

REGULATORY COMMITTEE (PLANNING)

At a meeting of the Regulatory Committee (Planning) held in Committee Room 2, Council Offices, Garshake Road, Dumbarton on Wednesday, 2 October 2002 at 10.00 a.m.

Present: Councillors Mary Campbell, Linda McColl, Ronnie McColl, Duncan McDonald, Ian McDonald, Connie O'Sullivan, Iain Robertson and John Syme.

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

Apology: An apology for absence was intimated on behalf of Provost Macdonald.

Councillor Iain Robertson in the Chair

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Committee held on 4 September 2002 were submitted and approved as a correct record.

PLANNING APPLICATIONS

Reports were submitted by the Director of Economic, Planning and Environmental Services in respect of various planning applications as detailed below.

(a) DC01/413 - Change of use of woodland to garden ground including formation of driveway and turning area at North Lodge, Auchentoshan Estate, Great Western Road, Duntocher, Clydebank

Reference was made to the site visit undertaken in respect of this application. The Convener, Councillor Robertson, explained the procedure which the Committee would follow when dealing with this application. The agent for the applicant, Ms. MacCrory, was invited to address the Committee and spoke in support of the application. She then answered questions from Members. Mr. Howatson, objector to the application, was then invited to address the Committee and made his views on the application known. After hearing the Planning and Development Manager, the Committee proceeded to debate the matter and, thereafter, Councillor R. McColl, seconded by Councillor I. McDonald, moved:-

That the application be approved subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

As an amendment, Councillor Campbell, seconded by Councillor D. McDonald, moved:-

That the application be refused, contrary to the recommendation of the Director, on the grounds that the access/egress arrangements onto the A82 were not appropriate for this location given the speed of traffic on Great Western Road.

On a vote being taken, three Members voted for the amendment and five Members voted for the motion. The motion was accordingly declared carried.

(b) DC02/120 - Erection of telecommunications post and associated cabinet adjacent to Arnold Clark Showroom, Great Western Road, Clydebank

Reference was made to the site visit undertaken in respect of this application. After discussion, Councillor D. McDonald, seconded by Councillor R. McColl, moved:-

That the application be approved subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto, it being understood that the finish referred to in the conditions should allow for the easy removal of graffiti.

As an amendment, Councillor I. McDonald, seconded by Councillor Campbell, moved:-

That the application be refused, contrary to the recommendation of the Director, on the grounds that the proposed erection of the telecommunications pole and associated cabinet was not considered to be an appropriate form of development given that it would be positioned on the public footpath at this location, would be obtrusive and could become a target of vandalism.

On a vote being taken, two Members voted for the amendment and six Members voted for the motion. The motion was accordingly declared carried.

(c) DC02/127 - Installation of video dispensing machine to shopfront at 493 Kilbowie Road, Clydebank

Reference was made to the site visit undertaken in respect of this application. The Planning and Development Manager provided an update on objections that had been received since the preparation of the report. The Convener, Councillor Robertson, explained the procedure which the Committee would follow when dealing with this application. The agent for the applicant, Mr. Alexander, was invited to address the Committee and spoke in support of the application. He

then answered questions from Members. Mr. McLafferty, an objector to the application, was then invited to address the Committee and made his views on the application known. The Committee then proceeded to debate the matter and, thereafter, Councillor R. McColl, seconded by Councillor I. McDonald, moved:-

That the application be approved subject to the condition specified in the Director's report, details of which are contained in the Appendix hereto and an additional condition limiting the hours of operation of the facility to 6.30 a.m. to 11 p.m. (Monday to Sunday).

As an amendment, the Convener, Councillor Robertson, seconded by Councillor Syme, moved:-

That the application be approved subject to the condition specified in the Director's report, details of which are contained in the Appendix hereto.

As a further amendment, Councillor Campbell, seconded by Councillor I. McDonald, moved:-

That the application be refused, contrary to the recommendation of the Director, on grounds of amenity as it could cause traffic congestion and noise disturbance to occur at this location.

On a vote being taken, two Members voted for the second amendment and three Members voted for the first amendment. The first amendment therefore became the substantive amendment.

On a further vote being taken, three Members voted for the substantive amendment and five Members voted for the motion. The motion was accordingly declared carried.

ADJOURNMENT

At this point in the proceedings, the Convener, Councillor Robertson, adjourned the meeting at 11.12 a.m. The meeting reconvened at 11.21 a.m. with the same Members and officers present as those listed in the sederunt, with the exception of Councillor I. McDonald.

VARIATION OF ORDER OF BUSINESS

Having heard the Convener, Councillor Robertson, the Committee agreed to vary the Order of Business as hereinafter minuted.

(d) DC02/056 - Erection of dwellinghouse (outline) at land to the rear of 73 Bonhill Road, Dumbarton

The Committee agreed to grant outline planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

NOTE: Councillor I. McDonald entered the meeting at this point in the proceedings.

(e) DC02/057 - Change of use to betting office at 581 Dumbarton Road, Dalmuir, Clydebank

The Planning and Development Manager advised that a letter of representation had been received from the agent for the applicant in respect of this application. After discussion, it was agreed that the application be continued to the next meeting of the Committee in order that a site visit and hearing may take place.

(f) DC02/040 - New shopfront and roller shutters at 581 Dumbarton Road, Clydebank

It was agreed that the application be continued to the next meeting of the Committee in order that a site visit and hearing may take place.

DECLARATION OF NON-PECUNIARY INTEREST

Councillor R. McColl declared a non-pecuniary interest in the following Planning Application DC02/149 and took no part in the Committee's deliberations or decision in relation thereto.

(g) DC02/149 - Change of use of bank to public house and alterations including rear extension at 17-19 High Street, Dumbarton

After discussion, the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

PLANNING APPEALS - WESTER COCHNO HOLDINGS, CLYDEBANK; 661 DUMBARTON ROAD, DALMUIR; 495 KILBOWIE ROAD, CLYDEBANK; 423 GLASGOW ROAD, CLYDEBANK; AND 137½ GLASGOW ROAD, DUMBARTON

A report was submitted by the Director of Economic, Planning and Environmental Services informing of the submission of appeals to the Scottish Executive Inquiry Reporters Unit in respect of:-

- (a) the refusal of planning permission for the erection of a telecommunications pole, antennas and equipment cabinet at Wester Cochno Holdings, Cochno Road, Clydebank;
- (b) the refusal, under delegated powers, of advertisement consent for the display of a double-sided hoarding to the front of 661 Dumbarton Road, Dalmuir, Clydebank (Clydebank Cash and Carry);
- (c) the refusal of planning permission for an extension to trading hours at 495 Kilbowie Road, Clydebank;
- (d) the refusal, under delegated powers, of advertisement consent for the display of a double-sided freestanding advertising display at the Esso Filling Station, 423 Glasgow Road, Clydebank; and
- (e) the refusal, under delegated powers, of planning permission for a change of use of shop to hot food takeaway at 137½ Glasgow Road, Dumbarton.

The Committee agreed that the contents of the report be noted.

APPLICATION FOR CERTIFICATE OF LAWFULNESS - 51 HILLBANK STREET, BONHILL

A report was submitted by the Director of Economic, Planning and Environmental Services informing of the submission of an application for a Certificate of Lawfulness for use of ground at 51 Hillbank Street, Bonhill for parking business vehicles and plant and siting of a container.

After discussion and having heard the Planning and Development Manager in elaboration and in answer to Members' questions, Councillor O'Sullivan, seconded by Councillor L. McColl, moved:-

That the application be continued to the next meeting of the Committee in order that a hearing may take place in relation to this matter.

As an amendment, Councillor R. McColl, seconded by Councillor I. McDonald, moved:-

That the Certificate of Lawfulness be granted.

On a vote being taken, four Members voted for the amendment and four Members voted for the motion. There being an equality of voting, the Convener exercised his casting vote in favour of the amendment which was accordingly declared carried.

STREET NAMING FOR NEW DEVELOPMENT AT BACK STREET, RENTON

A report was submitted by the Director of Economic, Planning and Environmental Services recommending a street name for a new development between Back Street and Grant Street, Renton.

After discussion, the Committee agreed that the name "McGregor Way" be adopted.

THE FUTURE DEVELOPMENT OF AIR TRANSPORT IN THE UNITED KINGDOM: SCOTLAND - A NATIONAL CONSULTATION

A report was submitted by the Director of Economic, Planning and Environmental Services informing of the publication by the Scottish Executive and the Department of Transport of the consultation document on the Future Development of Air Transport and recommending the Council's formal response thereto.

The Committee agreed:-

- (a) that the Main Issues section of the report and the Appendix relative thereto should form the basis for the Council's response to the consultation document; and
- (b) to otherwise note the contents of the report.

SITE VISITS

It was agreed that the date for site visits referred to in certain of the foregoing items be in the morning of Monday, 4 November 2002.

The meeting closed at 11.57 a.m.

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
REGULATORY COMMITTEE (PLANNING) ON 2 OCTOBER 2002**

DC01/413 - Change of use of woodland to garden ground including formation of driveway and turning area at North Lodge. Auchentoshan Estate, Great Western Road, Duntocher, Clydebank for Mr David A. Ramsay per Keppie Planning Ltd.

Permission GRANTED 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. 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 Economic, Planning and Environmental Services.
3. No development shall commence on the site until the trees marked for retention on the approved plans, have been protected by suitable fencing erected around the extremities of the crowns of these trees. Details of this fencing shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services prior to commencement of works.
4. During all construction works on site, including the provision of services, any excavation works through root areas shall only be undertaken by hand.
5. Trees earmarked for retention which are unavoidably damaged should be replaced by compensatory planting, on a one to one basis, in a nearby location to be agreed by the Director of Economic, Planning and Environmental Services.
6. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Economic, Planning and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species (which should be appropriate to Auchentoshan Wood such as oak, ash, rowan, birch, hazel and hawthorn) and heights (at the time of planting) of all trees, shrubs, hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
 - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Economic, Planning and Environmental Services;

- (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Economic, Planning and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
- 7. Details of methods to protect and minimise damage to the woodland ground flora outside the proposed palisade fence should be submitted to the Director of Economic, Planning and Environmental Services for approval prior to commencement of works.
- 8. Prior to commencement of works, full details of the design and location of all fences to be erected on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services. The fence should be painted a dark matt recessive colour to blend with the natural environment and reduce visual impact.
- 9. Construction work should be undertaken outside the bird breeding season (March - June inclusive).

DC02/120 - Erection of telecommunications post and associated cabinet adjacent to Arnold Clark Showroom, Great Western Road, Clydebank for Orange Personal Communication Services per Drummonds

Permission GRANTED subject to the following conditions, it being understood that the finish referred to in Condition 2 should allow for the easy removal of graffiti:-

- 1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
- 2. Prior to the commencement of the development hereby approved details of the finish/colour to be applied to the equipment shall be submitted for the further written approval of the Director of Economic, Planning and Environmental Services.

DC02/127 - Installation of video dispensing machine to shopfront at 493 Kilbowie Road, Clydebank for United Wholesales Ltd. per Thomas Johnstone Ltd.

Permission GRANTED 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. The hours of operation of the facility will be limited to 6.30 a.m. to 11.00 p.m. (Monday to Sunday).

DC02/056 – Erection of dwellinghouse (outline) at land to the rear of 73 Bonhill Road, Dumbarton for Mr Drummond

Permission GRANTED subject to the following conditions:-

1. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Director of Economic, Planning and Environmental Services within 3 years of the date of this permission and the development must be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all the foregoing reserved matters.
2. At the same time as the Reserved Matters, detailed plans shall be submitted which clearly illustrate in cross-section form, the existing and proposed ground levels, the finished floor levels of the proposed development and the extent of any under-building involved. The floor levels shall clearly relate to a Fixed Datum Point on the site which shall be clearly identified on the submitted plans.
3. At the same time as Reserved Matters, 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.

DC02/149 – Change of use of bank to public house and alterations including rear extension at 17-19 High Street, Dumbarton for Belhaven Pubs Division per J.A. Leask Architects

Permission GRANTED 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 Economic, Planning and Environmental Services prior to any work commencing on the site.

3. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the planning authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of reference for the watching brief will be supplied by the West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.
 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 Director of Economic, Planning and Environmental Services shall be carried out only between the hours of 0800 and 1800 Monday to Saturday only.
 5. Any piling operations must be carried out in accordance with the requirements of BS 5228: Part 4: 1992: Code of Practice for Noise and Vibration Control.
 6. The building shall be designed to provide sound attenuation against internally generated noise not exceeding the equivalent of noise rating curve NR35 between the hours of 0700 and 2000 and NR25 at all other times. Additionally, no structure-borne vibration shall be perceptible within any nearby dwelling or noise-sensitive premises.
 7. Exact details and specifications of all ventilation and air extract systems to serve the premises (both internal and external) shall be submitted to and approved by the Director of Economic, Planning and Environmental Services prior to the commencement of development or use and shall be implemented before the building is occupied or the use commenced.
- N.B. The applicant should note that listed building consent should be granted prior to any work being carried out on site.