



Agenda

Planning Committee

Date: Wednesday, 26 August 2015

Time: 10.00

Venue: Committee Room 3,
Council Offices, Garshake Road, Dumbarton

Contact: Nuala Quinn-Ross, Committee Officer
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Dear Member

ITEM TO FOLLOW

I refer to the agenda for the above which was issued on 14 August 2015 and now enclose Item 3 – Minutes of Previous Meeting which was not available for issue at that time.

Yours faithfully

JOYCE WHITE

Chief Executive

3. MINUTES OF PREVIOUS MEETING

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Submit for approval as a correct record, the Minutes of Meeting of the Planning Committee held on 24 June 2015.

Distribution:-

Councillor Lawrence O'Neill (Chair)
Provost Douglas McAllister (Vice Chair)
Councillor Denis Agnew
Councillor Gail Casey
Councillor Jim Finn
Councillor Jonathan McColl
Councillor Patrick McGlinchey
Councillor John Mooney
Councillor Tommy Rainey
Councillor Hazel Sorrell

All other Councillors for information

Date of Issue: 20 August 2015

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 24 June 2015 at 10.04 a.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, 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; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Colin Newman, Team Leader (Building Standards); Raymond Walsh, Network Services Co-ordinator; Bernard Darroch, Lead Planning Officer; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apology: An apology for absence was intimated on behalf of Councillor Jim Finn.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

Councillor Sorrell declared an interest in the item 'Loch Lomond & Trossachs National Park Proposed Local Development Plan', being a member of the Loch Lomond and Trossachs National Park Authority, and advised that she would leave the meeting during consideration of the item.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 27 May 2015 were submitted and approved as a correct record.

VARIATION IN ORDER OF BUSINESS

Having heard Councillor O'Neill, Chair, the Committee agreed to vary the order of business as hereinafter minuted.

WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the receipt of a Direction from the Scottish Ministers not to adopt the West Dunbartonshire Local Development Plan unless the Duntiglenan Fields site is included as a housing development opportunity.

After consideration, the Committee agreed:-

- (1) to unanimously reject the Scottish Ministers' direction that the Duntiglenan Fields site be included as a housing development opportunity within the West Dunbartonshire Local Development Plan; and
- (2) that the Chair, Councillor O'Neill request an urgent meeting with the Cabinet Secretary to discuss this matter further.

PLANNING APPLICATIONS

Reports were submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

New Applications:-

- (a) DC11/242 - Extension to shopping centre to form foodstore, and associated alterations, including taking down and reconstruction of an existing stone façade to form new elevation and erection of a glazed entrance at Lomond Galleries, Main Street, Alexandria by Hermiston Securities: and
- (b) DC11/241 - Taking down and reconstruction of existing stone, free standing façade to form new elevation to extended listed building and the erection of a new glazed entrance (Listed Building Consent) at Lomond Galleries, Main Street, Alexandria by Hermiston Securities.

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

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

Having heard the Planning & Building Standards Manager and the Network Services Co-ordinator in answer to Members' questions, the Committee agreed:-

- (1) to grant planning permission for application DC11/242, subject to the conditions specified within the report, details of which are contained within Appendix 1 hereto;

- (2) that it was minded to grant listed building consent for application DC11/241, and that authority be delegated to the Planning & Building Standards Manager to issue the decision subject to:-
- (a) the conclusion of formal consultation with Historic Scotland; and
 - (b) the conditions specified within the report, details of which are contained within Appendix 2 hereto, with any amendments thereto arising from the Historic Scotland consultation.
- (c) DC15/111- Use of external sports pitches by supervised groups of school aged children during school holidays (amendment of condition 30 of permission DC10/310) at Dumbarton Academy, Crosslet Road, Dumbarton, by West Dunbartonshire Council.

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

The Chair then invited Mr Willett, local resident, to address the Committee. Mr Willett made his views on the application known and was heard in answer to Members' questions.

The Chair also invited Mrs McQuillan, local resident, to address the Committee. Mrs McQuillan made her views on the application known.

ADJOURNMENT

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a period of 5 minutes to allow clarification on the proposed conditions contained within the report.

The meeting reconvened at 11.08 a.m. with all those Members shown on the sederunt in attendance.

Mrs McQuillan continued to make her views on the application known.

Councillor O'Neill, Chair, then invited Mr Lanagan, the applicant's representative, to address the Committee. Mr Lanagan spoke in support of the application and was heard in answer to Members' questions.

Following discussion and having heard the Planning & Building Standards Manager and the Team Leader (Development Management) in answer to Members' questions, Councillor Rainey, seconded by Councillor Sorrell moved that:-

The Committee agree to grant planning permission subject to the conditions set out in Section 9 of the report, details of which are

contained within Appendix 3 hereto, subject to condition 06 (b) being amended to specify primary school aged children only.

As an amendment, Councillor McColl, seconded by Provost McAllister moved that:-

The Committee agree to grant planning permission subject to the conditions set out in Section 9 of the report, details of which are contained within Appendix 3 hereto, subject to condition 06 (b) being amended to specify children up to 14 years old.

On a vote being taken, 1 Member, Councillor Agnew abstained, 3 Members voted for the amendment and 4 voted for the Motion which was declared carried.

Councillor Agnew, having failed to obtain a seconder for a proposed amendment, asked that his dissent be recorded in respect of this item.

- (d) DC15/046 - Erection of One and a Half Storey Side Extension at 15A Glenhead Road, Clydebank by Mr Iain Wilson.

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

The Chair invited Mr Wilson, the applicant to address the Committee. Mr Wilson was heard in support of his application and in answer to Members' questions.

The Planning & Building Standards Manager and the Team Leader (Development Management) were heard in further explanation of the report and in answer to Members' questions.

Following discussion Councillor Agnew, seconded by Councillor Mooney moved that:-

The Committee refuse planning permission for the reasons set out in Section 9 of the report.

As an amendment, Councillor O'Neill seconded by Councillor Sorrell moved that:-

The Committee grant full planning permission.

On a vote being taken, 6 Members voted for the amendment and 2 Members voted for the motion. Accordingly, the amendment was declared carried.

- (e) DC15/049 - Erection of an Attached Side Garage at 15B Glenhead Road, Clydebank by Mr & Mrs O'Neill.

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

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

- (f) DC15/041 - Change of use from class 1 retail to entertainment centre (retrospective) at Units 57-61, Indoor Market, Clyde Shopping Centre, 36 Sylvania Way South, Clydebank by H&H Entertainment.

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

The Committee agreed to refuse planning permission for the reasons set out in Section 9 of the report, details of which are contained within Appendix 5 hereto.

- (g) DC15/053 - Change of use from shop (class 1) to coffee shop (class 3) including formation of outdoor seating area at 77-79 High Street, Dumbarton by Cuppacoff SC Ltd.

The Planning & Building Standards Manager was heard in further explanation of the report and provided an update on matters which had arisen since the publication of the report regarding an ownership dispute regarding a bin shed area. The Planning & Building Standards Manager advised that if planning permission was granted, an additional condition would be required that works would not commence on site until details of the bin store and its ownership had been clarified.

The Chair invited Mr Jolly, local resident, to address the Committee. Mr Jolly made his views on the application known and was heard in answer to Members' questions.

The Chair then invited Mr Gracie, agent for the applicant, to address the Committee. Mr Gracie was heard in support of the application.

The Committee agreed:-

- (1) to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 6 hereto; and
- (2) to the additional condition that no works will commence on site until the ownership issue is clarified.

Note:- Councillor Casey left at this point in the meeting.

UPDATE ON HARDGATE HALL AND ADJACENT LAND, GLASGOW ROAD, HARDGATE, CLYDEBANK

A report was submitted by the Executive Director of Infrastructure and Regeneration informing of the condition of Hardgate Hall and the adjacent land to its side and rear, and putting forward options for addressing the present issues.

After consideration and having heard the Planning & Building Standards Manager and the Team Leader (Building Standards) in further explanation of the report and in answer to Members' questions, the Committee agreed:

- (1) to note that discussions had taken place with the agent for the developer of the site to discuss what is needed to make the site suitably secure and to explore the developer's intentions for the site;
- (2) to note that through their agent, the developer of the site had been issued with a deadline of Monday, 29 June to secure the site;
- (3) that if the deadline of 29 June was not met by the site owners the Planning & Building Standards Manager would exercise enforcement powers to secure the building should that be expedient;
- (4) to note that an update report would be presented to the August Committee meeting; and
- (5) that the owners of the site be invited to attend the Committee meeting in August 2015.

NOTICE OF RECEIPT OF APPEALS

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the submission of three planning appeals.

The Committee agreed to note the receipt of appeals against the refusal of:-

- (1) planning permission and listed building consent for change of use from nursing home to hotel and events centre at Dalmoak House, Renton Road, Dumbarton (DC14/37 & DC14/038); and
- (2) planning permission for change of use from retail to public house/restaurant at 18 Britannia Way, Clydebank (DC14/251).

Note:- Councillor Sorrell left at this point in the meeting, having declared an interest in the following item of business.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK PROPOSED LOCAL DEVELOPMENT PLAN

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the publication of the Proposed Local Development Plan for Loch Lomond & the Trossachs National Park and seeking agreement of this Council's response.

Having heard the Planning & Building Standards Manager and the Team Leader (Forward Planning) in further explanation of the report, Councillor O'Neill seconded by Provost McAllister moved that:

The Committee agree that Appendix 1, of the report be submitted to the National Park Authority as West Dunbartonshire Council's response to the Plan.

As an amendment Councillor McColl seconded by Councillor Agnew moved that:-

The Committee agree that Appendix 1 of the report, be amended to remove all reference to Carrochan Road, Balloch and then be submitted to the National Park Authority as West Dunbartonshire Council's response to the Plan.

On a roll call vote being taken, 3 Members voted for the amendment, namely Councillors McColl, Mooney and Rainey, and 2 for the motion, namely Provost McAllister and Councillor O'Neill. Councillor Agnew abstained. Accordingly, the amendment was declared carried.

Note:- Councillor Sorrell returned to the meeting at this point following completion of the above item of business.

URGENT ITEM OF BUSINESS

With the agreement of the Chair, the Planning & Building Standards Manager advised that a Consultation had been received from Glasgow City Council regarding a planning application to build a Food Store at the junction of Mill Road and Dumbarton Road.

Having heard the Planning & Building Standards Manager in further explanation and in answer to Members' questions, the Committee agreed that an objection should be submitted to Glasgow City Council on this matter.

The meeting closed at 12.25 p.m.

DC11/242 - Extension to shopping centre to form foodstore, and associated alterations, including taking down and reconstruction of an existing stone façade to form new elevation and erection of a glazed entrance at Lomond Galleries, Main Street, Alexandria by Hermiston Securities.

Permission GRANTED subject to the following conditions:-

1. The proposed net (sales) floor area of the retail unit shall not exceed 1280m².
2. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of a crossing point on Heather Avenue has been submitted to and approved in writing by the Planning Authority. The crossing shall thereafter be implemented as approved prior to the opening of the new food store.
3. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details of the proposed car park lining and layout have been submitted to and approved in writing by the Planning Authority. The car park lining/layout must ensure that there will be no vehicular exit onto Heather Avenue and shall be implemented as approved prior to the opening of the new food store.
4. Prior to the opening of the food store hereby approved, the existing traffic signals at the Main Street entrance to the site shall be removed and the access reconfigured as a priority junction.
5. During the period of construction no delivery or removal of material from the site shall take place out with the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays, and not at all on Sundays or Public Holidays unless otherwise approved in writing by the Planning Authority.
6. 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 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 otherwise agreed with the Planning Authority.
7. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the foul and surface water drainage system have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved prior to the opening of the new food store. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design.
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8. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as exact details and specifications of all proposed external materials have been submitted to and approved in writing by the Planning Authority. These shall thereafter be implemented as approved.
9. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of all ground surfaces including roads and pathways have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.
10. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as full details of the design and location of all walls and fences (including retaining walls) to be erected on site have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.
11. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and siting of all external lighting have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.
12. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as details of the design and location of all external furniture, including cycle racks and trolley shelters have been submitted to and approved in writing by the Planning Authority. These shall be implemented prior to the opening of the new food store.
13. Notwithstanding the approved plans, no development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence until such time as final landscaping details to include the number, siting and type of trees, shrubs and plant species have been submitted to and approved in writing by the Planning Authority. Planting shall thereafter be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after the opening of the new food store. 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 a similar size or species.
14. No development (other than such preliminary works as may first be agreed in writing with the Planning Authority) shall commence 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 identify

measures to prevent or limit the occurrence and impact of such dust and thereafter shall be implemented as approved.

15. The presence of any previously unsuspected or un-encountered 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.
16. The development shall be completed in accordance with the finished floor levels and ground levels shown on the approved plans unless otherwise approved in writing by the Planning Authority.
17. No development (other than investigative works) shall commence on site until such time as a detailed report on the nature and extent of any contamination of the site has been submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - a) detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site).
 - b) an assessment of the potential risks (where applicable) to:
 - human health;
 - property (existing and proposed), including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - ground waters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments.
 - c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
18. No development (other than investigative works) shall commence on site until such time as a detailed remediation scheme for the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property, and the natural and historical environment. The scheme shall include details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The scheme shall ensure that on completion of the remediation works the site will not qualify as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.

19. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing with the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. On completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Planning Authority.
20. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation over a period of years determined by the scheme, shall be submitted to and approved by the Planning Authority. Any actions ongoing shall be implemented within the timescale agreed. 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 by the Planning Authority.
21. No development shall take place on site until such time as details of noise attenuation works have been submitted to and approved in writing by the Planning Authority. These works shall be designed so as to minimise noise nuisance affecting nearby properties. The approved noise attenuation measures shall be implemented prior to the opening of the new food store and shall thereafter be retained in accordance with the approved scheme.
22. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. The statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

DC11/241 - Taking down and reconstruction of existing stone, free standing façade to form new elevation to extended listed building and the erection of a new glazed entrance (Listed Building Consent) at Lomond Galleries, Main Street, Alexandria by Hermiston Securities.

MINDED TO GRANT subject to the following conditions:-

1. Prior to the commencement of development, the façade which is to be dismantled shall be recorded photographically and all stones numbered in order to facilitate the rebuilding of the façade, with all stones to be replaced in their correct positions (subject to the obvious changes shown on the approved plans).
2. Prior to the commencement of development on site, a Method Statement shall be submitted for the written approval of the Planning Authority and the development shall thereafter be undertaken in accordance with the approved Method Statement. The Method Statement shall contain the following:
 - Details of how the stonework will be dismantled in order to avoid causing any damage. In particular, mechanical cutting through mortar joints (or whole stones) should be resisted in order to avoid damaging the stones, particularly at the edges;
 - The façade shall be rebuilt with lime mortar/putty, which is colour matched to the stone and which has the same composition as the existing mortar/putty;
 - That all mortar joints shall be the same thickness as the existing façade;
 - A petrographic analysis of the stone shall be undertaken in order to help identify a suitable replacement stone should it be required. The preference is for any replacement stone to consist of stone that is being removed from below the window cills;
 - Details of any stone cleaning proposals shall be submitted; and
 - Details of any additional waterproofing that may be required, if it is not shown on the drawings.
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. Exact details and specifications of all windows, including their frames 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. Exact details and specifications which demonstrate how the glazed entrance feature will be attached to the listed building 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.

DRAFT

DC15/111- Use of external sports pitches by supervised groups of school aged children during school holidays (amendment of condition 30 of permission DC10/310) at Dumbarton Academy, Crosslet Road, Dumbarton, by West Dunbartonshire Council.

Permission GRANTED subject to the following conditions:-

Note: as this is an application under Section 42 of the Town and Country Planning (Scotland) Act 1997, it grants a new permission for the school and it is therefore necessary to re-state all of the outstanding conditions. Most of the original conditions have already been discharged or partly discharged.

The only condition which is relevant to this application is condition 6, which replaces the original condition 30.

01. Landscaping of the site shall remain in accordance with the approved landscaping scheme agreed under planning permission DC10/310. 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.
02. The floodlights shall be maintained in accordance with details approved under planning permission DC10/310. Any subsequent changes to their position or specification shall be subject to the prior written approval of the Planning Authority.
03. The floodlights shall be switched off and shall not be in use after 8pm Monday to Friday and 5pm on Saturdays and Sundays.
04. The actions arising from the School Travel Plan and Workplace Travel Plan approved under planning permission DC10/310 shall be maintained hereafter.
05. 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 as a part of planning permission DC10/310.
06. The external sports pitches on the site shall not be used or made available for hire to groups or at times outwith those specified as follows:
 - a) Use by Dumbarton Academy (including sports clubs, teams and events associated therewith) between the hours of 9am to 8pm Monday to Friday and 9am to 5pm on Saturday and Sunday;
 - b) Use by supervised groups of school aged children between 9am and 3.30pm (Monday to Friday) during school holidays by the Sports Development Section of West Dunbartonshire Leisure Trust.

**DC15/049 - Erection of an Attached Side Garage at 15B Glenhead Road,
Clydebank by Mr & Mrs O'Neill.**

Permission GRANTED subject to the following conditions:-

1. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent order amending, revoking or re-enacting that Order, the garage hereby permitted shall be maintained as such and shall not be converted into additional habitable accommodation without a specific grant of planning permission.

DC15/041 - Change of use from class 1 retail to entertainment centre (retrospective) at Units 57-61, Indoor Market, Clyde Shopping Centre, 36 Sylvania Way South, Clydebank by H&H Entertainment.

Permission REFUSED as:-

1. The proposal would result in an overconcentration of gambling uses within the southern part of Clydebank Town Centre, where such uses are detrimental to and harmful to the vitality, character and amenity of the town centre. Accordingly, the proposed change of use is contrary to Policy RET6 of the adopted West Dunbartonshire Local Plan 2010 and Policies SC2 and SC3 of the emerging West Dunbartonshire Local Development Plan.

**DC15/053 - Change of use from shop (class 1) to coffee shop (class 3)
including formation of outdoor seating area at 77-79 High Street, Dumbarton
by Cuppacoff SC Ltd.**

1. Notwithstanding the terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997 and the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), and any subsequent orders amending, revoking or re-enacting these Orders, the premises shall not be used at any time in the future as a betting shop, a pawnbrokers or as a payday lender's unit in terms of Class 2 of the Use Classes (Scotland) Order 1997, unless a separate application for planning permission is submitted.
2. Prior to the commencement of works details of the graphics/manifestations to be applied to the windows and the colour of paint to be used on the shop front shall be submitted for the further written approval of the planning authority and implemented as approved.
3. Notwithstanding the details shown on approved plan number A-541-A2-01 no tables or chairs shall be placed on Quay Street forward of the elevation of the building on that street. Any chairs and tables shall be confined to the area underneath the overhanging canopy adjacent to the entrance on High Street, and these shall not be positioned upon any part of the public road and shall be removed each day following the close of the coffee shop.
4. Prior to the commencement of development on site details of an adequate sized grease trap (or a suitable alternative method of preventing grease/fat from entering the public sewer) 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.
5. 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, and an assessment of the potential for the proposed equipment to cause noise nuisance affecting nearby residential properties. The approved flue/extraction system and any agreed noise attenuation measures shall be implemented prior to the use being operational and shall be maintained thereafter.
6. 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 Mondays to Saturdays and not at all on Sundays or Public Holidays.
7. The coffee shop use shall not operate out with the hours of 7am to 8pm daily.