

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Tuesday, 6 March 2012 at 10.00 a.m.

Present: Councillors Jim Brown, Jim Finn, Marie McNair and Lawrence O'Neill.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Alan Williamson, Team Leader - Forward Planning; Raymond Walsh, Network Management Services 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 Denis Agnew, Councillors Gail Casey, Douglas McAllister, Jonathan McColl, Craig McLaughlin and Willie McLaughlin.

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 7 February 2012 were submitted and approved as a correct record, subject to the undernoted correction to the Declarations of Interest:-

It was noted that there were no declarations of interest in any of the items of business on the agenda at this point in the meeting.

NOTE OF VISITATION

A Note of Visitation carried out on 6 February 2012, a copy of which forms Appendix 1 hereto, was submitted and noted.

LOCAL DEVELOPMENT PLAN – MAIN ISSUES REPORT

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval for the publication of the Main Issues Report and associated documents for consultation.

A presentation was given by the Team Leader – Forward Planning, providing Members' with further information on the Local Development Plan, the issues identified and options being proposed.

Having heard the Planning and Building Standards Manager and the Team Leader - Forward Planning in answer to Members' questions, the Committee agreed that:-

- (a) the Main Issues Report be distributed for public consultation along with associated documents; and
- (b) the Planning and Building Standards Manager be delegated editorial powers in relation to the documents.

PLANNING APPLICATIONS

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

New Application:-

- (a) DC11/218 – Remediation works to decontaminate the site at Dunglass Oil Depot, Dumbarton Road, Bowling by Esso Petroleum Company Ltd.

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 Barr, 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 Hadwen, representative for Esso Petroleum Company Ltd, to address the Committee and he was heard in response to Members' questions.

Following discussion, the Committee agreed to grant full planning permission subject to:-

- (i) the conditions specified within the report, details of which are contained in Appendix 2 hereto; and

- (ii) an additional condition that consent should be sought from the Planning Authority before the felling of any trees.
- (b) DC11/260 – Change of use of industrial unit to Class 10 Pre-School Nursery at Unit 6, Alpha Centre, 10 South Douglas Street, Clydebank by Burns Design Assoc. on behalf of Sunshine Nurseries.

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 and informed Members that the only objector to the application had now withdrawn their objection.

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

The Network Management Services Co-ordinator was then heard in further elaboration of the roads issues and in response to Mr Burns.

The Planning and Building Standards Manager and Team Leader – Forwarding Planning were then heard in answer to Members' questions.

Following discussion Councillor Finn, seconded by Councillor Brown moved:-

That the Committee refuse planning permission, for the reasons set out within the report, details of which are contained in Appendix 3 hereto.

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

That the Committee grant planning permission, contrary to the officers recommendations on the basis that it would provide jobs within the area, subject to conditions being imposed to address parking issues and to safeguard the dropping off/picking up of children.

On a vote been taken, 2 Members voted for the amendment and 2 Members voted for the motion.

There being an equality of votes, Councillor Finn, Chair used his casting vote in favour of the motion which was accordingly declared carried.

As the application was refused, the Committee agreed that officers should make contact with the applicant to offer assistance in trying to identify suitable alternative accommodation.

- (c) DC12/008 – Change of use from Class 1 (Shop) to Class 2 (Betting Office) at 31 Sylvania Way South, Clydebank by Power Leisure Ltd.

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 Mackay, the Agent, and Mr Hogg, Marketing Agent for the landlord to address the Committee and were heard in support of the application.

The Committee agreed that the application be refused on the grounds that the proposed use would be contrary to Policy RET6 of the West Dunbartonshire Local Plan 2010 as it would result in the loss of an existing retail unit within the Retail Core Area without sufficient justification and it would result in a further proliferation of non-retail uses within a part of Clydebank Town Centre and would detract from the amenity and character of the area.

- (d) DC12/014 – Installation of a New Shopfront at 31 Sylvania Way South, Clyde Shopping Centre, Clydebank by Power Leisure Ltd.

Having heard the Planning and Building Standards Manager in further explanation of the application, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 4 hereto.

- (e) DC12/027 – Change of use of ground floor vacant rooms into sports development storage area and first floor games/activities area into offices at Alexandria Community Education Centre, Main Street, Alexandria by West Dunbartonshire Council.

Having heard the Planning and Building Standards Manager in further explanation of the application and the Head of Regeneration and Economic Development in response to Members' questions regarding the relocation of existing community facilities, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 5 hereto.

The meeting closed at 10.55 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 6 FEBRUARY 2012

Present: Provost D. Agnew and Councillors J. Finn, J. Brown and M. McNair.

Attending: Pamela Clifford, Planning and Building Standards Manager.

SITE VISIT

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

- (a) DC11/252 – Change of use of retail unit to a financial services office by Scotvale Unit Trust Wimpole Services Ltd.
- (b) DC10/310 - Demolition of secondary school and bowling club, and erection of replacement secondary school with associated works by West Dunbartonshire Council.

DC11/218 – Remediation works to decontaminate the site at Dunglass Oil Depot, Dumbarton Road, Bowling by Esso Petroleum Company 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. 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. No existing trees or undergrowth on site shall be lopped, topped, felled, lifted, removed or disturbed during the period April to July (inclusive) unless it has been subject to a breeding bird survey which has found that no active nests would be disturbed. The deciduous trees and dense gorse mapped in Figure 1A of the Appropriate Assessment Statement shall be retained undamaged throughout the works.
5. 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), and all heavy vehicle movements carrying material to or from the site shall take place 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.
6. Appropriate measures to prevent mud, dirt, dust or stones being carried onto the highway shall be taken and such steps shall include the provision and the use of hard standing areas and a wheel wash facility for the cleaning of all lorries, dump trucks, other heavy vehicles and plant leaving the site
7. Prior to the commencement of development on site, details of any measures required to maintain or stabilise the river wall during work on site shall be

submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

8. Works to reinforce the Clyde riverbank at Eastfield (e.g. sheet piling) shall be undertaken outwith September to April inclusive.
 9. Visual screens 1.8m high should be erected outwith September to April inclusive, only along the seaward edge of the Eastfield area and around the head of Dunglass basin, as shown on Figures 1A, 1B and 1C of the Appropriate Assessment Statement. The visual screens must be maintained during September to April inclusive.
 10. Any work undertaken on site from September to April inclusive shall not give rise to greater cumulative noise than that calculated in Table 3.2 of the Appropriate Assessment Statement.
 11. From September to April inclusive, haulage vehicles and other large/heavy plant shall not use the seaward part of Centrefield (south-west of a line between Dunglass Castle and the north-east corner of Dunglass basin), or the west edge of the basin between the River Clyde and the retained vegetation, and should not run any closer than 5m to the visual screen around the head of the basin.
- NB. Pollution control must be implemented throughout the whole works area in accordance with SEPA's pollution prevention guidelines.
- NB. The applicant should contact Network Rail's Asset Protection Engineer (Buchanan House, 58 Port Dundas Road, Glasgow G4 0LQ, 0141 555 4887, AssetProtectionScotland@networkrail.co.uk) prior to the commencement of any work which has potential to impact upon the adjacent railway line, including any changes to ground levels or operation of plant in close proximity to the railway line.

DC11/260 – Change of use of industrial unit to Class 10 Pre-School Nursery at Unit 6, Alpha Centre, 10 South Douglas Street, Clydebank by Burns Design Assoc. on behalf of Sunshine Nurseries.

Permission was REFUSED for the following reasons:-

1. The proposed use is contrary to Policy LE1 and GD1 of the West Dunbartonshire Local Plan as the proposed use would have an adverse impact on both existing and future industrial development in the immediate area. The use of the building as a pre-school nursery is not considered an appropriate use for this building in this location.
2. The proposed use fails to comply with the requirements of Policies LE1 and GD1 of the West Dunbartonshire Local Plan in that it does not provide adequate provision for the safe parking of vehicles whilst dropping off/picking up children from an industrial access road where on-street parking is already at capacity. The proposal would therefore have a detrimental impact on road safety.

DC12/014: Installation of a New Shopfront at 31 Sylvania Way South, Clyde Shopping Centre, Clydebank by Power Leisure 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. Notwithstanding the submitted details, a sample of all external materials including the tiles shall be submitted to and approved by the Planning Authority and shall be implemented as approved

DC12/027: Change of use of ground floor vacant rooms into sports development storage area and first floor games/activities area into offices at Alexandria Community Education Centre, Main Street, Alexandria 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