

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Tuesday, 7 August 2012 at 10.00 a.m.

**Present:** Councillors Denis Agnew, Gail Casey, Jim Finn, David McBride, Jonathan McColl, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development, Pamela Clifford, Planning and Building Standards Manager; Stuart Gibson, Assets Co-ordinator; Raymond Walsh, Network Management Co-ordinator; 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 Douglas McAllister and Councillor John Mooney.

**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.

### **URGENT MOTION - LOCATION OF COMMITTEE MEETINGS**

Councillor Agnew, seconded by Councillor Finn moved:-

That consideration be given to the possibility of changing venues of future meetings of the Planning Committee, to allow for rotation of meetings between a venue in Clydebanks and a venue in Dumbarton.

After hearing the Legal Officer, the Committee noted that the above motion would require the suspension of Standing Order 19 (a) prior to consideration by the Committee as a period of six months had not passed since a decision was made on this matter.

On a vote being taken, 3 Members voted in favour of the suspension of Standing Orders and 5 against. Having failed to obtain the support of two thirds of those Members present and voting, Standing Orders were not suspended and the motion could not be considered.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 12 June 2012 were submitted and approved as a correct record; subject to the undernoted correction to the Apologies:-

It was noted that Councillor Casey submitted her apologies for the meeting.

## **NOTE OF VISITATION**

A Note of Visitation carried out on 8 June 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) DC12/087 – Removal of condition 9 of permission DC10/262/COU (to remove the obligation to provide a 2m wide footpath along the front of the development) at Bowling Church, Dumbarton Road, Bowling by Cameron Mearns.

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.

The Chair invited Mr Mearns, the applicant, to address the Committee and he was heard in support of the application.

Following discussion and having heard Officers in response to Members' questions, the Committee agreed that the application be refused on the grounds that the proposal is contrary to policies GD1 and T4 of the West Dunbartonshire Local Plan 2010 since the footway improvement is necessary in order to ensure that pedestrian access to the site is safe and convenient and to offset the shortfall in on-site parking provision.

- (b) DC12/109 – Erection of new sports pavilion, Inler Park, Talbot Road, Alexandria by Balloch & Haldane Community Council.

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

The Committee agreed to grant full planning permission subject to the conditions specified within the report, subject to a change to Condition 7, details of which are contained in Appendix 2 hereto.

- (c) DC12/110 – Change of use of shop to café and associated external alterations at 10 West Bridgend, Dumbarton by Amar Ali.

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.

The Chair invited Mr Barrett, local resident and objector to the proposal, to address the Committee and he made his views on the application known.

The Chair then invited Mr Ali, the applicant, to address the Committee and he was heard in response to Members' questions.

Following discussion and having heard Officers in response to Members' questions, the Committee agreed to grant full planning permission subject to:-

- (a) the conditions specified within the report, details of which are contained in Appendix 3 hereto; and
  - (b) an additional condition that no amplified music, radio or television shall be played on the premises at a level audible to customers unless a noise impact assessment has been carried out and approved by the Planning Authority, and any agreed noise mitigation measures have been fully implemented.
- (d) DC12/112 – Erection of 1.8 metre high fencing and access gate at BT Exchange, Strathleven Place, Dumbarton by British Telecommunications.

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

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.

- (e) DC12/122 – Proposed installation of a monopole telecom mast, three ancillary equipment cabinets and meter pillar at Dunn Street, Clydebank by Telefonica UK Ltd.

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

Councillor McColl, seconded by Councillor O'Neill moved:-

That the Committee grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 5 hereto.

As an amendment, Councillor Finn, seconded by Councillor Casey moved:-

That the application be refused on the grounds that the proposal would be detrimental to the amenity of the area.

On a vote being taken 2 Members voted for the amendment and 4 Members voted for the motion, which was therefore carried. Councillors Agnew and Rainey abstained.

- (f) DC12/123 – Proposed installation of a driveway at 61 Drumry Road, Clydebank by Mrs L Reilly.

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

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 6 hereto.

- (g) DC12/140 – Erection of 3 storey side extension to provide office space, car parking and re-cladding of existing office building at 151 Glasgow Road, Clydebank by JC Roxburgh & Co Ltd.

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

Following discussion and having heard the Asset Co-ordinator in response to Members' questions, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 7 hereto.

- (h) DC12/142 – Proposed installation of a 15 metre high monopole telecommunication mast and two ancillary equipment cabinets at Park Road, Clydebank by Vodafone Limited.

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

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 8 hereto.

Councillors Agnew and Finn requested that their dissent be recorded in these minutes.

- (i) DC12/145 – Proposed installation of replacement windows, external and internal glazing, incorporation of balconies into living room, rendering and roof upgrade at Ellinger Court, Burnside Court, Crescent Court, Dunswin Court and Overtoun Court, Dunswin Avenue, Dalmuir by West Dunbartonshire Council.

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

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 9 hereto.

- (j) DC12/115 – Formation of mountain bike trail and training track at land to north-east of Allan Crescent, Bellsmyre, Dumbarton by Silverton and Overtoun Community 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.

The Chair invited Rose Harvey, representative for the applicant, to address the Committee and she was heard in response to Members' questions.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 10 hereto.

#### **OUTCOME OF AN APPEAL IN RELATION TO THE CHANGE OF USE OF A CLASS 1 RETAIL UNIT TO CLASS 2 BETTING OFFICE, 31 SYLVANIA WAY SOUTH, CLYDEBANK (DC12/008)**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the outcome of a recent planning appeal.

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

The meeting closed at 11.15 a.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 8 June 2012**

- Present:** Councillor Jim Finn.
- Attending:** Pamela Clifford, Planning and Building Standards Manager.
- Apologies:** Councillors Gail Casey, David McBride, Tommy Rainey and Hazel Sorrell

**SITE VISIT**

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

- (a)** Planning Application DC12/084 – Change of Use of From Retail Unit to Licensed Restaurant, 53 Sylvania Way, Clyde Shopping Centre, Clydebank by Mahmut Akkurt.
- (b)** Planning Applications DC12/018 - Erection of dwellinghouse (planning permission in principle) land to the West of 12 Kirkton Road Dumbarton; DC12/19 - Erection of dwellinghouse (planning permission in principle) on land to the South East of Islay Kerr House, Dumbarton; and DC12/049 - Subdivision and extension to existing building to form 7 flats (planning permission in principle), Islay Kerr House, Dumbarton, all by Mr G. Galloway.

## APPENDIX 2

### **DC12/109 - Erection of new sports pavilion, Inler Park, Talbot Road, Alexandria by Balloch & Haldane Community 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);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. Exact details and specifications of all proposed external materials (including roller shutters and vandal shields) 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.
4. 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 in writing with 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.
5. Prior to the commencement of works, full details of the design and location of all fencing, bicycle racks and lighting to be erected on site shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.
6. Prior to the use of the building hereby approved commencing on site, the car park shall be delineated in accordance with West Dunbartonshire Council's Roads Development Guide and will ensure the provision of two disabled parking spaces.
7. Within 12 months of this decision, plans showing the external cladding of the building in brick, render or such other material as may be agreed, and details of the intended timescale for the implementation of such cladding, shall be submitted for the written approval of the Planning Authority. The approved alterations shall thereafter be implemented as approved (subject to any further planning permission that may be necessary).

**DC12/110 - Change of use of shop to café and associated external alterations at 10 West Bridgend, Dumbarton by Mr Amar Ali.**

**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);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. Prior to the commencement of development, 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 system/extraction system shall be implemented prior the premises being brought into use and thereafter maintained in accordance with the approved details.
4. Prior to the commencement of development, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and shall be implemented prior to the premises being brought into use and thereafter maintained in accordance with the approved details.
5. The premises will be used solely for the purpose of a café, as defined within Class 3 of the Town & Country Planning (Use Classes) (Scotland) Order 1997 and shall not sell hot food for consumption off the premises.
6. Prior to the commencement of development, details of the bin storage arrangements shall be submitted and approved in writing by the Planning Authority and thereafter implemented as approved.
7. Any and all movement of customers and staff between the application unit and the adjacent takeaway unit during opening hours shall take place by way of the street. There shall be no movement of persons between these two units by way of the internal close during opening hours, at which times the internal doors leading to the close shall be kept closed and locked.
8. No amplified music, radio or television shall be played on the premises at a level audible to customers unless a noise impact assessment has been carried out and approved by the Planning Authority, and any agreed noise mitigation measures have been fully implemented.



- NB. This grant of planning permission does not authorise the installation of external roller shutters, which would require the submission of a separate application for planning permission.
- NB. This grant of planning permission does not authorise the installation of an illuminated fascia sign which would require the submission of a separate application for advertisement consent.
- NB. The applicant shall contact the Commercial Team of the Environmental Health Section to ensure that the kitchen facilities and premises are appropriate and comply with the requirements of the Health & Safety at Work etc Act 1974, the Food Safety Act 1990 and the legislation/regulations made there under.

## **APPENDIX 4**

### **DC12/112 - Erection of 1.8 metre high fencing and access gate at BT Exchange, Strathleven Place, Dumbarton by British Telecommunications**

**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);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. The vehicular access gates to be erected shall only open inwards, away from the public car park.

**DC12/122 - Proposed Installation of a Monopole Telecom Mast, Three Ancillary Equipment Cabinets and Meter Pillar at Dunn Street, Clydebank by Telefonica UK Ltd**

**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. Prior to commencement of works details of the colour/finish to be applied to all elements of the approved development shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.
3. The proposed monopole and associated equipment shall be removed when it is no longer operational and the land restored to its former condition.
4. 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.

**DC12/123 - Proposed Installation of a Driveway at 61 Drumry Road, Clydebank  
by Mrs L Reilly**

**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);
  - b) A Notice of Completion of Development as soon as Practicable once the development has been completed.

## APPENDIX 7

**DC12/140 - Erection of 3 storey side extension to provide office space, car parking and re-cladding of existing office building at 151 Glasgow Road, Clydebank by JC Roxburgh & Co. Ltd**

**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);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed
3. 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.
4. 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) including all piling works 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
5. 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.
6. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust

arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.

7. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved
8. No development shall take place on site until such time as details (including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and column types/colours) of any floodlights to be installed have 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.
9. A landscaping scheme for the amenity open space and boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site, and the approved scheme shall be implemented not later than the end of the next appropriate planting season after the occupation of the proposed extension. The scheme shall include details of maintenance arrangements. The agreed landscaping shall thereafter be maintained in accordance with these details.
10. 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.
11. The parking spaces shown on the drawing titled Block Plan shall be implemented prior to the extension being brought into use.

**DC12/142 - Proposed Installation of a 15 Metre High Monopole  
Telecommunication Mast and Two Ancillary Equipment Cabinets at Park Road,  
Clydebank by Vodafone Limited**

**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. Prior to commencement of works details of the colour/finish to be applied to all elements of the approved development shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.
3. The proposed monopole and associated equipment shall be removed when it is no longer operational and the land restored to its former condition.
4. 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.
5. 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.

**DC12/145 - Proposed Installation of Replacement Windows, External and Internal Glazing, Incorporation of Balconies into Living Room, Rendering and Roof Upgrade at Ellinger Court, Burnside Court, Crescent Court, Dunswin Court and Overtoun Court, Dunswin Avenue, Dalmuir 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);
  - b) A Notice of Completion of Development as soon as Practicable once the development has been completed.



**DC12/115 - Formation of mountain bike trail and training track at land to north-east of Allan Crescent, Bellsmyre, Dumbarton by Silverton and Overtoun Community 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);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
03. Prior to the commencement of the development a grassland management plan shall be submitted for the further written approval of the Planning Authority and shall detail how the Local Nature Conservation Site shall be managed to improve the quality of the habitat and species diversity. The plan shall thereafter be implemented as approved.
04. Prior to the commencement of the development, 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.
05. Details of the fencing/barriers to be erected on the site to prevent use of the tracks by motor-powered vehicles (including motorcycles, mopeds and quad bikes) shall be submitted to and approved in writing by the Planning Authority prior to development commencing. The approved measures shall thereafter be implemented as approved and maintained in a condition which prevents access by such vehicles.
06. Notwithstanding the approved plans and prior to the commencement of development on site full details of the earthworks and path and track formations shall be submitted to and approved by the Planning Authority and shall be implemented as approved.