

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Education Centre, St. Margaret of Scotland Hospice, East Barns Street, Clydebank on Tuesday, 3 April 2012 at 10.00 a.m.

Present: Councillors Jim Brown, Gail Casey, Jim Finn, Douglas McAllister, Jonathan McColl, Willie McLaughlin and Lawrence O'Neill.

Attending: Pamela Clifford, Planning and Building Standards Manager; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Provost Denis Agnew and Councillors Craig McLaughlin and Marie McNair.

Councillor Jim Finn 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.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 6 March 2012 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 5 March 2012, a copy of which forms Appendix 1 hereto, was submitted and noted.

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) DC12/025 – Extension of Existing Car Park and Removal of Existing Lock Up Garages at Swindon Street, Dalmuir by West Dunbartonshire Council.

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

Following discussion, the Committee agreed that delegated authority be given to the Planning and Building Standards Manager, if, after the period for representations expires at 13 April 2012, no representations have been received, to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto.

- (b) DC12/040 – Change of Use from Shop to Tea Room at 1 College Way, Dumbarton by Mr R Barrett.

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

Following discussion, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 3 hereto.

- (c) DC12/044 – Change of Use from Office to Restaurant with Hot Food Take Away at 45 Bank Street, Alexandria by West Dunbartonshire Council.

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

Following discussion, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 4 hereto.

**RECEIPT OF AN APPEAL IN RELATION TO THE CHANGE OF USE OF A
RETAIL UNIT TO A FINANCIAL SERVICES OFFICE AT 86-88 HIGH STREET,
DUMBARTON BY SCOTVALE UNIT TRUST WIMPOLE SERVICES LTD
(DC11/252)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the receipt of an appeal.

Having heard the Planning and Building Services Manager in further explanation, the Committee agreed to note the receipt of the appeal.

GLASGOW CITY COUNCIL PLANNING APPLICATION 10/02890/DC: ERECTION OF NON-FOOD RETAIL WAREHOUSE (50,000SQ FT) AND FORMATION OF ASSOCIATED PARKING – AMENDMENT OF CONDITION NC(b)(a) OF PLANNING PERMISSION 97/02406/DC TO AMEND THE RESTRICTION LIMITING SALES FROM BULKY GOODS ONLY TO THE SALE OF ANY NON-FOOD ITEMS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development:-

- (a) advising of the decision of Glasgow City Council in respect of the above application which West Dunbartonshire Council had objected to; and
- (b) seeking agreement of the response to the issues arising from that decision.

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

- (1) to note the decision of Glasgow City Council to approve the application;
- (2) that the Head of Regeneration and Economic Development be authorised to write to the Scottish Ministers expressing concern at the lack of independent and strategic oversight of decisions where there is a conflict between neighbouring planning authorities;
- (3) that the Leader of the Council be authorised to write to Glasgow City Council, expressing the Council's displeasure at the delegation of the application;
- (4) that the Head of Regeneration and Economic Development be authorised to seek expert legal advice on the potential for a judicial review of the permission, and subject to such advice suggesting that there is a strong likelihood of such a review being successful, authorise the pursuit of such a judicial review; and
- (5) that as this was the last meeting of the Committee under the present Council, that the Planning and Building Standards Manager keep Members informed of legal advice received.

VALEDICTORY

Councillor Douglas McAllister informed the Committee that this was the last meeting of this Committee which Councillor Willie McLaughlin would attend as he had intimated that he would not be standing for election in the Local Elections being held in May 2012.

On behalf of the Planning Committee, Councillor McAllister thanked Councillor McLaughlin for all his hard work and commitment to the Committee over the last 5 years.

The meeting closed at 10.15 a.m.

PLANNING COMMITTEE**NOTE OF VISITATION – 5 MARCH 2012**

- Present:** Councillors Jim Finn, Jim Brown, Marie McNair*.
- Attending:** Pamela Clifford, Planning and Building Standards Manager.
- Apologies:** Provost Dennis Agnew and Councillors Gail Casey, Craig McLaughlin, Willie McLaughlin and Lawrence O'Neill.

* Note:- Councillor McNair attended site visit to Dunglass Oil Depot only.

SITE VISIT

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

- (a) 31 Sylvania Way South, Clydebank - DC12/008 - Change of use from Class 1 (Shop) to Class 2 (Betting Office) by Power Leisure Ltd.
- (b) Unit 6, Alpha Centre, 10 South Douglas Street, Clydebank - DC11/260 - Change of use of industrial unit to Class 10 Pre-School Nursery by Burns Design Assoc. on behalf of Sunshine Nurseries.
- (c) Dunglass Oil Depot, Dumbarton Road Bowling - Remediation works to decontaminate the site by Esso Petroleum Co. Ltd.

- (a) **DC12/025 – Extension of Existing Car Park and Removal of Existing Lock Up Garages at Swindon Street, Dalmuir by West Dunbartonshire Council.**

Authority delegated to GRANT permission 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 work commencing on site, full details (including materials) of the hardstanding and pedestrian areas shall be submitted to and approved in writing by the Planning Authority. These approved details shall be implemented prior to the new car park being brought into use.
4. A landscaping scheme for the amenity and boundary of 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 the car park is brought into use. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.

(b) DC12/040 – Change of Use from Shop to Tea Room at 1 College Way, Dumbarton by Mr R Barrett.

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. Any sale of hot food to take away shall remain ancillary to the use of the premises as a tea room.
4. 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 installed prior to the use being operational and maintained thereafter.
5. Prior to the commencement of development on site, details of the flue system/extraction system shall be submitted to and approved in writing 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.

(c) DC12/044 – Change of Use from Office to Restaurant with Hot Food Take Away at 45 Bank Street, 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. 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.
4. 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 installed prior to the use being operational and maintained thereafter.
5. Prior to the commencement of development on site, details of the flue system/extraction system shall be submitted to and approved in writing 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.