

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 26 November 2014 at 2.00 p.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Jonathan McColl, Patrick McGlinchey* and John Mooney.

*Arrived later in the meeting.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader (Development Management); Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apology: Apologies for absence were intimated on behalf of Councillors Gail Casey, Jim Finn, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Provost Douglas McAllister 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 at this point in the meeting.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Planning Committee held on 22 October 2014 were submitted and approved as a correct record.

NOTE OF VISITATIONS

Notes of Visitations carried out on 20 and 22 November 2014, copies of which form Appendices 1 and hereto, were submitted and noted

PLANNING APPLICATIONS

A report was submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

New Applications:-

- (a) **DC14/184 - Demolition of Crosslet House and erection of an 84 bed care home and day care facility and associated works at Crosslet House, Argyll Avenue, Dumbarton by West Dunbartonshire Council.**

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

Having heard the Planning & 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 within Appendix 3 hereto.

- (b) **DC14/196 - Subdivision of garden ground to form plot for a 1½-storey dwellinghouse (planning permission in principle) at Dunira House, 18 Overtoun Road, Clydebank by Mr Rafter.**

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 advised that following the site visit the following condition should be removed from the list of proposed conditions:-

“Subject to conditions 3 and 4 below, any alterations to the existing stone boundary walls shall be carried out in such a way as to preserve the stone so that it can be re-used in the construction of new boundary walls and/or the external finishing of the new house.”

The Chair, Provost McAllister, invited Mr Byrne, local resident, to address the Committee. Mr Byrne gave a presentation and made his views on the application known. Mr Byrne was also heard in answer to Members' questions.

The Chair then invited Mrs Rafter, the applicant's wife, to address the Committee. Mrs Rafter was heard in response to Mr Byrne's presentation.

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

The Committee refuse planning permission on the grounds that the development is contrary to existing policies and would result in a loss of amenity.

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

The Committee agree:-

- (a) to grant planning permission in principle subject to the conditions specified within the report (as amended in accordance with the amendment referred to above), details of which are contained within Appendix 4 hereto; and
- (b) that when the application for approval of matters specified in conditions is received, it be brought to Committee for determination.

On a vote being taken, 2 Members voted for the amendment and 2 for the motion. There being an equality of votes, Provost McAllister, Chair, used his casting vote in favour of the amendment which was accordingly declared carried.

Note:- Councillor McGlinchey entered the meeting during consideration of the above item and therefore did not take part in the decision in relation to the application.

- (c) **DC14/224 - Erection of 13 workshop units and associated works including parking, access and landscaping on land within the Vale of Leven Industrial Estate by West Dunbartonshire Council.**

Having heard the Planning & 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 within Appendix 5 hereto.

The meeting closed at 2.35 p.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 20 OCTOBER 2014

- Present:** Councillors Denis Agnew and John Mooney
- Attending:** Keith Bathgate, Development Management Team Leader
- Apologies:** Councillors Gail Casey, Patrick McGlinchey and Lawrence O'Neill

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

- (a) Cochno Road, Hardgate, Clydebank

ROW14/01 – diversion of public path at/near Wester Cochno Farm, Cochno Road, Hardgate by Mr Richard Spratt.

PLANNING COMMITTEE

NOTE OF VISITATION – 22 OCTOBER 2014

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

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

- (a) 18 Britannia Way, Clyde Shopping Centre, Clydebank

DC14/167 – Sub-division of existing retail unit and change of use to Betting Office and shopfront alterations at 18 Britannia Way, Clydebank by Betfred.

DC14/184 - Demolition of Crosslet House and erection of an 84 bed care home and day care facility and associated works at Crosslet House, Argyll Avenue, Dumbarton by West Dunbartonshire Council.

Permission GRANTED subject to the following conditions:-

1. 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 prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
2. 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 thereafter be implemented as approved.
3. Prior to the commencement of works on site full details of all ground surfaces, including roads, parking bays and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new building.
4. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority.
5. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new building.
6. None of the trees which have been marked for retention on the approved plans shall be lopped, topped, felled, lifted, removed or otherwise disturbed without the prior written approval of the Planning Authority. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.
7. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. The landscaping scheme shall also include details of the long term management of the landscaping, including the retained trees.

New planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the building. 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. The landscaping shall thereafter be managed in accordance with the approved scheme.

8. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds.
9. Prior to the commencement of works, details of the proposed measures to upgrade the pedestrian access from the site onto the footpath adjacent to the A82 shall be submitted to and approved by the Planning Authority and shall be implemented prior to the occupation of the new building.
10. During the period of construction no delivery or removal of material from the site shall take place outwith 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.
11. 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 Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed with the Planning Authority.
12. 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.
13. Prior to the commencement of development on site, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority and thereafter it shall be implemented prior to the development being brought into use and maintained as approved.
14. Prior to the commencement of development on site, details of the design and location of bat boxes shall be submitted to and approved in writing by the Planning Authority and thereafter shall be implemented and maintained prior to any demolition or tree felling being undertaken on site.

15. 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, and work on the affected area shall cease. At this stage, if requested, an investigation and risk assessment shall be undertaken and an amended remediation scheme submitted to and approved in writing by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.

DC14/196 - Subdivision of garden ground to form plot for a 1½-storey dwellinghouse (planning permission in principle) at Dunira House, 18 Overtoun Road, Clydebank by Mr Rafter.

Permission in Principle GRANTED subject to the following conditions:-

1. No development shall commence until such time as approval of the detailed design of the development (hereinafter called “the matters referred to in conditions”) has been granted by the Local Planning Authority. Any application for approval of matters specified in conditions shall include:
 - a) Site layout plans showing the position of all buildings, roads, footpaths, parking areas, walls, fences and landscaping
 - b) Plans of each building showing its elevations and floor plans
 - c) Details of existing and proposed ground levels and finished floor levels
 - d) Details of external finishing materials
 - e) Details of the means of drainage and sewage disposal
2. Notwithstanding the details shown on the approved plans, the dwellinghouse hereby approved shall be either single storey or one-and-a-half storeys in height, and shall be of similar scale and character to the existing houses at 8-16 Overtoun Road, including the use of a hipped roof. The design and layout shall also include the following features:
 - a) The house shall be positioned such that it is not built against any boundary of the plot;
 - b) Car parking shall be provided for 2 cars (or 3 cars if more than 3 bedrooms are provided), and shall comprise a driveway formed along one side of the house, with any garage accommodation provided towards the rear of the plot;
 - c) Surface water drainage arrangements shall incorporate the principles of Sustainable Urban Drainage Systems (SUDS);
 - d) Fenestration shall be arranged to minimise any overlooking of neighbouring homes and gardens;
3. Prior to commencement of works, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted for the consideration and written approval of the Planning Authority. Such details shall thereafter be implemented as approved.

4. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Planning Authority shall be carried out only between the hours of 08.00 and 18.00 Monday to Saturday inclusive and not at all on a Sunday or Public Holiday.

DC14/224 - Erection of 13 workshop units and associated works including parking, access and landscaping on land within the Vale of Leven Industrial Estate by West Dunbartonshire Council.

Permission GRANTED subject to the following conditions:-

1. 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) 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 and 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.
2. 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.
3. 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.

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, and work on the affected area shall cease. At this stage, if requested, an investigation and risk assessment shall be undertaken and an amended remediation scheme submitted to and approved in writing by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
5. 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.
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. 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 prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
8. 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 thereafter be implemented as approved.
9. Prior to the commencement of works on site full details of all ground surfaces, including roads, parking bays and pathways shall be submitted for the further written approval of the Planning Authority and implemented as approved prior to the occupation of the new building.

10. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority.
11. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of any of the new units.
12. No trees other than those specifically marked for removal on the approved plan shall be lopped, topped, felled, lifted, removed or otherwise disturbed without prior written approval of the Planning Authority. This includes approval of the extent of any tree thinning at the north end of the site. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.
13. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the building. 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. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds.