having heard officers in elaboration of the report and in response to Members' questions Councillor McColl, seconded by Councillor McAllister, moved:-

That the Committee agree to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 1 hereto.

As an amendment Councillor W. McLaughlin moved:-

That the Committee agree to grant planning permission subject to the conditions specified within the report being amended to allow for the construction of grass pitches and not synthetic floodlit pitches.

Provost Agnew asked if Councillor W. McLaughlin would accept an addendum to his amendment in the following terms:-

That Condition 30 of the report be amended to allow for restricted community usage of sports pitches.

On Councillor W. McLaughlin agreeing, Provost Agnew seconded the amendment.

In response to a question from the Chair, Councillor McColl, and having heard the Legal Officer and the Planning and Building Standards Manager in clarification of certain matters, the Legal Officer advised the Committee that the amendment was not competent as it would result in a revised proposal which would be substantially different in planning terms to what was being presented within the report.

Councillor McNair, seconded by Provost Agnew, moved:-

That the Committee agree to grant planning permission subject to:

- (1) the conditions specified within the report being amended to allow for the colour of bricks to be used in construction to be changed to white and grey; and
- (2) that Condition 30 of the report be amended to read as follows:-

The sports pitches on site shall be available for use by Dumbarton Academy and not made available for hire. The pitches shall not be in use beyond 6 pm Monday to Friday and no weekend use. The use of the pitches for hire would require submission of a further application for planning permission.

On a vote being taken, 2 Members voted for the amendment, 1 abstained and 5 voted for the motion which was accordingly carried.

- (b) DC11/252 – Change of use of retail unit to a financial services office at 86 High Street, Dumbarton by Scotvale Unit Trust Wimpole Services Ltd.

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

Having heard the Planning and Building Standards Manager and Legal Officer in answer to Members' questions, the Committee agreed:-

That the application be refused on the grounds that it would be contrary to Policies RET 5 and 6 of the adopted local plan as it would have a negative impact on the vitality and viability of the town centre, and would create a dead frontage in the prime retail area; and that the proposed use was contrary to Scottish Planning Policy Town Centres and Retailing in that it failed to enhance the vitality and viability of the town centre.

- (c) DC11/255 – Erection of residential development comprising 9 houses, 6 flats and associated parking and fencing at Miller Road, Alexandria by West Dunbartonshire Council.

Having heard the Planning and Building Standards Manager in further elaboration of the report, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto.

- (d) DC11/257 – Erection of residential development comprising 15 flats and 9 houses with associated car parking and landscaping at Granville Street/West Thomson Street, Clydebank by West Dunbartonshire Council.

Having heard the Planning and Building Standards Manager in further elaboration of the report, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 3 hereto.

## **STREET NAMING POLICY**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval regarding a street naming policy.

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

- (1) that the policy for street naming contained in Appendix 1 to the report be agreed in principle; and
- (2) that once consultations have taken place, the final version of the policy for street naming be brought to a future meeting of the Committee for approval.

## **RECEIPT OF A PLANNING APPEAL AND NOTICE OF REVIEW**

- (a) The submission of a planning appeal relating to DC11/205: Erection of a 15 metre high telecommunications mast and ancillary equipment cabinet opposite Dalnottar Pumping Station, Dumbarton Road, Clydebank.**
- (b) A notice of review in relation to DC11/209: Change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building at the former Pine Trees Public House, Stirling Road, Dumbarton.**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the submission of a new planning appeal and a notice of review.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed:-

- (1) to note the receipt of the appeal and the local review; and
- (2) to note that the appeal will be dealt with by way of a site visit and written submissions and the outcome will be intimated to the Committee in due course.

## **URGENT ITEM OF BUSINESS – PAINTING OF RAIL BRIDGES IN CLYDEBANK TOWN CENTRE**

Councillors Brown and McNair declared a non-financial interest in this item of business, being members of Clydebank Rebuilt.

A presentation was given by the Team Leader – Development Management on the colour options being proposed by Network Rail for the painting of rail bridges within the Clydebank town centre area. Following discussion Councillor O'Neill, seconded by Councillor McAllister moved:-

That the Committee agree to the rail bridges within the Clydebank town centre area being painted in the colour scheme of red and black.

As an amendment, Provost Agnew, seconded by Councillor J. McColl moved:-

That the Committee agree to the rail bridges within the Clydebank town centre area being painted in the colour scheme of grey and black.

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

The meeting closed at 11.18 a.m.



**APPENDIX 1****DC10/310 – Demolition of secondary school and bowling club, and erection of replacement secondary school with associated works at Dumbarton Academy, Crosslet Road, Dumbarton by West Dunbartonshire Council.****Permission was GRANTED subject to the following conditions:-**

01. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
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); and
  - (b) A Notice of Completion of Development as soon as practicable once the development has been completed
03. 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.
04. Unless otherwise approved in writing by the Planning Authority, no delivery or removal of material from the site shall take place outwith the hours of 8.00am to 6.00pm Monday to Saturday only, and not at all on a Sunday or on a recognised Public Holiday in West Dunbartonshire.
05. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter be implemented as approved.
06. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented as approved.
07. Prior to the commencement of works on site full details of all ground surfaces including play surfaces, social space, roads and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved.

08. There shall be no cutting or removal of vegetation or trees during the bird breeding season (March to July inclusive), unless a survey is undertaken immediately beforehand by an appropriately experienced surveyor and submitted for the further written approval of the Planning Authority and thereafter, all recommendations or actions shall be implemented to ensure that no nests that are in use or being built would be damaged or obstructed.
09. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences including retaining walls and ball stop fencing to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority. These details shall include a boundary wall entrance feature adjacent to the main access from Crosslet Road.
10. No existing trees on site shall be lopped, topped, felled, lifted, removed or disturbed without the prior written approval of the Planning Authority.
11. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority, prior to the commencement of development. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of similar size or species.
12. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remediation works carried out within a timescale to be agreed by the Planning Authority.
13. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless prior agreed with the Planning Authority.
14. No development shall take place on site until such time as details of the floodlights, including their exact location, design, lighting specification has been submitted to and approved in writing by the Planning Authority. The floodlights 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.
15. The floodlights shall be switched off and shall not be in use after 8pm Monday to Friday and 5pm on Saturdays and Sundays.



16. Notwithstanding the approved plans, details of the design and height of the sprinkler tanks shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved prior to the school being brought into use.
17. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter within a timescale to be agreed by the Planning Authority prior to the commencement of development.
18. Notwithstanding the approved plans, details of the design and location of all external furniture, including cycle shelters shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter within a timescale to be agreed by the Planning Authority prior to the commencement of development.
19. Notwithstanding the approved plans, details of all external signage shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved.
20. Notwithstanding the approved plans, details of the location of the site compound associated with the construction of the new school, an area for the parking of construction staff vehicles, access arrangements to the community facilities during construction and temporary parking for parents and users of the community facilities shall be submitted in writing along with a timescale for the implementation of these works and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved.
21. Prior to the commencement of development on site, full details, including any consequent works shall be submitted for approval, of the means of securing a safe means of access to the site for construction and demolition vehicles. These details shall include a construction programme detailing times when construction traffic will be accessing the site and measures to be taken to ensure adjacent roads and footpaths are maintained free from mud and other material carried from the site by construction and any other vehicles and thereafter implemented as agreed before construction commences on site.
22. Notwithstanding the approved plans, no soil or demolition material shall be stored in heaps greater than 2 metres in height along the perimeter of the application site. Details of the location of the heaps shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented as approved.
23. Prior to the commencement of development on site a School Travel Plan and Workplace Travel Plan shall be submitted for the further approval of the Planning Authority and any actions arising from it shall be implemented prior to the occupation of the new school and shall be maintained thereafter.

24. Notwithstanding the approved plans, details of the specification and surface of the synthetic grass pitches shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitches. The synthetic grass pitches shall be operational within a timescale to be agreed by the Planning Authority prior to the commencement of development.
  25. Prior to the commencement of development on site, details of the construction of the grass pitch, together with the drainage proposals and the final levels and cross fall to ensure maximum use shall be submitted for the approval of the Planning Authority. These details shall include appropriate safety margins around the outside of the playing surfaces of the pitches. The grass pitches shall be operational for use within a timescale to be submitted to and agreed by the Planning Authority prior to the commencement of development.
  26. No development including any landraising shall be carried out in the functional floodplain which forms part of the application site (0.5% annual probability) as shown on Figure 3 Rev B (Proposed Site Plan) prepared by Jacobs dated June 2011.
  27. 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 minimise 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.
  28. Prior to the commencement of development on site, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and thereafter it shall be implemented prior to the school being brought into use and maintained as approved.
  29. Due to the potential presence of roosting bats on site, the roof area where droppings were observed during the 2010 bat survey shall be hand stripped prior to demolition.
  30. The sports pitches on site shall only be available for use by Dumbarton Academy and are not to be made available for hire. The pitches shall not be in use beyond 8pm Monday to Friday and 5pm on Saturdays and Sundays. The use of the pitches for hire would require the submission of a further application for planning permission.
- NB. All contractors working on site shall be made aware of the potential for bats and the legal protection that surrounds them prior to work commencing on site.

**DC11/255 – Erection of residential development comprising 9 houses, 6 flats and associated parking and fencing at Miller Road, Alexandria by West Dunbartonshire Council.**

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

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. 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); and
  - (b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented as approved.
4. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
5. 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.
6. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
7. 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.
8. No unit shall be occupied until the vehicle parking spaces associated with that unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.

9. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
10. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions arising shall be agreed in writing with the Planning Authority and thereafter implemented as approved.
11. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.
12. Prior to the commencement of development, details of a suitable location for a grit bin shall be submitted for the further written approval of the Planning Authority and thereafter implemented prior to the occupation of any house on site.

**DC11/257 – Erection of residential development comprising 15 flats and 9 houses with associated car parking and landscaping at Granville street/West Thomson Street, Clydebank by West Dunbartonshire Council.**

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

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. 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); and
  - (b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented as approved.
4. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
5. 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.
6. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved.
7. 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.
8. No unit shall be occupied until the vehicle parking spaces associated with that unit have been provided within the site in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.

9. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with by the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
10. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
11. A landscaping scheme for the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after occupation of the first property. The landscaping shall thereafter be maintained in accordance with these details.
12. Prior to the commencement of development, details of a suitable location for a grit bin shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.
13. Prior to the commencement of works a comprehensive contaminated land investigation shall be carried out and its findings submitted to and approved in writing by the Planning Authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites- Code of Practice" (BS 10175:2001). The report shall include a site-specific risk assessment of all relevant pollutant linkages as required in Scottish Government Planning Advice Note 33.
14. Where the risk assessment identifies any unacceptable risk or risks as defined under Part 11a of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the Planning Authority for the written approval. No works other than investigation works shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.
15. Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to the houses being occupied, the developer shall submit a report to the Planning Authority confirming that the works have been carried out in accordance with the remediation plan.

16. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.