

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 5 September 2012 at 10.00 a.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, David McBride, Jonathan McColl, Lawrence O'Neill and Tommy Rainey.

Attending: Jim McAloon, Head of Regeneration and Economic Development, Pamela Clifford, Planning and Building Standards Manager; Jack McAulay, Roads and Transportation Manager; Alan Williamson, Team Leader (Forward Planning); Keith Bathgate, Team Leader (Development Management); Stuart Gibson, Assets Co-ordinator; 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 John Mooney.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 7 August 2012 were submitted and approved as a correct record.

NOTE OF VISITATION

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

PLANNING APPLICATIONS

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

New Applications:-

- (a) **DC12/105 – Erection of two storey detached dwellinghouse and detached double garage and the formation of a new vehicular access at Milton House, Milton Brae, Milton by Mr & Mrs Villiers; and**

DC12/108 – Alterations to boundary wall to form a new vehicular access at Milton House, Milton Brae, Milton by Mr & Mrs Villiers.

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

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

The Chair invited Dr MacLennan, local resident and objector to the proposals, to address the Committee. Additional papers supplied by Dr MacLennan were circulated to Members and he made his views on the applications known.

The Chair then invited Mr Wales, local resident and objector to the proposals, to address the Committee and he made his views on the applications known.

The Chair also invited Mrs Thomas, local resident and objector to the proposals, to address the Committee and she made her views on the applications known.

The Chair then invited Mr Thomson, Agent for the applicant, to address the Committee and he presented his case in support of the applications.

Having heard the Planning and Building Standards Manager, the Roads and Transportation Manager and the Team Leader (Forward Planning) in further explanation of the report and in answer to Members' questions, the Committee agreed that the applications be refused. Details of the grounds for refusal are contained within Appendix 2 hereto.

- (b) **DC12/124 – Erection of dwellinghouse at car park to west of Horseshoe Bar, Dumbarton Road, Bowling by Mr P Doherty; and**
- (c) **DC12/134 – Change of use from public house to flat including external alterations to building and formation of car parking spaces at Horseshoe Bar, 110 Dumbarton Road, Bowling by Mr P Doherty.**

The Chair advised that applications DC12/124 and DC12/134 would be considered together.

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

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

The Chair invited Mr Lee, local resident and objector to application DC12/124, to address the Committee and he made his views on the application known.

The Chair then invited Mrs Smith, local resident and objector to both applications, to address the Committee and she made her views on the applications known.

The Chair also invited Mr Smith, representing Bowling and Milton Community Council, who objected to application DC12/134, to address the Committee. Mr Smith made the Community Council's views on the application known.

The Chair then invited Mr McFarlane, local resident and objector to application DC12/134, to address the Committee and he made his views on the application known.

Mr Daly, agent for the applicant was then invited by the Chair to address the Committee, he presented his case in support of both applications.

Having heard the Planning and Building Standards Manager and the Roads and Transportation Manager in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that in respect of application DC12/124 authority be delegated to the Planning and Building Standards Manager, that on the completion of a Section 75 Agreement requiring that the former Horseshoe Bar shall not return to use as a public house, to grant planning permission in principle, subject to the conditions specified within the report, with the modification that recommended Condition 1 shall be deleted. Details of which are contained in Appendix 3 hereto; and
- (2) that in respect of application DC12/134 authority be delegated to the Planning and Building Standards Manager, that on the completion of a Section 75 Agreement requiring that the former Horseshoe Bar shall not return to use as a public house, to grant full planning permission, subject to the conditions specified within the in the report, details of which are contained in Appendix 4 hereto.

(d) DC11/263 - Operation of open air market on Fridays at Three Queens Square, Clydebank by P&W Markets.

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

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

The Chair invited Ms Jennings, objector to the application, to address the Committee and she made her views on the application known.

The Chair also invited Ms Young, the applicant, to address the Committee and she presented her case in support of the application.

Having heard the Head of Regeneration and Economic Development, the Planning and Building Standards Manager and the Assets Co-ordinator in further explanation of the report and in answer to Members' questions, Provost McAllister, seconded by Councillor McColl moved:-

That the Committee grant planning permission subject to the conditions specified within the report, and subject to the change to condition 1 that permission be granted for a 12 month period, details of which are contained in Appendix 5 hereto.

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

That the application be refused on the grounds that the proposal would result in a loss of a civic amenity and general amenity and would adversely affect small traders in Clydebank town centre.

On a vote being taken, 3 Members voted for the amendment and 5 Members voted for the motion, which was accordingly carried.

(e) DC12/141 – Installation of a New Shopfront at 15 Sylvania Way South, Clyde Shopping Centre, Clydebank by Mrs S Humphries.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 6 hereto.

(f) DC12/150 – Change of use of residential flats to form supported living accommodation, including associated office, meeting and storage space at 28 Ashton View, Dumbarton by West Dunbartonshire Council.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained in Appendix 7 hereto.

ADJOURNMENT

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a short period. Councillors McBride and Rainey submitted their apologies as they would not be returning when the meeting reconvened.

The meeting reconvened at 12.00 noon, with all those Members shown on the sederunt in attendance with the exception of Councillors McBride and Rainey.

LOCAL DEVELOPMENT PLAN: MAIN ISSUES REPORT CONSULTATION RESPONSES

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing details of the responses received to the Main Issues Report consultation exercise and advising on the next steps.

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

- (1) that a series of Member/Officer workshops be held to shape the proposed plan; and
- (2) otherwise to note the content of the report.

STREET NAME FOR PEDESTRIANISED AREA BETWEEN ALEXANDER STREET AND HUME STREET, CLYDEBANK

A report was submitted by the Executive Director of Housing, Environmental and Economic Development seeking approval to allocate a street name for the new pedestrianised area between Alexander Street and Hume Street, Clydebank.

Having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to approve the name Titan View.

The meeting closed at 12.10 p.m.

PLANNING COMMITTEE

NOTE OF VISITATION –6 August 2012

Present: Councillors Jim Finn, David McBride, Tommy Rainey

Attending: Pamela Clifford, Planning and Building Standards Manager.

SITE VISIT

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

- (a) Planning Application DC12/115 – Formation of mountain bike trail and training track at land to north-east of Allan Crescent, Bellsmyre, Dumbarton by Silverton and Overtoun Community Council.
- (b) Planning Application DC12/110 – Change of use of shop to café and associated external alterations at 10 West Bridgend, Dumbarton by Mr Amar Ali.
- (c) Planning Application DC12/087 – Removal of condition 9 of permission DC10/262/COU (to remove the obligation to provide a 2m wide footpath along the front of the development) at Bowling Church, Dumbarton Road, Bowling by Cameron Mearns.

APPENDIX 2

DC12/105 – Erection of two storey detached dwellinghouse and detached double garage and the formation of a new vehicular access at Milton House, Milton Brae, Milton by Mr & Mrs Villiers; and

DC12/108 – Alterations to boundary wall to form a new vehicular access at Milton House, Milton Brae, Milton by Mr & Mrs Villiers.

Permission was REFUSED for the following reasons:-

DC12/105

1. The proposal is contrary to policy H5 of the West Dunbartonshire Local Plan 2010 as it would detract from the appearance and character of the area, in that it would involve the erection of a prominent dwellinghouse on a plot of land which does not reflect the established pattern of development within a rural location which is characterised by very large plots and houses which are well screened from Milton Brae.
2. The proposal is contrary to policy E5 of the West Dunbartonshire Local Plan 2010 as it would result in the loss of existing mature trees and shrubs which contribute to the appearance and character of the area.
3. The proposal is contrary to policy BE2 of the West Dunbartonshire Local Plan 2010 as it would result in alterations to a stone boundary wall which would detract from the appearance of the wall and would have a detrimental impact on the appearance and character of the area surrounding the listed building.

DC12/108

1. The proposal is contrary to policy BE2 of the West Dunbartonshire Local Plan 2010 as it would result in alterations to a stone boundary wall which would detract from the appearance of the wall and would have a detrimental impact on the appearance and character of the area surrounding the listed building.

DC12/124 – Erection of dwellinghouse at car park to west of Horseshoe Bar, Dumbarton Road, Bowling by Mr P Doherty.

Permission in Principle was GRANTED subject to the following conditions:-

1. Application(s) for the approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) shall be submitted to the Planning Authority within 3 years of the date of this decision notice, or (if later) within 2 years of the refusal of such an application (where that application was submitted within 3 years of the date of this decision notice, and subject to there being only one subsequent application). Such application(s) shall include:
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences, bin stores, open space provision and landscaping;
 - b) Plans of the dwellinghouse showing its elevations and floor plans;
 - c) Details of existing and proposed ground levels and finished floor levels;
 - d) Details of external finishing materials, including all hard surfaces; and
 - e) Details of the means of drainage and sewage disposal.

The development must commence within 3 years of the date of this decision notice, or within 2 years of the date of the final approval of all foregoing matters specified in conditions (whichever is the later of these two dates).

2. The dwellinghouse hereby approved shall be single storey, and shall include the following design features:
 - a) Suitable street frontage elevations and boundary treatments facing both Dumbarton Road and Littlemill Lane;
 - b) Fenestration and boundary treatment designed to minimise any overlooking of or by adjacent houses;
 - c) Car parking facilities in accordance with the standards required in the Council’s adopted Roads Development Guide; and
 - d) Drainage arrangements shall incorporate the principles of Sustainable Urban Drainage Systems (SUDS)
3. 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 shall be carried out between 8am and 6pm Mondays to

Fridays, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.

4. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out.
5. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed

APPENDIX 4

DC12/134 – Change of use from public house to flat including external alterations to building and formation of car parking spaces at Horseshoe Bar, 110 Dumbarton Road, Bowling by Mr P Doherty.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed
3. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.
4. Prior to the occupation of the ground floor flat hereby approved the car parking spaces shown on the approved drawing no. 002 shall be constructed, surfaced and delineated on the site and made available for use by the occupants of the flat.

DC11/263 - Operation of open air market on Fridays at Three Queens Square, Clydebank by P&W Markets.

Permission was GRANTED subject to the following conditions:-

1. The planning permission hereby granted shall be for a temporary period of one year from the date of this decision. At the end of this period, the operation of a Friday market shall be discontinued, unless subject to a further express grant of planning permission.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.
3. The market shall trade only on Fridays within the area outlined in red on Drawing No. 1 and is not permitted to operate on any other day of the week without the prior written approval of the Planning Authority, with the exception of a Wednesday and Saturday previously granted under permission nos. (DC06/339 and DC08/046).
4. No stalls, goods, refuse or parked vehicles shall be positioned such as to prevent or otherwise impede pedestrian access through the site, or within 2m of the northern elevation of the Clydebank Indoor Market unit.

DC12/141 – Installation of a New Shopfront at 15 Sylvania Way South, Clyde Shopping Centre, Clydebank by Mrs S Humphries.

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.

DC12/150 – Change of use of residential flats to form supported living accommodation, including associated office, meeting and storage space at 28 Ashton View, Dumbarton by West Dunbartonshire Council.

Permission was GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
 - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b) A Notice of Completion of Development as soon as practicable once the development has been completed.