

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 6 March 2013 at 10.00 a.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Jim Finn, David McBride, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

**Attending:** Jim McAloon, Head of Regeneration and Economic Development; Keith Bathgate, Team Leader (Development Management); Alan Williamson, Team Leader (Forward Planning); Marnie Ritchie, Regeneration Coordinator, Economic Development; 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 Gail Casey.

**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.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 6 February 2013 were submitted and approved as a correct record.

### **NOTE OF VISITATION**

A Note of Visitation carried out on 30 January 2013, 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) **DC11/236 – Refurbishment of shopping centre and erection of new roof, entrance and associated works at The Artizan Centre, College Way, Dumbarton by La Salle Investment Management.**

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

The Team Leader (Development Management) 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 within Appendix 2 hereto.

- (b) **DC12/228 – Residential development of 33 flatted dwellings, 91 houses (detached, semi-detached and terraced) and associated landscaping, roads and parking at former site of Clydebank College, Kilbowie Road, Clydebank by Barratt West Scotland.**

The Team Leader (Development Management) was heard in further explanation of the application and the background relating thereto.

Having heard the Team Leader (Development Management) in further explanation of the report and in answer to Members' questions, the Committee agreed to grant full planning permission:-

- (a) subject to the application honouring the previous agreement in relation to the replacement of CCTV equipment; and
- (b) subject to the conditions specified within the report, details of which are contained within Appendix 3 hereto.

- (c) **DC12/274 – Alterations to shop fronts including removal of canopies and new lighting and public realm works to improve the existing square at Mitchell Way, Alexandria by West Dunbartonshire Council.**

The Team Leader (Development Management) was heard in further explanation of the application and the background relating thereto.

Having heard officers in further explanation of the report and in answer to Members' questions, Councillor McColl, seconded by Councillor Agnew moved that:-

The Committee agree to continue consideration of this application to allow officers to seek clarification of the views of community groups on the proposals.

As an amendment, Councillor McBride, seconded by Councillor Sorrell moved that:-

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

On a vote being taken, 5 Members voted for the amendment and 4 for the motion. Accordingly the amendment was declared carried.

**WP98/076: REVIEW OF MINERALS PERMISSION (ROMP), SHEEPHILL QUARRY, MILTON, BY WILLIAM THOMPSON & SON LTD**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the progress made since the application was considered at the December 2012 meeting.

Having heard the Team Leader (Development Management) in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (a) to note the contents of the report;
- (b) to note that the application would be submitted to the Committee in May for determination;
- (c) to note that the application for the extension to the quarry would also be submitted to the Committee in May for determination;
- (d) that a further letter would be submitted to the Scottish Government seeking clarification of their position on compensation; and
- (e) that the letter referred to by the Team Leader (Development Management) which had been received from Historic Scotland, be forwarded to Members for their information.

**DETERMINATION OF AN APPEAL IN RELATION TO THE REFUSAL OF APPLICATION DC12/087 FOR REMOVAL OF CONDITION 9 OF PERMISSION DC10/262/COU (TO REMOVE THE OBLIGATION TO PROVIDE A 2M WIDE FOOTWAY ALONG THE FRONT OF THE DEVELOPMENT) AT FORMER CHURCH OF SCOTLAND, DUMBARTON ROAD, BOWLING, G60 5AZ**

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

The Committee agreed to note that the appeal had been dismissed and that planning permission had been refused.

## **RENFREWSHIRE LOCAL DEVELOPMENT PLAN AND PROPOSAL FOR ERECTION OF MIXED USE DEVELOPMENT AT BRAEHEAD, RENFREWSHIRE**

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking agreement for this Council's response to:-

- (1) proposals by Renfrewshire Council in its Local Development Plan to designate Braehead as a town centre; and
- (2) a planning application received by Renfrewshire Council for mixed use development at Braehead including additional 41,000 square metres of additional retail floorspace.

Having heard the Team Leader (Forward Planning) in further explanation of the report, the Committee agreed that Appendices 1 and 2 of the report be submitted to Renfrewshire Council as West Dunbartonshire Council's objections to the proposals.

### **CHAIR'S REMARKS**

The Chair, Councillor O'Neill, provided a verbal update on application DC12/185 – Erection of Industrial Building at 60 Clyde Street, Clydebank by ETI Scotland Ltd for which the Committee, at its meeting on 6 February 2013, had been minded to grant full planning permission subject to the conditions specified within the report, and subject to the completion of notification of the Scottish Ministers in accordance with statutory requirements.

Councillor O'Neill advised that the Scottish Ministers had not called the application in and therefore planning permission had now been granted.

The meeting closed at 10.55 a.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATION – 30 JANUARY 2013**

- Present:** Councillors Jim Finn, David McBride, John Mooney and Thomas Rainey
- Attending:** Keith Bathgate, Team Leader (Development Management)
- Apologies:** Councillors Gail Casey and Lawrence O'Neill

**SITE VISIT**

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

**(a) Land to South of Overtoun West Lodge, Stirling Road, Dumbarton**

Planning Application DC12/192 - Erection of dwellinghouse on land to south of Overtoun West Lodge, Stirling Road, Dumbarton by Mr & Mrs John.

**(b) Keil School, Helenslee Road, Dumbarton**

Planning Application DC12/211 - Erection of residential development (amendment to DC06/295) to permit the addition of an extra detached house and substitution of house types on plots 105-112 and 24-7 and a revised layout at Keil School, Helenslee Road, Dumbarton by Bett Homes.

**(c) 146 Duntocher Road, Clydebank**

Planning Application DC12/268 – Change of use from vacant shop unit to Betting Office at 146 Duntocher Road, Clydebank by Ladbrokes

**DC11/236 – Refurbishment of shopping centre and erection of new roof, entrance and associated works at The Artizan Centre, College Way, Dumbarton by La Salle Investment Management.**

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

1. Exact details and specifications of all proposed external materials, including cladding panels, the roof, render and roller shutters 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.
2. Exact details and specifications of all ground surfaces, bins, seating, external lighting, external CCTV cameras, railings and walls 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.
3. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees and shrubs to be planted 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. Prior to any work being undertaken which would prevent or restrict pedestrian access along College Way between High Street and Risk Street/St Mary's Way, the alternative pedestrian route and vehicular delivery area between High Street and Risk Street shall be implemented as shown on Drawing No. 061/090/203 D. Thereafter, this route shall be maintained and kept available for use at all times unless otherwise agreed in writing with the Planning Authority.
5. All bins used by units on the western side of College Way shall be stored internally within the designated areas as shown on Drawing No. 061/090/203 D, and no bins, waste or stock may be stored on or adjacent to the pedestrian footpath at any time.
6. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
7. 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.

8. No vehicles making deliveries to, or collecting material from the site during construction shall enter or leave the site before 8am or after 6pm.

#### Informatives

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. This grant of planning permission does not authorise the installation of any illuminated fascia signs which would require the submission of a separate application for advertisement consent.
4. The plans referred to as part of this decision are: Drawing No(s). 061-090-100 B, 061/090/202, 061/090/203 D, 061/090/302, 061/090/303 A, 061/090/304 & 061/090/305.

**DC12/228 – Residential development of 33 flatted dwellings 91 houses (detached, semi-detached and terraced) and associated landscaping, roads and parking at former site of Clydebank College, Kilbowie Road, Clydebank by Barratt West Scotland.**

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

1. 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.
2. Prior to commencement of works, full details of the design and location of all walls, including retaining walls, and fences to be erected on site shall be submitted for the further approval of the Planning Authority, and these shall be implemented as approved.
3. 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.
4. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences on site. The scheme shall indicate the siting, numbers, species and heights [at the time of planting] of all trees, shrubs and hedges to be planted and the extent of any earth mounding and shall be in compliance with the requirements of British Airport Authority in that it will not endanger the safe operation of aircraft through the attraction of birds.
5. 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 implemented as approved.
6. Notwithstanding the site investigation work carried out on the site to date, no development shall commence on site until such time as an amended 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 amended report shall take into account the revised mix of flats and houses and shall be prepared by a suitably qualified person. It shall include the following:
  - a) 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:



- ground waters and surface waters;
  - human health;
  - ecological systems;
  - archaeological sites and ancient monuments, property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
- c) an appraisal of remedial options, including a detailed remediation scheme based on the preferred option.
7. Remediation of the site shall be carried out in accordance with the approved remediation plan. On completion of the remediation works and before the commencement of development the developer shall submit a report to the Planning Authority for his written approval confirming that the works have been carried out in accordance with the remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.
8. 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.
9. 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.
10. During the period of construction, all external 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 Mondays to Saturdays and not at all on Sundays or Public Holidays.
11. During the period of construction the applicant /operator shall provide and maintain on site suitable means for the washing of vehicle wheels at all times during the hours of operation, to ensure that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction and any other vehicles.
12. 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.

13. No materials other than topsoil shall be brought into the site for the purposes of infilling or upraising ground levels without the prior written consent of the Planning Authority.
14. Prior to the commencement of development on site, a phasing plan indicating how the development is to be phased shall be submitted to and approved by the Planning Authority. The phasing plan shall include details of the phasing of the residential units, landscaping, parking courts, roads and footpaths and the play area. The phasing plan shall be adhered to at all times.
15. Any changes in the approved levels shall be agreed in writing by the Planning Authority.
16. The existing lane to Kilbowie Road along the southern boundary of the site shall be free of building materials during construction works and pedestrians shall have free access at all times.
17. Prior to the commencement of development on site an air quality impact assessment in accordance with the Environmental Protection UK guidance document "Development Control: Planning for Air Quality 2006" shall be submitted for the further approval of the Planning Authority. The findings of the assessment shall be implemented prior to the development commencing on site or within a timescale agreed by the Planning Authority.
18. No development shall take place on site until such times as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This 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.
19. Before any plant and machinery is used on the premises it shall be enclosed with sound insulating material as approved by the Planning Authority and shall be retained until the completion of the construction works.
20. Where piling works are proposed account must be taken of the guidance in BS 6472: 1984 Evaluation of Human Response to Vibration in Buildings. A competent person must carry out an assessment. The findings of the assessment require to be submitted and approved in writing by the Planning Authority.
21. During the period of construction, no commercial vehicle making deliveries to or collecting materials from the development shall enter or leave the site before 8am and after 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.

22. Visibility splays of not less than 4.5 x 60 x 1.05m shall be provided in both directions at the junction of the new accesses with the existing road prior to the commencement of the development.
23. Prior to the occupation of the last dwellinghouse in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard.
24. Notwithstanding the details submitted, proposals for a pedestrian link to the existing path between Riddell Street and Kilbowie Road shall be submitted for further approval prior to work commencing on site and shall be constructed as approved.
25. Notwithstanding the details submitted, the 2m fencing shown along the boundary with the existing path between Riddell Street and Kilbowie Road shall be designed to allow natural surveillance with full details submitted for further approval prior to work commencing on site and shall be constructed as approved.

## **FOR NOTING**

### ***Informatives***

1. *The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.*
2. *The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, the developer is required to 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 applicant is advised that under the terms of Section 27C of the Town and Country Planning (Scotland) Act 1997 (as amended), the developer is required to display the sign provided or copies thereof throughout the duration of the development being built. Such sign(s) must 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 must be replaced at the earliest time practical.*

4. *The plans referred to as part of this decision are:*

<i>A12.04</i>	<i>Location Plan</i>
<i>SK.06 Rev P</i>	<i>Site Layout</i>
<i>SK.08 Rev C</i>	<i>Parking Allocation</i>
<i>A12.03</i>	<i>Flatted Block Elevations</i>
<i>1000/ROD – (4+) – 01 F</i>	<i>Flatted Block Ground Floor Layout</i>
<i>1000/ROD – (4+) – 02 H</i>	<i>Flatted Block Mid Floor Layout</i>
<i>1000/ROD – (4+) – 03 I</i>	<i>Flatted Block Third Floor Layout</i>
<i>1000/ROD – (4+) – 01 F</i>	<i>Flatted Block Ground Floor Layout</i>
<i>1000/COR – (3) – 03 J</i>	<i>Corner Block Floor Layout</i>
<i>SCO 2009/U/OPA/01</i>	<i>Opal Plans and Elevations</i>
<i>SCO 2009/U/SAP/01A</i>	<i>Sapphire Plans and Elevations</i>
<i>SCO 2009/U/QUA/03D</i>	<i>Quartz Elevations</i>
<i>SCO 2009/U/QUA/04F</i>	<i>Quartz Ground Floor Plan</i>
<i>SCO 2009/U/QUA/05H</i>	<i>Quartz First Floor Plan</i>
<i>SCO 2009/U/QUA/06G</i>	<i>Quartz Second Floor Plan</i>
<i>SCO 2009/U/PEA/03E</i>	<i>Pearl Elevations</i>
<i>SCO 2009/U/PEA/04F</i>	<i>Pearl Ground Floor Plan</i>
<i>SCO 2009/U/PEA/05E</i>	<i>Pearl First Floor Plan</i>
<i>2012/S/DUA/BO1</i>	<i>The Doune Plans and Elevations</i>
<i>2012/S/DUN/BO1</i>	<i>The Dunrobin Plans/ Elevations</i>
<i>2012/S/BRO/BO1</i>	<i>The Brodie Plans and Elevations</i>
<i>2012/S/CAW/BO1</i>	<i>The Cawdor Plans and Elevations</i>
<i>2012/S/DAL/O1</i>	<i>The Dalhousie Plans / Elevations</i>
<i>2012/S/FOR/BO1</i>	<i>The Forbes Plans and Elevations</i>
<i>2012/S/FYV/O1</i>	<i>The Fyvie Plans and Elevations</i>
<i>7421 - 111 Rev D</i>	<i>Site Levels</i>
<i>7421 -124</i>	<i>Site Cross Sections</i>
<i>7421 -125</i>	<i>Sections Across Site</i>

**DC12/274 – Alterations to shop fronts including removal of canopies and new lighting and public realm works to improve the existing square at Mitchell Way, Alexandria by West Dunbartonshire Council.**

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

1. Exact details and specifications of all proposed external materials, including metal cladding panels, render and roller shutters 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.
2. Exact details and specifications of all ground surfaces, bins, seating, external lighting, railings and walls 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.
3. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees to be planted 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.

**Informatives**

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. This grant of planning permission does not authorise the installation of any illuminated fascia signs which would require the submission of a separate application for advertisement consent.
4. The plans referred to as part of this decision are: Drawing No(s). A200, A300, A301, A500, A501, A502, A503, A504, A505, A506, A507, A508 & A509.