

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 5 January 2005 at 9.30a.m.

Present: Provost Alistair Macdonald and Councillors Denis Agnew, Dennis Brogan, Jack Duffy, Linda McColl and Duncan McDonald.

Attending: Dan Henderson, Director of Development and Environmental Services; Alasdair Gregor, Planning and Development Manager; Nigel Ettles, Principal Solicitor; Kevin Neeson, Section Head, Planning and Building Control and Shona Barton, Administrative Assistant.

Apology: An apology for absence was submitted on behalf of Councillor Connie O'Sullivan.

Councillor Jack Duffy in the Chair

MINUTES OF PREVIOUS MEETING

4687 The Minutes of Meeting of the Committee held on 1 December 2004 were submitted and approved as a correct record.

NOTE OF VISITATION

4688 A Note of Visitation carried out on 29 November 2004, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

4689 Reports were submitted by the Director of Development and Environmental Services in respect of various planning applications as detailed below.

Continued Applications

(a) DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage/1-3 William Street, Duntocher, Clydebank

4690 After discussion and having heard the Section Head, Planning and Building Control in further explanation and in answer to Members' questions, the Committee agreed that it was minded to grant planning permission subject to:-

- (1) satisfactory comments being received from Housing and Technical Services regarding the applicant's proposed reduction in sightline splay; and
- (2) the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

4691 It was also agreed that authority to grant planning permission be delegated to the Director of Development and Environmental Services.

(b) DC04/204 – Conversion of lounge bar and disco into 3 flats at 9 Quay Street, Dumbarton

4692 A copy of a letter submitted by the Agent for the Applicant detailing proposed flood prevention measures was circulated to Members for information. Having heard the Section Head, Planning and Building Control in further explanation, the Committee agreed that it was minded to grant planning permission subject to:-

- (1) a satisfactory response being received from Housing and Technical Services in relation to the proposed flood prevention measures; and
- (2) the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

4693 It was also agreed that authority to grant planning permission be delegated to the Director of Development and Environmental Services.

New Applications

(c) DC03/338 – Erection of dwellinghouse (outline) at Cleddans Farm, Hardgate, Clydebank

4694 Having heard the Planning and Development Manager in further explanation, the Committee agreed that the application be refused for the reasons specified in the Director's report, details of which are contained in Appendix 2 hereto.

SHEEPHILL QUARRY, MILTON

4695 A report was submitted by the Director of Development and Environmental Services explaining the context of the following applications and requesting that the applications be determined concurrently.

- (a) WP98/076 – review of minerals permission at Sheephill Quarry, Milton; and
- (b) DC02/447 – Extension to Quarry at Sheephill Quarry, Milton.

- 4696 A letter of representation from an objector to the applications, Mrs. Frances Walker, was circulated to Members for their information. After discussion and having heard the Planning and Development Manager in further explanation, and having heard representations from two objectors to the application who were in the Public Gallery and who were concerned about the amount of time which they had had to consider the matter, the Committee agreed to continue consideration of the above report and applications until the next meeting of the Committee to allow a site visit and hearing to take place.

LITTMILL DISTILLERY, BOWLING

- 4697 A report was submitted by the Director of Development and Environmental Services informing of demolition works carried out at the former Littlemill Distillery buildings and of the proposals for future development.
- 4698 After discussion and having heard the Planning and Development Manager and the Section Head, Planning and Building Control in further explanation and in answer to Members' questions, the Committee agreed:-
- (1) to note the previous history of the site and the current planning applications and listed building applications for the site and adjacent sites;
 - (2) to note the involvement of Historic Scotland in the process and their support for the rebuilding of the two towers;
 - (3) to instruct the Director of Development and Environmental Services to send a report to the procurator fiscal in relation to the removal of the East Tower;
 - (4) that should the remaining tower be in jeopardy that appropriate enforcement action be taken if necessary; and
 - (5) that the rebuilding of the two towers form an essential part in any redevelopment of the site.

GLASGOW AIRPORT

- 4699 A report was submitted by the Director of Development and Environmental Services informing of two consultation documents issued by the British Airports Authority (BAA) Glasgow entitled "Protecting Against Airport Noise" and "Protecting Against Blight" and recommending the Council's formal response.

4700 The Committee noted that an additional paper detailing issues relevant to the report had been circulated to Members before the meeting. After discussion and having heard the Planning and Development Manager and the Director of Development and Environmental Services in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) in relation to the consultation paper "Protecting Against Airport Noise", that BAA Glasgow be informed of the Council's concerns over:-
 - (i) the exclusion of houses from the definition of noise sensitive buildings; and
 - (ii) the lack of justification for the choice of the 63dB noise contour for eligibility for assistance;
- (2) in relation to the consultation paper "Protecting Against Blight", that BAA Glasgow be informed of the Council's concerns over the lack of justification for the choice of the 66dB noise contour;
- (3) that in addition to the responses to the consultation that the recommendations from the additional paper be added as follows:-
 - (i) the present noise levels for the existing single runway be reviewed by BAA with a view to reducing them;
 - (ii) that BAA be asked to consider restricting night time flying to essential movements only and asked to clarify the definition of "essential movements";
 - (iii) that BAA be asked to arrange for an independent economic appraisal assessing the benefit of night flight against disturbance to the local community and in the meantime at least reduce night time take offs and landings;
 - (iv) that BAA be asked to consider the provision of resources to noise sensitive premises outside the existing qualifying noise contours and that domestic premises should be included in the noise sensitive category;
 - (v) that BAA be asked to install a noise monitoring point within the West Dunbartonshire area to provide more relevant data to residents most likely to be affected by airport noise; and
 - (vi) that a report should be provided by BAA detailing their proposed actions in relation to points (i) to (v) above; and

- (4) to note that a report would be submitted to the next meeting of the Community Safety and Environmental Services Committee which would cover in more detail the issues raised by Members and would contain further recommendations in relation to representations which the Council could make to BAA.

STRATEGIC REVIEW OF SCOTTISH NATURAL HERITAGE – RESPONSE TO QUESTIONNAIRE

- 4701 A report was submitted by the Director of Development and Environmental Services advising of the Strategic Review of Scottish Natural Heritage and seeking homologation of the Council's response to a questionnaire issued by the Scottish Executive.
- 4702 Having heard the Planning and Development Manager in further explanation, the Committee agreed to homologate the responses to the questionnaire, as shown in the Appendix to the report, as the Council's response to the strategic review of Scottish Natural Heritage.

BUDGETARY CONTROL

- 4703 A report was submitted by the Director of Development and Environmental Services showing how the budgets controlled by the Development and Environmental Services Department were performing against projections for the period up until 15 November 2004.
- 4704 The Committee agreed to note the contents of the report.

APPEAL DECISIONS – 661 DUMBARTON ROAD, DALMUIR, CLYDEBANK; THE KEEP INN, CASTLEHILL ROAD, DUMBARTON; PLANNING APPEAL – DRUM HOUSE, OLD KILPATRICK

- 4705 A report was submitted by the Director of Development and Environmental Services informing of the outcome of two appeals to the Scottish Executive Inquiry Reporters Unit and the submission of an appeal to the Scottish Executive Inquiry Reporters Unit.
- 4706 The Committee agreed to note:-
- (1) that the appeal against the refusal of a retrospective application for advertisement consent for the display of an internally illuminated pole mounted advertisement within the grounds of a petrol station located at 661 Dumbarton Road, Dalmuir, Clydebank had been dismissed;

- (2) that the appeal against the refusal of an application for planning permission for the erection of a 15m high telecom mast and ancillary equipment at The Keep Inn, Castlehill Road, Dumbarton had been sustained; and
- (3) that an appeal against an Enforcement Notice served in relation to engineering works at Drum House, Old Kilpatrick had been submitted and would be dealt with by way of written submissions.

**STREET NAMING FOR NEW DEVELOPMENT OFF MANSE DRIVE,
HALDANE, BALLOCH**

4707 A report was submitted by the Director of Development and Environmental Services seeking to allocate a street name for a new housing development in Haldane.

4708 The Committee agreed that the name Manse Court be adopted.

SITE VISIT

4709 It was agreed that the site visit referred to in the item relating to Sheephill Quarry would be undertaken in the morning of Tuesday, 1 February 2005.

The meeting closed at 10.21 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 29 NOVEMBER 2004

- Present:** Provost Alistair Macdonald and Councillors Jack Duffy and Duncan McDonald.
- Attending:** Alasdair Gregor, Planning and Development Manager and Craig Stewart, Administrative Assistant - Legal and Administrative Services.

SITE VISIT

With reference to the Minutes of the Meeting of the Planning Committee held on 3 November 2004, a site visit was undertaken in connection with the undernoted planning application:-

DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage, 1-3 William Street, Duntocher, Clydebank.

APPENDIX 2

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 5 JANUARY 2005**

**DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross
Cottage/1 – 3 William Street, Duntocher, Clydebank**

Minded to GRANT permission subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. Prior to the occupation of any flat in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, to the satisfaction of the Director of Development and Environmental Services.
4. Prior to occupation of the last flat in the development all roads and footpaths within and servicing the development shall be completed to their final specification and adoptable standard to the satisfaction of the Director of Development and Environmental Services.
5. Details of design and construction of all fences and walls to be erected on the site shall be submitted to the Director of Development and Environmental Services and no work on the site shall be commenced until the permission of the Director has been granted for these details and that the boundary treatments approved shall be completed within timescale to be agreed with the Director of Development and Environmental Services.
6. The stone-dyke wall indicated on the approved plan shall be retained as part of the development, with no section of it being removed, without the written consent of the Director of Development and Environmental Services.
7. Before any work commences on the site, a landscaping scheme for the site shall be submitted to and approved by the Director of Development and Environmental Services and such a scheme shall include:
 - a) details and specification of all trees, shrubs, grass mix etc;
 - b) details of all top-soiling or other treatment to the ground;
 - c) sections and other necessary details of any mounding or earthworks;
 - d) proposals for the initial maintenance of the landscaped areas;

and no work shall be undertaken on the site until approval has been given to these details.

8. Before any of the units hereby approved are completed the landscaping scheme required in terms of condition 7 shall be completed to the satisfaction of the Director of Development and Environmental Services and thereafter all of the landscaping shall be maintained and replaced where necessary to the satisfaction of the Director of Development and Environmental Services.
9. Prior to commencement of development, the developer shall submit a detailed survey of all trees and hedging on the site. This survey shall be displayed on a site layout plan and include an identification of the existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which over-hang onto the site shall also be included). Those trees which it is proposed to fell or remove shall be separately identified.
10. The existing trees and shrubs on site shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Director of Development and Environmental Services.
11. During the construction period, all works and ancillary operations which are audible at the site boundary or at such other places to be approved by Director of Development and Environmental Services, shall be carried out only between 0800 and 1800 hours Monday to Saturday inclusive, and not at all on Sundays or Public Holidays.
12. The developer shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential dwellings or other noise sensitive properties to exceed the levels to be agreed in writing with the Director of Development and Environmental Services prior to any development taking place on site.
13. Any piling operations on the site must be carried out in accordance with the requirements of BS5228: Part 4: 1992. Code of Practice for Noise and Vibration Control applicable to piling operations.
14. To minimise nuisance in the surrounding area from noise and vibration, during all demolition and construction works, the plant and machinery used shall be in accordance with the relevant Codes of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) (Scotland) Order 2002 and all reasonably practicable steps shall be taken to minimise the formation of dust in the atmosphere and in the surrounding area.
15. No works shall commence on site until a suitable scheme for the drainage of surface water has been submitted and approved by the Director of Development and Environmental Services.
16. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.

17. The consent hereby granted shall not enure until details of appropriate sightlines of 4.5 x 90 x 1.05 onto Dumbarton Road and 4.5 x 50 x 1.05m for the private access to the development site have been submitted and approved in writing by the Director of Development and Environmental Services, prior to any development commencing on site.
18. The consent hereby granted is not inclusive of the binstore area identified on drawing no. 553 302D and a revised bin store layout should be submitted to the Director of Development and Environmental Services for his approval, prior to any development commencing on site.

DC04/204 – Conversion of lounge bar and disco into 3 flats at 9 Quay Street, Dumbarton

Minded to GRANT permission subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. The permitted maximum noise level emanating from construction/redevelopment shall be relative to the pre-contract ambient noise level for the area. The contractor shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential properties, schools, offices or libraries to exceed the levels agreed in writing with the Director of Development and Environmental Services. The applicant is required to contact the Public Health and Pollution Section of Environmental Services not less than 14 days prior to works commencing on the site.
4. During the period of construction/redevelopment, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Council, shall be carried out only between 0800 and 1800 hours, Monday to Saturday inclusive and not at all on a Sunday or Public Holiday.

DC03/338 – Erection of dwellinghouse (outline) at Cleddans Farm, Hardgate, Clydebank

Permission REFUSED for the following reasons:-

1. The development would be contrary to Policy GB1 of the Clydebank Local Plan as it would be development in the green belt and the requirement for a dwellinghouse has not been sufficiently justified for the purposes of agriculture.

2. The development falls within Strategic Policy GB1 of the Glasgow and the Clyde Valley Structure Plan and is therefore a departure from the Development Plan for which insufficient justification has been submitted to warrant an approval under Strategic Policy 10.
3. The development would be contrary to Policy E7 of the Clydebank Local Plan and National Planning Policy Guideline 5 because it would have an adverse effect on the remains and setting of the Antonine Wall, a Scheduled Ancient Monument.