

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Tuesday, 5 April 2011 at 10.00 a.m.

Present: Provost Denis Agnew and Councillors Jim Brown, Geoff Calvert, Gail Casey, Jim Finn, Douglas McAllister, Jonathan McColl and Marie McNair.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Alan Williamson, Team Leader (Forward Planning); Keith Bathgate, Team Leader (Development Management); Jack McAulay, Manager of Roads and Transportation; Nigel Ettles, Principal Solicitor and Craig Stewart, Committee Officer, Legal, Administrative and Regulatory Services.

Apology: Councillor Craig 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 1 March 2011 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 28 February 2011, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development in respect of the following planning applications.

New Applications:-

- (a) **DC08/233/FUL – Formation of recycling centre including excavation of building rubble, backfilling with inert waste material and erection of recycling centre building at the former Dennyston Forge, West Bridgend, Dumbarton by Doherty & Lafferty.**

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

The Chair, Councillor Finn, invited Mr Carberry and Ms Harvie, 2 objectors to the proposal, to address the Committee and they made their views on the application known.

The Manager of Roads and Transportation was heard in answer to Members' questions.

The Chair then invited Mr Peter Doherty, the applicant, to address the Committee and he presented his case in support of the application and was heard in response to Members' questions and to issues raised by the objectors.

Following discussion and having heard the Planning and Building Standards Manager, the Committee was of the view that the impact of the proposed development on the amenity and character of adjacent residential properties was not such that the proposed development would be contrary to the Local Plan. The Committee agreed that planning permission be granted, contrary to the recommendation of the Director, subject to appropriate conditions to be specified by the Director.

- (b) **DC11/045/COU – Formation of outdoor seating area at 2 – 6 Greenhead Road, Dumbarton by Mrs C Sinclair.**

Reference was made to the site visit undertaken in respect of this application. The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Chair, Councillor Finn, invited Mr Middleton, an objector to the proposal, to address the Committee and he made his views on the application known. A Mr Ian Ellis, Vice Chair of Dumbarton East & Central Community Council, was then heard in support of the proposal.

The Principal Solicitor was heard in clarification of whether a licence was required in respect of the application and, in this respect, it was noted that no licence was required.

The agent for the applicant, Mr Tom McNally, was invited to address the Committee and he presented his case in support of the application.

Following discussion, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto and an additional condition with regard to keeping the area outside the premises clean and tidy.

- (c) **DC11/037/COU - Change of use of vacant fast food outlet to taxi booking office at 76 Main Street, Alexandria by West Dunbartonshire Taxi Drivers' Co-operative.**

Having heard the Planning and Building Standards Manager, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto.

- (d) **DC11/044/PPP – Erection of residential nursing home and supported living centre at the former waterworks site, Garshake Road, Dumbarton by Raymond Quinn.**

Following discussion and having heard the Planning and Building Standards Manager and the Manager of Roads and Transportation in answer to a Member's question, the Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained in Appendix 2 hereto.

- (e) **DC11/038/COU – Change of use to a children's soft play centre with ancillary activity rooms, café and beauty bar at Unit 3, Kilbowie Retail Park, Argyll Road, Clydebank by Neil Halls.**

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto. It was noted that a late representation had been received from a Linda Preston, 11 Clarence Street, and it would be a matter for the Committee to determine whether it wished to hear the late representation. The Committee agreed to hear the representation and the Planning and Building Standards Manager read out the contents of the letter from Ms Preston.

The Manager of Roads and Transportation was then heard in further explanation and in answer to Members' questions.

Following discussion, the Committee agreed to grant planning permission subject to the conditions specified within the report but without the condition relating to hours of operation, details of which conditions are contained in Appendix 2 hereto.

THE AWARD OF PLANNING APPEAL COSTS AGAINST THE COUNCIL IN RELATION TO:-

- (a) **Erection of 30 flats/houses with associated access and parking at Leven Street/Thomas Street, Alexandria (DC09/160/FUL); and**

(b) Erection of 25 flats with associated car parking and access road at land adjacent to Old Mill Garage, Glasgow Road, Hardgate (DC10/078/FUL)

A report was submitted by the Executive Director of Housing, Environmental and Economic Development advising of the costs which were awarded against the Council in relation to two planning appeals.

Following discussion and having heard the Planning and Building Standards Manager and the Principal Solicitor in further explanation, the Committee agreed to note the award of costs against the Council

DEVELOPMENT PLAN PROGRESS

A report was submitted by the Executive Director of Housing, Environmental and Economic Development providing an update on the progress of Development Plan preparation and seeking approval for the annual revision of the Development Plan Scheme and Participation Statement.

Following discussion and having heard the Planning and Building Standards Manager and Team Leader (Forward Planning), the Committee agreed:-

- (1) to approve the 2011 review of the Development Plan Scheme and Participation Statement as contained in Appendix 1 of the report; and
- (2) to note that contact would be made with all Elected Members to meet on a ward or individual basis to discuss issues for the new Local Development Plan and that a Member/Officer working group would be established to inform the drafting of the Main Issues Report.

The meeting closed at 11.00 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 28 FEBRUARY 2011

Present: Councillors Jim Brown, Jim Finn and Marie McNair.

Attending: Pamela Clifford, Planning and Building Standards Manager.

SITE VISIT

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

Stirling Road to the south of Bellsmyre Avenue, Dumbarton - Erection of a 20 metre high Telecommunications Monopole Mast and Ancillary Equipment Cabinet on an area of pavement by Stirling Road, to the south of Bellsmyre Avenue, Dumbarton by O2/Vodafone.

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 5 APRIL 2011**

DC08/233/FUL – Formation of recycling centre including excavation of building rubble, backfilling with inert waste material and erection of recycling centre building at the former Dennyston Forge, West Bridgend, Dumbarton by Doherty & Lafferty

Permission GRANTED subject to appropriate conditions to be specified by the Director.

DC11/045/COU – Formation of outdoor seating area at 2 – 6 Greenhead Road, Dumbarton by Mrs C Sinclair

Permission 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. The outdoor seating area shall only be available for use between the hours of 10.00 and 18.00 on a daily basis. All tables and seats shall be removed from the site frontage when not in use.
4. 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.
5. Prior to the commencement of works on site, details of the design and location of the screen fence along the eastern boundary and the boundary walls to be erected on site shall be submitted for the further written approval of the Planning Authority. The approved fence and walls shall be erected prior to the use of the seating area.

DC11/037/COU - Change of use of vacant fast food outlet to taxi booking office at 76 Main Street, Alexandria by West Dunbartonshire Taxi Drivers' Co-operative

Permission 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.

NB. This grant of planning permission does not authorise the display or erection of any signage or advertisement, which would require the submission of a separate application for advertisement consent.

DC11/044/PPP – Erection of residential nursing home and supported living centre at the former waterworks site, Garshake Road, Dumbarton by Raymond Quinn

Permission 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 Local 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, boundary treatment and other walls and fences and bin stores;
 - (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, including all hard surfaces;
 - (e) Details of the means of drainage, including a grease trap and sewage disposal;

- (f) Open space provision and landscaping proposals; and
- (g) Details of the upgrading of Garshake Road to an adoptable standard.

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. 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.
3. 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); and
 - (b) A Notice of Completion of Development as soon as practicable once the development has been completed.
4. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6841: 1984 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person and the piling works shall thereafter be carried out in accordance with the approved method statement.
5. 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 from the site);
 - (b) An assessment of the potential risks; and
 - (c) An appraisal of remedial options, including a detailed remediation scheme based on the preferred option.

6. 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 risks 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 upon 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.
7. 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 by 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.

Upon 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.

8. 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.
9. No piling works shall be carried out until such time as a noise 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 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.

DC11/038/COU – Change of use to a children’s soft play centre with ancillary activity rooms, café and beauty bar at Unit 3, Kilbowie Retail Park, Argyll Road, Clydebank by Neil Halls

Permission 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); and
 - (b) A Notice of Completion of Development as soon as practicable once the development has been completed.
 3. The use hereby permitted shall not commence until details of suitable means of ventilation and extraction and disposal of fumes and cooking odours clear of the building in which the premises have been submitted to and approved in writing by the Planning Authority, and these shall thereafter be implemented as approved.
 4. Prior to the commencement of works, full details of the design and location of a guardrail to be erected outside the front entrance have been submitted to and approved in writing by the Planning Authority, and these shall be implemented as approved prior to the use commencing.
- NB. This grant of planning permission does not authorise the display or erection of any signage or advertisement, which would require the submission of a separate application for advertisement consent.