

Agenda



Local Review Body

Date: Tuesday, 19 January 2021

Time: 10:00

Venue: Zoom Video Conferencing

Contact: Craig Stewart, Committee Officer
craig.stewart@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Local Review Body** as detailed above. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Jim Finn (Chair)
Bailie Denis Agnew
Councillor Ian Dickson
Councillor Diane Docherty (Vice Chair)

All other Councillors for information

Date of issue: 6 January 2021

LOCAL REVIEW BODY

TUESDAY, 19 JANUARY 2021

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 MINUTES OF PREVIOUS MEETING 7 – 9

Submit for approval as a correct record, the Minutes of Meeting of the Local Review Body (LRB) held on 17 November 2020.

4 APPLICATIONS FOR REVIEW

Submit review papers, continued at the meeting of the LRB held on 17 November 2020, for the following applications:-

- (a) DC19/109 – Single storey extension to the rear at 15 Linden Drive, Duntocher, Clydebank, G81 6BW**

11 - 62

- (b) DC20/097 – Siting of shed to rear of property for use as a dog grooming business at 46 Castlehill Road, Dumbarton, G82 5AS**

63 - 115

WEST DUNBARTONSHIRE COUNCIL

LOCAL REVIEW BODY

PROCEDURE TO BE FOLLOWED AT MEETING

1. The Chair will introduce himself and the Members of the Review Body.
2. The Planning Adviser will outline the details of the application.
3. The Members of the Local Review Body will then ask any appropriate questions to the officers present, i.e. Planning Adviser of the Local Review Body, Legal Adviser and Committee Officer.
4. If the Local Review Body then considers that there is sufficient information from the material before it, including the notice of review, the decision notice, and report of handling, and any further representations from interested parties, it may proceed to determine the review.
5. The Chair and the other Members of the Review Body will consider the information before them in terms of the submission by the applicant, the interested parties including any statutory consultees or other parties who have made representations and the report of handling.
6. If the Local Review Body decides that it requires further information or representations before it can determine the review they should agree what form this information should take, i.e.
 - Site visit
 - Written submissions
 - The holding of one or more hearing sessions
- 6.1 **Written Submissions:** The Local Review Body can request written submissions from the applicant or appointed officer, any other body or person they wish to receive information from. The Local Review Body should decide the matters on which the written submissions should address.
- 6.2 **Hearings:** If the Local Review Body decides that it wishes to hold a hearing in respect of the case, it should determine what matters it would wish to be considered at the hearing. The hearing will comprise of the applicant, any interested party who made representations in relation to specified matters, the appointed officer and any other body or person from whom the Local Review Body wishes to receive further representations or to provide information on specified matters.
- 6.3 **Site Inspection:** If the Local Review Body decides to hold a site visit, it must decide if the site visit is to be unaccompanied or accompanied by the applicant and any other party the Local Review Body considers should attend.

7. The Local Review Body can also agree to appoint an assessor to advise on specific matters generally of a specialist or technical nature. Where an assessor is appointed, those entitled to a hearing will be advised of the name of the assessor and the matters which they are appointed to advise on. The assessor may make a written report to the review body after the close of the hearing, which will be made publicly available.
8. After the written submissions, hearing or site inspection, the Local Review Body will move to determine the review and will outline their reasons to approve or refuse the review case.

LOCAL REVIEW BODY

At a Meeting of the Local Review Body held by Video Conferencing on Tuesday, 17 November 2020 at 10.00 a.m.

- Present:** Bailie Denis Agnew and Councillors Ian Dickson, Diane Docherty and Jim Finn.
- Attending:** Antony McGuinness, Planning Adviser; Matthew Spurway, Policy Planning Officer; James Hall, Policy Planning Officer; Nigel Ettles, Legal Adviser; and Craig Stewart, Committee Officer.
- Apologies:** Apologies for absence were intimated on behalf of Councillors Karen Conaghan and Marie McNair.

Councillor Diane Docherty 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 Local Review Body (LRB) held on 26 June 2019 were submitted and approved as a correct record.

APPLICATIONS FOR REVIEW

- (1) DC19/145 – Erection of single storey extension at 148 Dumbuck Road, Dumbarton, G82 3LZ

Review papers were submitted for the above application.

Mr Spurway, Policy Planning Officer, outlined the details of the application and following discussion, Members agreed that they now had sufficient information to enable them to determine the review. During the course of the discussion, the Planning Adviser and Legal Adviser were heard in clarification of certain matters.

Having considered all of the information before them, the LRB agreed to overturn the determination of the Appointed Officer and that planning permission be granted, subject to conditions as shown in Appendix 1 to these Minutes.

- (2) DC19/109 – Single storey extension to the rear at 15 Linden Drive, Duntocher, Clydebank, G81 6BW

Review papers were submitted for the above application.

Mr Hall, Policy Planning Officer, outlined the details of the application. Prior to the determination of the Review, the Chair, Councillor Docherty, thanked the Policy Planning Officer and invited the LRB to comment on whether they considered they had sufficient information to enable them to determine the Review. Following discussion, Members indicated that they considered they did not have sufficient information and would require a site inspection before determining this matter.

The Chair, Councillor Docherty, then confirmed that the LRB would carry out an unaccompanied site inspection, and that the application would be continued to an adjourned meeting of the LRB in order that a decision could be made in respect of this matter.

- (3) DC20/097 – Siting of shed to rear of property for use as a dog grooming business at 46 Castlehill Road, Dumbarton, G82 5AS

Review papers were submitted for the above application.

Mr Hall, Policy Planning Officer, outlined the details of the application. Prior to the determination of the Review, the Chair, Councillor Docherty, thanked the Policy Planning Officer and invited the LRB to comment on whether they considered they had sufficient information to enable them to determine the Review. Following discussion, Members indicated that they considered they did not have sufficient information and would require a site inspection before determining this matter.

The Chair, Councillor Docherty, then confirmed that the LRB would carry out an unaccompanied site inspection, and that the application would be continued to an adjourned meeting of the LRB in order that a decision could be made in respect of this matter.

The meeting closed at 11.55 a.m.

**DC19/145 – Erection of single storey extension at 148 Dumbuck Road,
Dumbarton, G82 3LZ**

CONDITIONS:-

Condition 1 with regards materials should remain unchanged.

Condition 2

The existing 1.8m fence along the northern boundary of the site shall be retained in perpetuity and if the fence becomes damaged or requires to be replaced, it shall be replaced with a fence of the same 1.8m height and extent as the current fence.

Reason: To protect the amenity of the residents of the adjoining property.

APPLICATION FOR REVIEW

DC19/109



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100280004-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="James"/>	Building Number:	<input type="text" value="15"/>
Last Name: *	<input type="text" value="Boyce"/>	Address 1 (Street): *	<input type="text" value="Linden Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Hardgate"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Clydebank"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="West Dunbartonshire"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G81 6BW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

15 LINDEN DRIVE

Address 2:

DUNTOCHER

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

CLYDEBANK

Post Code:

G81 6BW

Please identify/describe the location of the site or sites

Northing

672622

Easting

249358

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Application for a Single Storey Garage Extension Ref No – DC19/109. Amended as per email to H. Atkinson dated 13th March 2020. 2176B MAIN DRAWING-Dec19 rev2 and Location - SITE LOCATION REV2.

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.	
<h3>Statement of reasons for seeking review</h3> <p>You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p>Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> The refusal refers plans being 2176B Rev1 & 2176. For a Proposed Double Storey Extension. The application is for a Single Storey Garage Extension email to H. Atkinson. 2176B MAIN DRAWING-Dec19 rev2" SITE LOCATION REV2 Height fully complies with WD Permitted development guidance. Change in levels are incorrect, as there is no significant height difference in ground levels where the garage proposal is located. No13 non compliant with original planning CB89/137 Solum level of the building. </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>	
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Registered letter with drawings and photos dated 29th June 2020 sent to West Dunbartonshire Council Planning Local Review Body Council Offices </div>	
<h3>Application Details</h3>	
Please provide the application reference no. given to you by your planning authority for your previous application.	<div style="border: 1px solid black; padding: 2px;">DC19/109</div>
What date was the application submitted to the planning authority? *	<div style="border: 1px solid black; padding: 2px;">18/02/2019</div>
What date was the decision issued by the planning authority? *	<div style="border: 1px solid black; padding: 2px;">07/04/2020</div>

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr James Boyce

Declaration Date: 10/07/2020

Mr James E Boyce MIET MIWFM
15 Linden Drive
Hardgate
Clydebank.
G81 6BW

29th June 2020

West Dunbartonshire Council
Planning Local Review Body
Council Offices
16 Church Street
Dumbarton
G82 1QL

Town and Country Planning (Scotland) Act 1997
Planning Ect. (Scotland) Act 2006
Rights of Aggrieved Applicants (Delegated Decisions)
Ref No – DC19/109

Dear Planning Local Review Body

Under the provision in the above act, I wish to seek a review of the refusal dated 7th April 2020 of planning permission DC19/109. This request is in three parts, which in my view contradict the reason for refusal.

1. The refusal refers to the relevant plans being 2176B Rev1 – Floor plans, elevation and site location 2176. This is for a “Proposed Double Storey Extension and Internal Alterations”. The application was for a Single Storey Garage Extension as per email to H. Atkinson dated 13th March 2020. This Email had attachments “**2176B MAIN DRAWING-Dec19 rev2**” and Location “**SITE LOCATION REV2.**” This Revision was for a Single Storey Garage 0.5M from the Boundary and the Height fully complies with West Dunbartonshire Permitted development guidance.

From: [REDACTED]
To: Helen Atkinson <helen.atkinson@west-dunbarton.gov.uk>
Sent: Friday, 13 March 2020, 04:54:55 GMT
Subject: Re: Planning application DC19/109

Helen Atkinson,

Can we please proceed with the planning application in its current form, that is a single storey garage extension to the rear with new roof ridge level at 4.473 meters as indicated on drawings and 0.5m back from the site boundary.

Regards,

Colin Aitchison.

Email “H Atkinson email 13-03-20” attached and “2176B MAIN DRAWING-Dec19 rev2”



2. The reason "Change in levels between the application site and No. 13 Linden Drive and the height of the proposed extension" is incorrect, as there is no significant height difference in ground levels where the garage proposal is located. This is a single storey garage that complies with West Dunbartonshire Permitted development height guidance. The location is 500mm off of the boundary and is behind an existing wall. If a site visit had been carried out by the planner making this decision, it would be obvious that there would be no impact on the adjacent property. The direction of this proposal is east facing and would not cast any shadows onto adjacent property. Note that the properties on both sides of this proposal, No. 13 and No. 17 have garages built on the boundaries.



3. The reason given that "The proposed extension would result in an overbearing impact on the garden ground of No. 13 Linden Drive" is an unfair reason that would have been evident with a site visit. This is because Number 13(plot 7) & Number 7 (Plot 4) were constructed by the same builder that did not comply with the planning permission. Planning permission CB89/137 had a Solum level of the buildings is to level with the highest point of the plot. This caused a large increase in building cost to the owners that complied with their permission. This was highlighted to Mr Alasdair Gregor, District Planning Officer in March 1990 and nothing was done to change this. The outcome of the council not enforcing the correct levels for number 13 resulted in a build cost of £2800 for the construction of a retaining wall to enable access to my garage. Mr Colin Thomson Number 9 (Plot 5) also contacted the Planning about Number 7 and this was also not addressed. Now the planning is using the lack of previous planning control as a reason to refuse my planning permission. Again a site visit by the Planning officer, would have made it evident that the issue with overbearing impact is due to Number 13 (Plot 7) being built at the wrong level, as a cost saving measure by the builder J & D Lenaghan for a fixed price build. This lack of building control by the Planning Dept should not be used as a reason to refuse this application.

I have several letters from Tony Worthington MP, House of Commons regarding the lack of process and professionalism with the Planning department at this time and planning department replied stating it regretted the issues and it was due to two planners being replaced and hoped the I would not have to endure this again and it was a thing of the past. Yet an application for a garage has now been ongoing since February 2019.



I would ask the Review Body to include a site visit while reviewing my grievance for refusal of Planning permission and the length of time that this has taken.

I find the timescale and reasons for this unreasonable and looking at local extensions built on Boundaries, i.e. Number 4 Heather Avenue, G81 6LH and the majority of garages built on boundaries in this area.

Yours sincerely



Mr James E Boyce MIET MIWFM

REPORT OF HANDLING BY APPOINTED OFFICER
AND DECISION NOTICE

DC19/109

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC19/109
CASE OFFICER: Ms Helen Atkinson
ADDRESS/SITE: 15 Linden Drive, Duntocher
PROPOSAL: Single storey extension to the rear

1. Site Description/Development Details

The application site is a detached dwelling located at the northern end of Linden Drive. The cul-de-sac accommodates a number of dwellings of similar form and character. To the north of the application site is the Antonine Sports Centre with associated outdoor courts and an area of landscaping intervening with mature trees. Between No. 13 Linden Drive and the application site there is an open boundary and a fence to the rear, with the driveway of the application site running along this shared boundary. There is a change in levels between these two properties of approximately 1m with No. 13 Linden Drive being at a lower level to the application site.

In its original form the application sought planning permission for the construction of a two storey extension, which would project out from the rear elevation by 6.5m and has a projection to the western site boundary of 14.6m. This proposal included accommodation in the roofspace and dormer windows. Following discussions with the agent the plans were scaled down to a single storey extension which form the basis for this assessment. The agent was advised (email 11th March 2020) that the extension was not likely to be supported in its amended form but the Planning Authority were advised to proceed to determination.

The single storey extension is to the rear of the property and projects from the existing side elevation (west facing) by 9m with a length (front to back of 6.3m). The extension will provide a garage. The extension has an area of 56.7 sqm. The extension is 500mm from the shared boundary with No. 13 Linden Drive. The extension has an eaves height of 2.8m and a ridge height of 4.4m.

2. Consultations

None.

3. Application Publicity

None.

4. Representations

None.

5. Relevant Policy

West Dunbartonshire Local Plan (Adopted) 2010

- Policy GD1 Development Control
- Policy H5 Development within Existing Residential Areas

West Dunbartonshire Local Development Plan (Proposed) 2016

On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.

- Policy BC4 Existing Neighbourhoods

West Dunbartonshire Local Development Plan 2 (Proposed) 2018

On 19th September 2018 the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications.

- Policy H4 Residential Amenity

6. Appraisal

The proposal involves the construction of a single storey extension to form a garage extension at No. 15 Linden Drive. The extension would project to the west from the existing garage by 9m and would terminate 500mm from the shared boundary with No.13 Linden Drive. The extension has a depth of 6.3m (measured front to back). The extension features a hip roof to the west elevation. A large garage door features to the front facing elevation and a smaller garage door is incorporated to the rear elevation which would provide access to the rear garden area. The extension would be brick built to match the existing bungalow.

The main issues in the determination of the application relate to the design of the extension relative to the host property, impact on the streetscene and relationship with neighbouring property. The policies below are most relevant in the assessment of this application and regard is had to them in this assessment.

In terms of residential amenity, the relevant policies in the adopted Local Plan (2010) and the proposed Local Development Plan 1 (2016) and Local Development Plan 2 (2018) are;

- Local Plan (2010) Policy H5 Development within Existing Residential Areas
- Local Development Plan (2016) Policy BC4 Existing Neighbourhoods
- Local Development Plan 2 (2018) Policy H4 Residential Amenity

All of these policies seek to ensure that the extensions to residential properties will not have an adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area.

Consideration is given below to the relationship with the host property. The original dwelling has a footprint of 160 sqm. and the extension has a footprint of 55 sqm. This equates to an overall footprint increase of 34 % which is considered to be proportionate. The extension sits back from the front elevation by 21m. The extension has a hipped roof which sits 1.73m below the main ridge of the bungalow. The roof form is a hipped roof which is at odds with the gables of the main bungalow. The extension is tucked behind the forwardmost gable projection and is not overly visible from a public vantage point. In terms of the design and relationship with the host property this is considered to be acceptable and the use of the hipped roof form is not harmful having regard to the extensions siting. The extension is subordinate and does not have an adverse impact on the existing property or the streetscene given its siting. With respect to the relationship with the host property the extension is considered to be acceptable.

The extension will result in the loss of some garden ground but the space to be lost is already being used for hardsurface for vehicle car parking and therefore does not have a high amenity value in terms of use or privacy. In this respect the layout is considered to be acceptable.

Consideration also requires to be given to the relationship with neighbouring property. There is no impact resulting on No. 17 Linden Drive to the east of the site. To the west is No. 13 Linden Drive. As described above, there is a discernible change in levels between the application site and No.13 Linden Drive, with No. 13 Linden Drive being circa. 1m lower. There is a brick retaining wall on this boundary which is circa. 1.5m in height. To the rear of these properties there are some mature trees that add to the sense of enclosure to the existing rear gardens of the properties along the northern boundary of these properties in Linden Drive. The rear garden of No. 13 Linden Drive, along the shared boundary with the application site has a length of 12m.

The proposed extension is sited 500mm off this shared boundary and would have an eaves height of 2.8m. This would form the boundary for a length of 6.7m which equates to half of the rear garden length of No. 13 Linden Drive. It is the shallowness of the garden of No. 13 Linden Drive, combined with the change in levels between the two properties, siting of the extension in close proximity and the height of the extension which would have an adverse impact on the neighbouring dwelling. The adverse impact would result in an overbearing impact and would result in a sense of

enclosure to the rear garden of No. 13 Linden Drive. The proposal fails therefore to accord with the aforementioned Local Plan and Local Plan 1 and 2 policies which seek to protect residential amenity and it is therefore recommended that planning permission be refused.

7. Added Value

None.

8. Recommendation

Refuse

The proposed extension by reason of the siting relative to the shared boundary with No. 13 Linden Drive, combined with the change in levels between the application site and No. 13 Linden Drive and the height of the proposed extension would result in an overbearing impact on the garden ground of No. 13 Linden Drive and would add to an existing sense of enclosure to that garden ground. The proposal is therefore contrary to Local Plan (2010) Policy H5 Development within Existing Residential Areas, Local Development Plan (2016) Policy BC4 Existing Neighbourhoods and Local Development Plan 2 (2018) Policy H4 Residential Amenity which seek to ensure that the extensions to residential properties will not have an adverse significant impact upon neighbouring properties.

1. The plans relevant to this decision include the following:

2176B Rev 1 – Floor plans, elevations and site location plan

Location plan 2176

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal **Erection of two storey rear extension**

Site 15 Linden Drive
Duntocher
Clydebank
G81 6BW

Applicant Mr J Boyce

Agent Pineload Designs
77 Jamieson Gardens
Tillicoultry
FK13 6EP
F.A.O Colin Aitchison

Class of Development Local Development
Decision Type Delegated

WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-

**DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S)
CONTAINED IN THE ACCOMPANYING PAPER(S) APART.**

DATED THIS: 7th day of April 2020

STRATEGIC LEAD, REGULATORY
16 CHURCH STREET,
DUMBARTON G82 1QL

SIGNED
for WEST DUNBARTONSHIRE COUNCIL

Reason The proposed extension by reason of the siting relative to the shared boundary with No. 13 Linden Drive, combined with the change in levels between the application site and No. 13 Linden Drive and the height of the proposed extension would result in an overbearing impact on the garden ground of No. 13 Linden Drive and would add to an existing sense of enclosure to that garden ground. The proposal is therefore contrary to Local Plan (2010) Policy H5 Development within Existing Residential Areas, Local Development Plan (2016) Policy BC4 Existing Neighbourhoods and Local Development Plan 2 (2018) Policy H4 Residential Amenity which seek to ensure that the extensions to residential properties will not have an adverse significant impact upon neighbouring properties.

FOR NOTING

Informatives

01. The plans relevant to this decision include the following:

2176B Rev 1 - Floor plans, elevations and site location plan
Location plan 2176

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

The review may be submitted in writing to:

**West Dunbartonshire Council
Planning Local Review Body
Council Offices
16 Church Street
Dumbarton
G82 1QL**

Telephone 01389 737930

Or via email to development.management@west-dunbarton.gov.uk

Review forms can be obtained on request from the above address or can be downloaded from the Council's website:

<https://www.west-dunbarton.gov.uk/planning-building-standards/planning-decision-notice-appeals-and-enforcement/planning-appeals-reviews/>

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

PLANNING APPLICATION FORM, PLANS
AND SUPPORTING INFORMATION

DC19/109



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100168814-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

PROPOSED DOUBLE STOREY REAR EXTENSION AND INTERNAL ALTERATIONS

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	PINELOAD DESIGNS		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	COLIN	Building Name:	
Last Name: *	AITCHISON	Building Number:	77
Telephone Number: *		Address 1 (Street): *	JAMIESON GARDENS
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	TILlicOUNTRY
Fax Number:		Country: *	UK
		Postcode: *	FK13 6EP
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	J	Building Number:	15
Last Name: *	BOYCE	Address 1 (Street): *	LINDEN DRIVE
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	CLYDEBANK
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	G81 6BW
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

15 LINDEN DRIVE

Address 2:

DUNTOCHER

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

CLYDEBANK

Post Code:

G81 6BW

Please identify/describe the location of the site or sites

Northing

672622

Easting

249358

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: COLIN AITCHISON

On behalf of: Mr J BOYCE

Date: 12/06/2019

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☐ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr COLIN AITCHISON

Declaration Date: 12/06/2019

**THIS IS A TRUE COPY
OF THE PLAN REFERRED
TO IN THE ACCOMPANYING
APPLICATION.**
SIGNED.. [REDACTED]
DATED 10/06/2019

**PINELOAD
DESIGNS.**



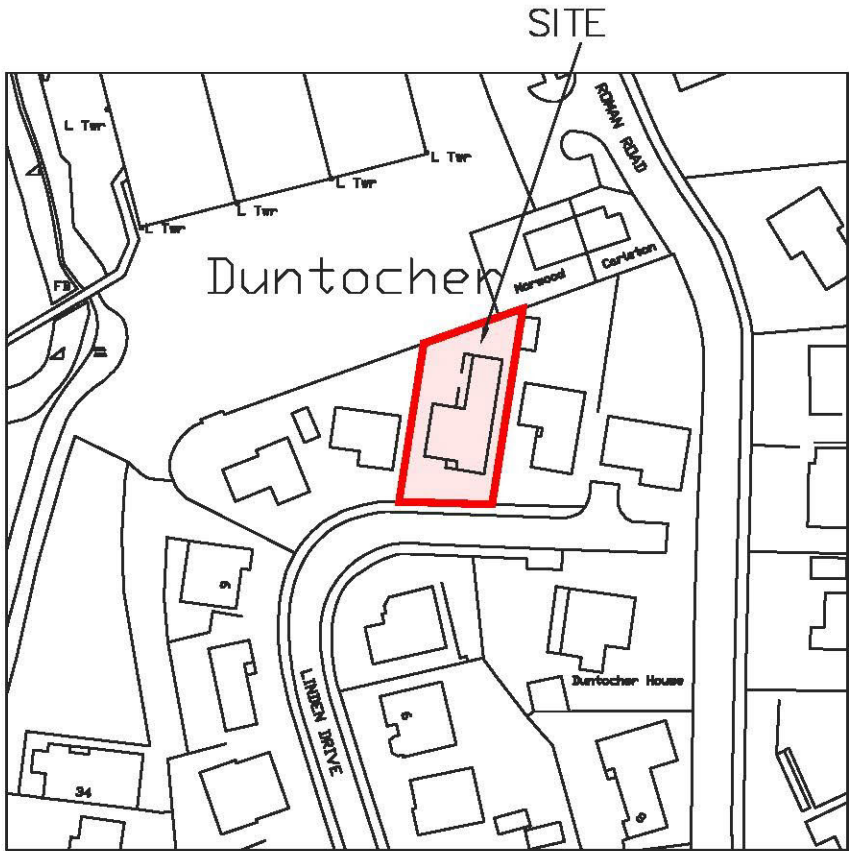
VALLEY VIEW LODGE
LONGRIDGE
EH47 9AB

TEL. [REDACTED]

PROJECT.
PROPOSED DOUBLE STOREY REAR
EXTENSION AND INTERNAL
ALTERATIONS AT
15 LINDEN DRIVE
CLYDEBANK G81 6BW

CLIENT.
MR & MRS BOYCE
15 LINDEN DRIVE
CLYDEBANK G81 6BW

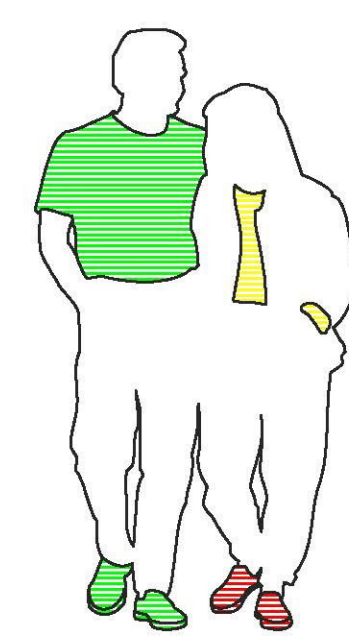
DETAIL.
SITE LOCATION
Drq.No.2176A
Scale. 1: 1250



**SITE LOCATION PLAN
SCALED AT 1 : 1250**



PINELOAD
DESIGNS.



VALLEY VIEW LODGE
LONGRIDGE
EH47 9AB

TEL. [REDACTED]

*THIS IS A TRUE COPY
OF THE PLAN REFERRED
TO IN THE ACCOMPANYING
APPLICATION.*

SIGNED.. [REDACTED]

DATED26/02/2020.....

PROJECT.

PROPOSED DOUBLE STOREY REAR
EXTENSION AND INTERNAL
ALTERATIONS AT
15 LINDEN DRIVE
CLYDEBANK G81 6BW

CLIENT.

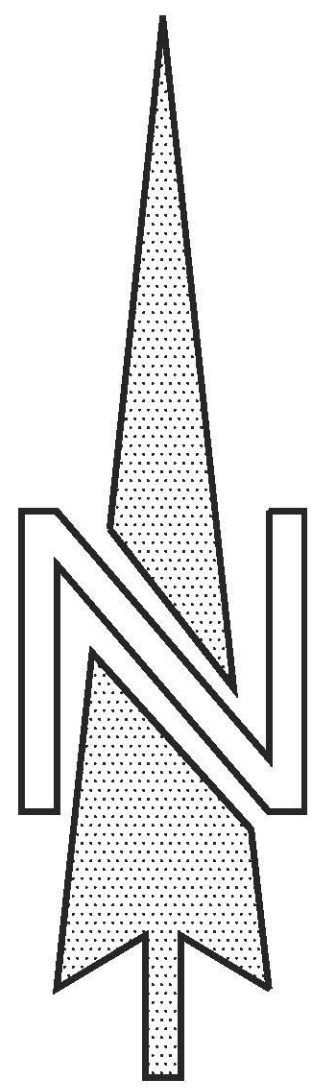
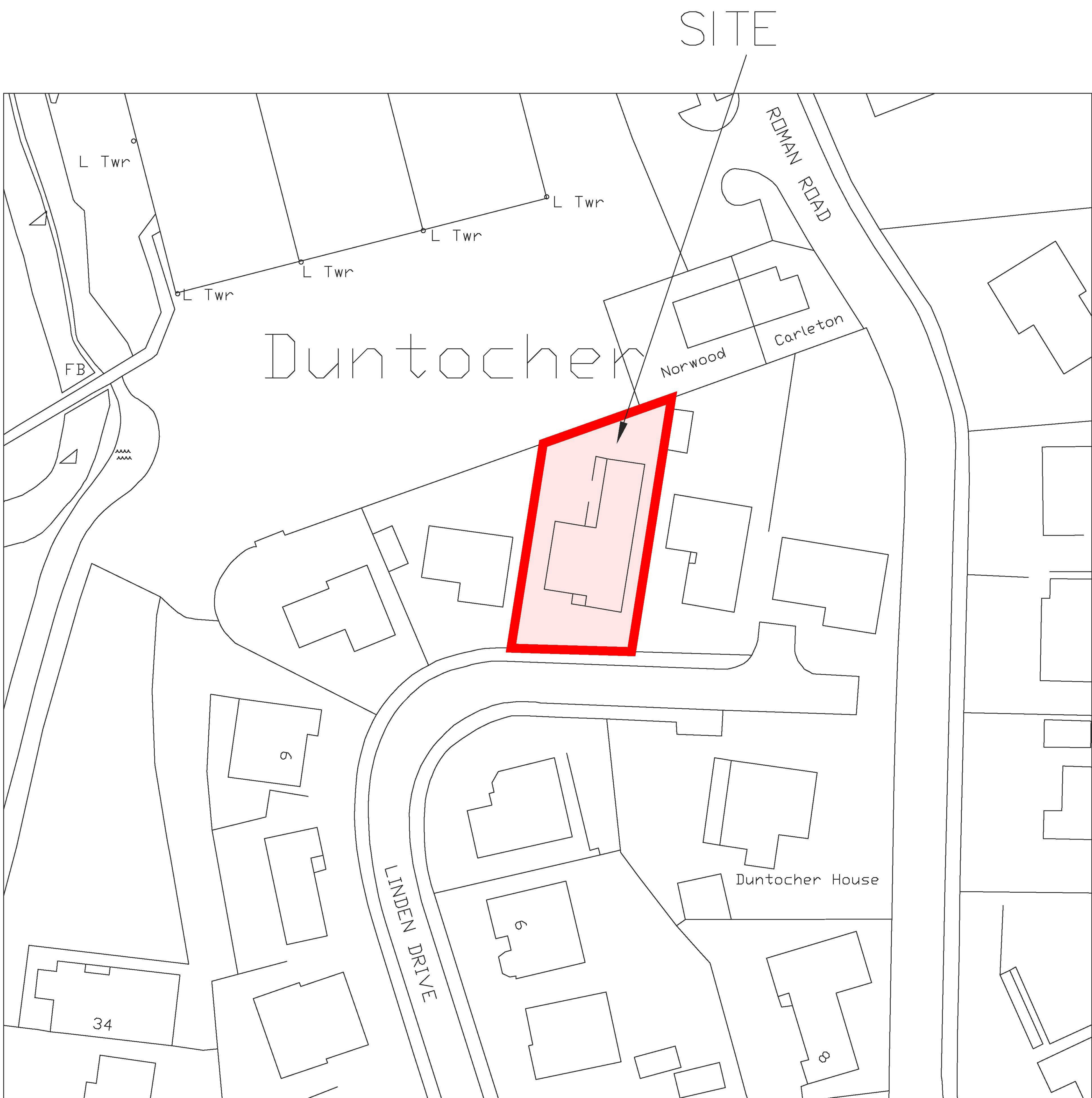
MR & MRS BOYCE
15 LINDEN DRIVE
CLYDEBANK G81 6BW

DETAIL.

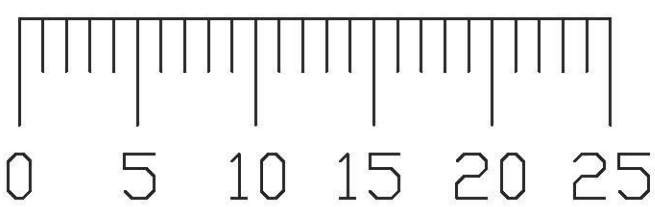
SITE LOCATION

Drg.No.2176A REV 2

Scale. 1: 1250

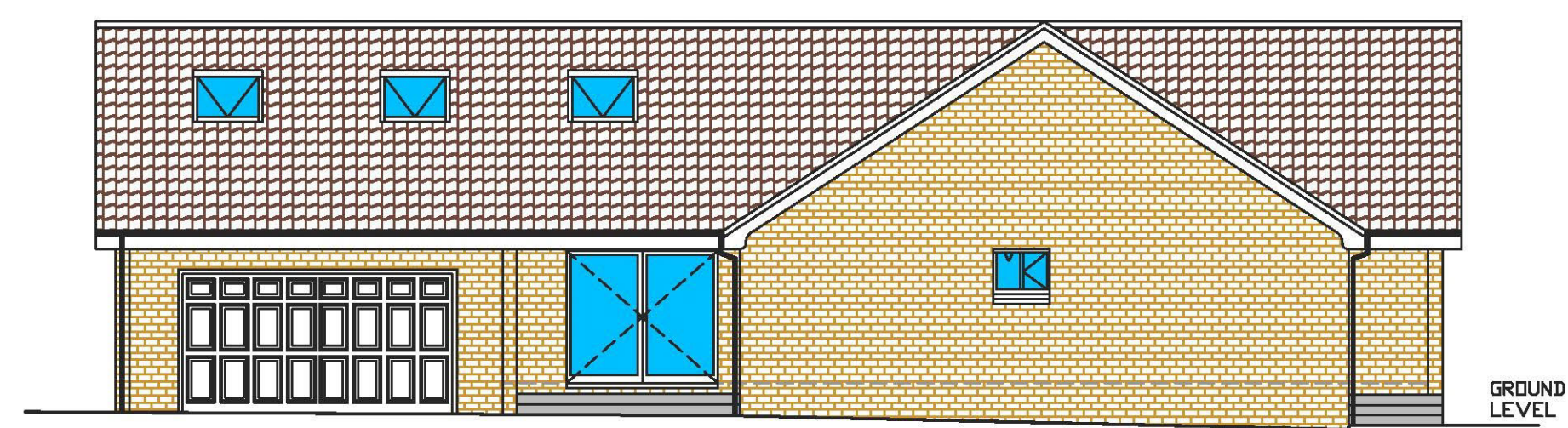


Indicative
Only

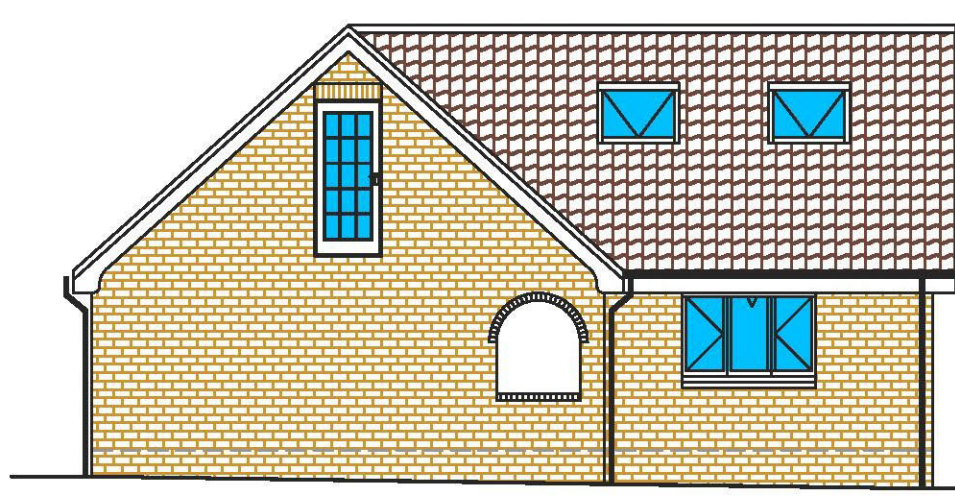


SCALE IN METERS
AT 1 : 1250

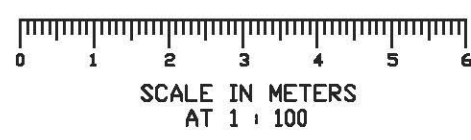
***SITE LOCATION PLAN
SCALED AT 1 : 1250***



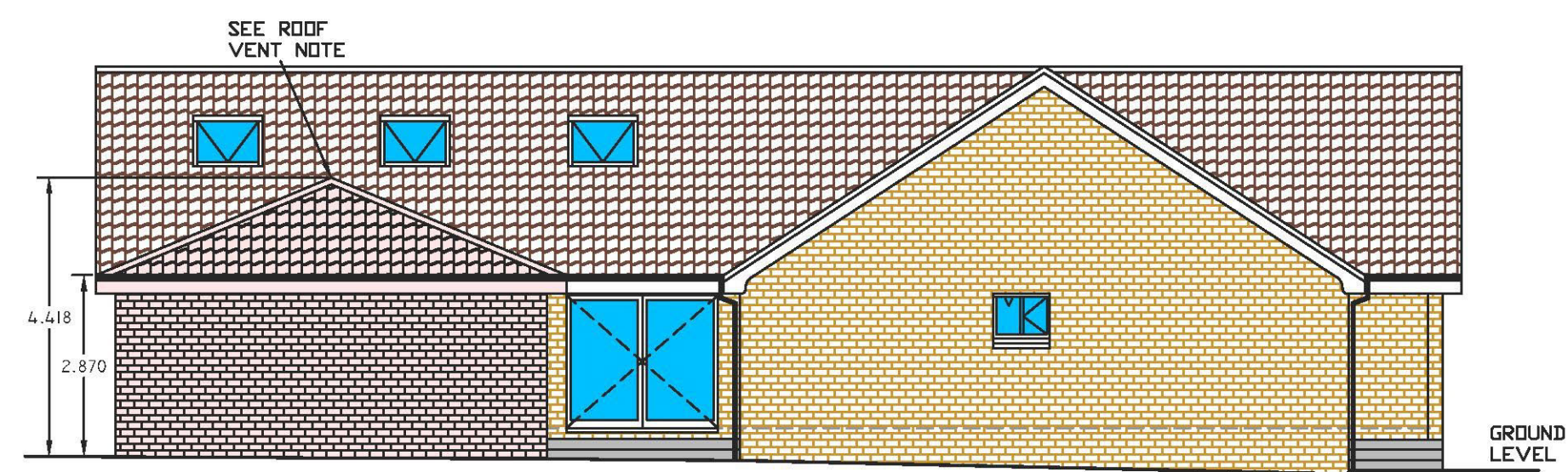
EXISTING LEFT GABLE ELEVATION



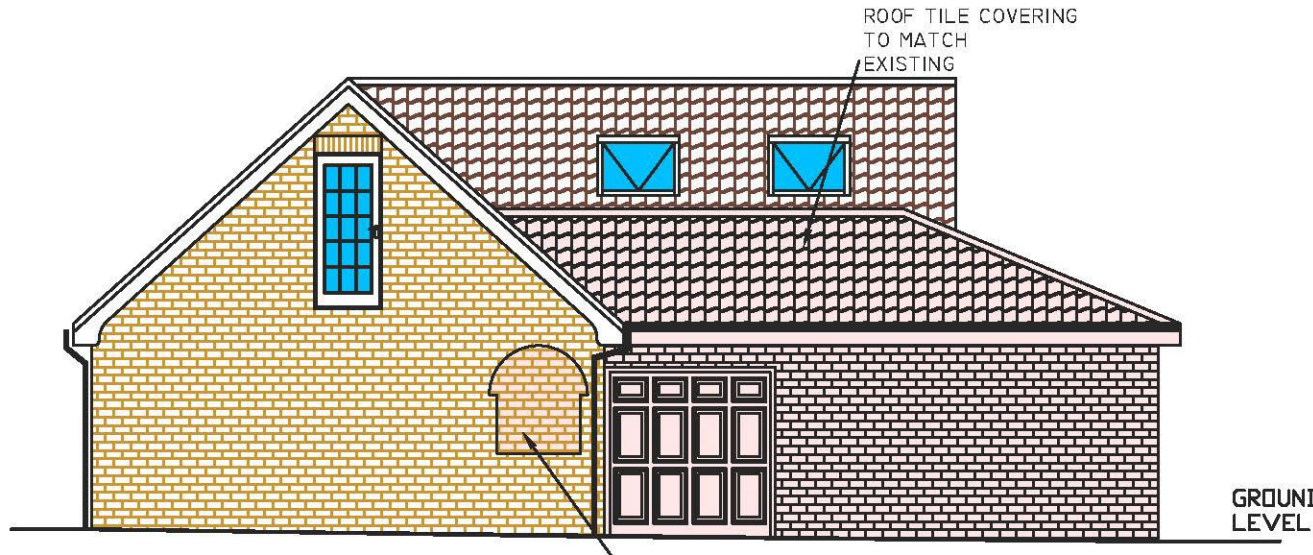
EXISTING REAR ELEVATION



EXISTING FRONT ELEVATION



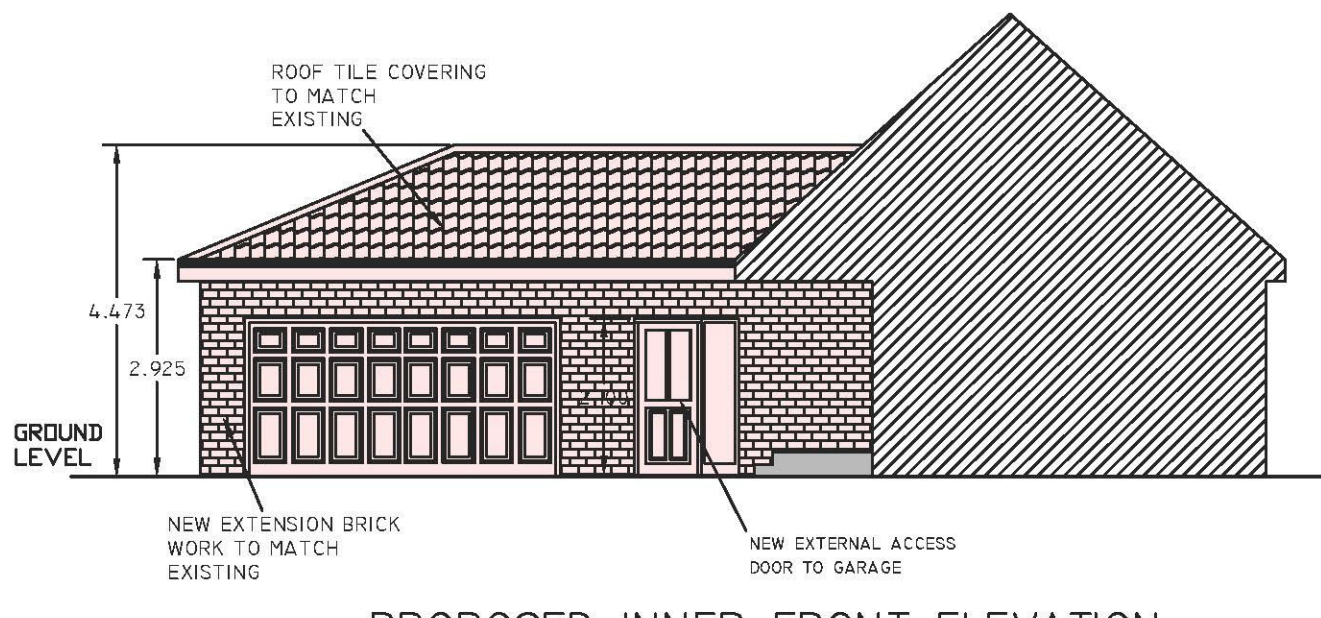
PROPOSED LEFT GABLE ELEVATION



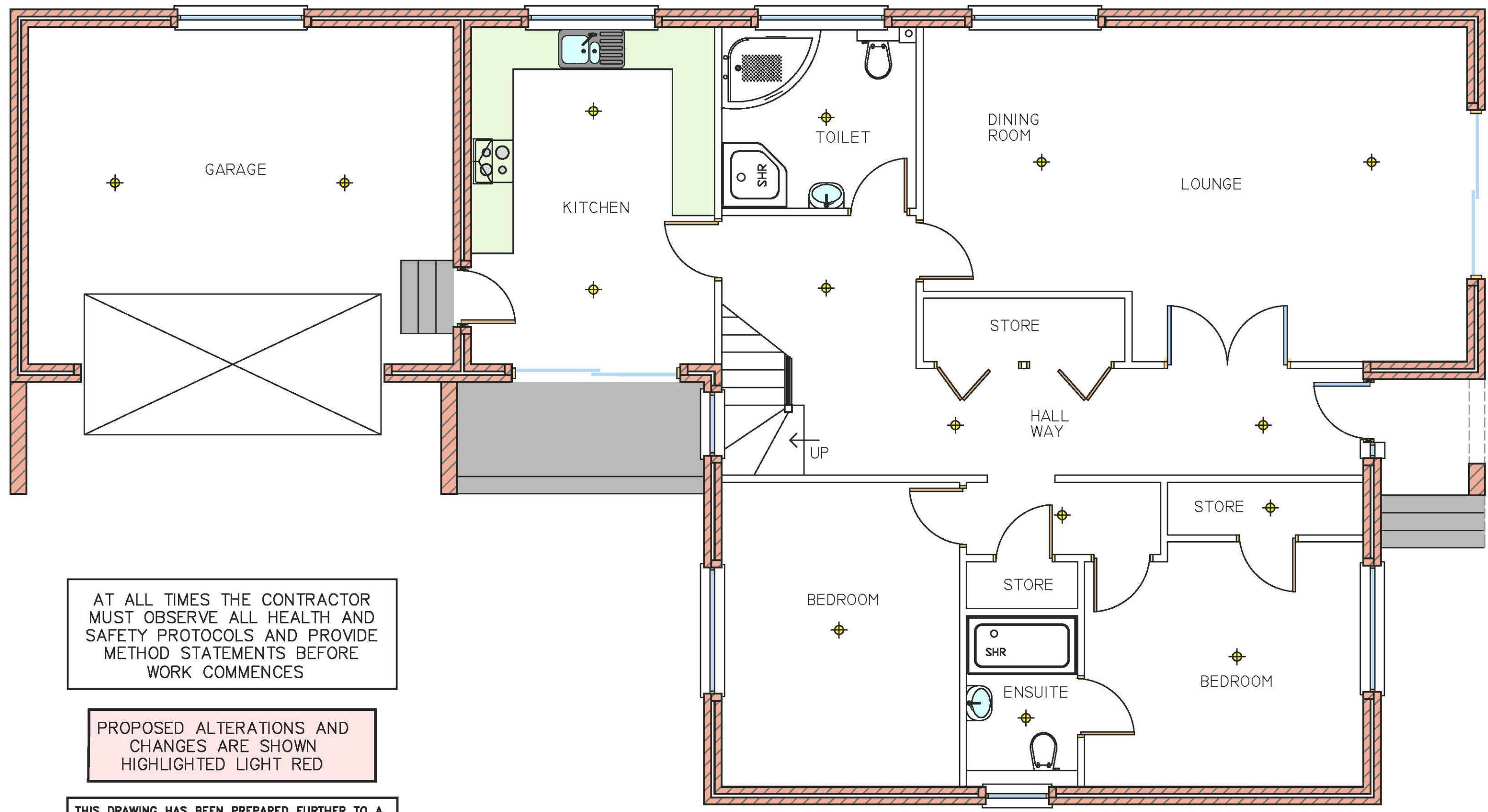
PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED INNER FRONT ELEVATION

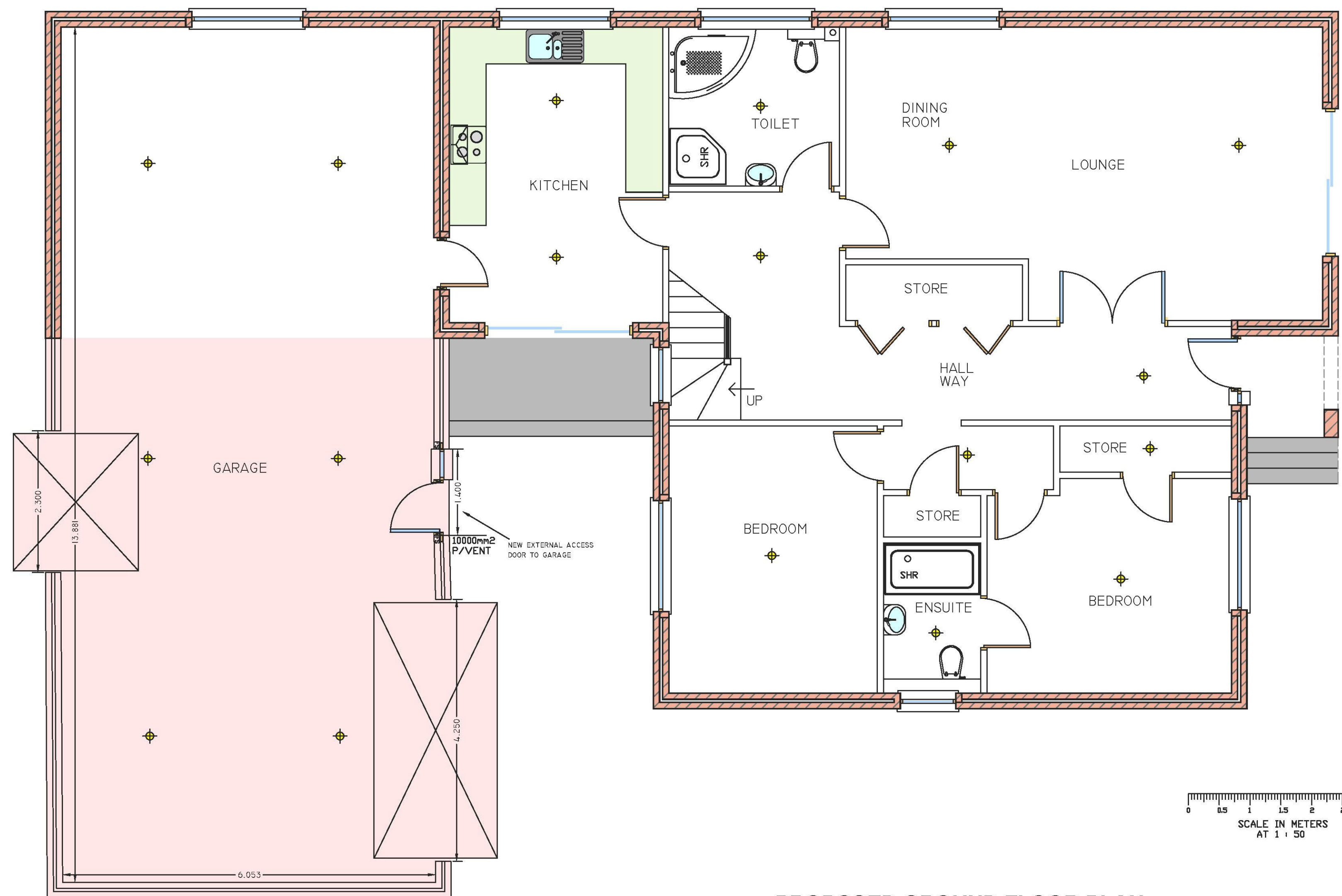


EXISTING GROUND FLOOR PLAN

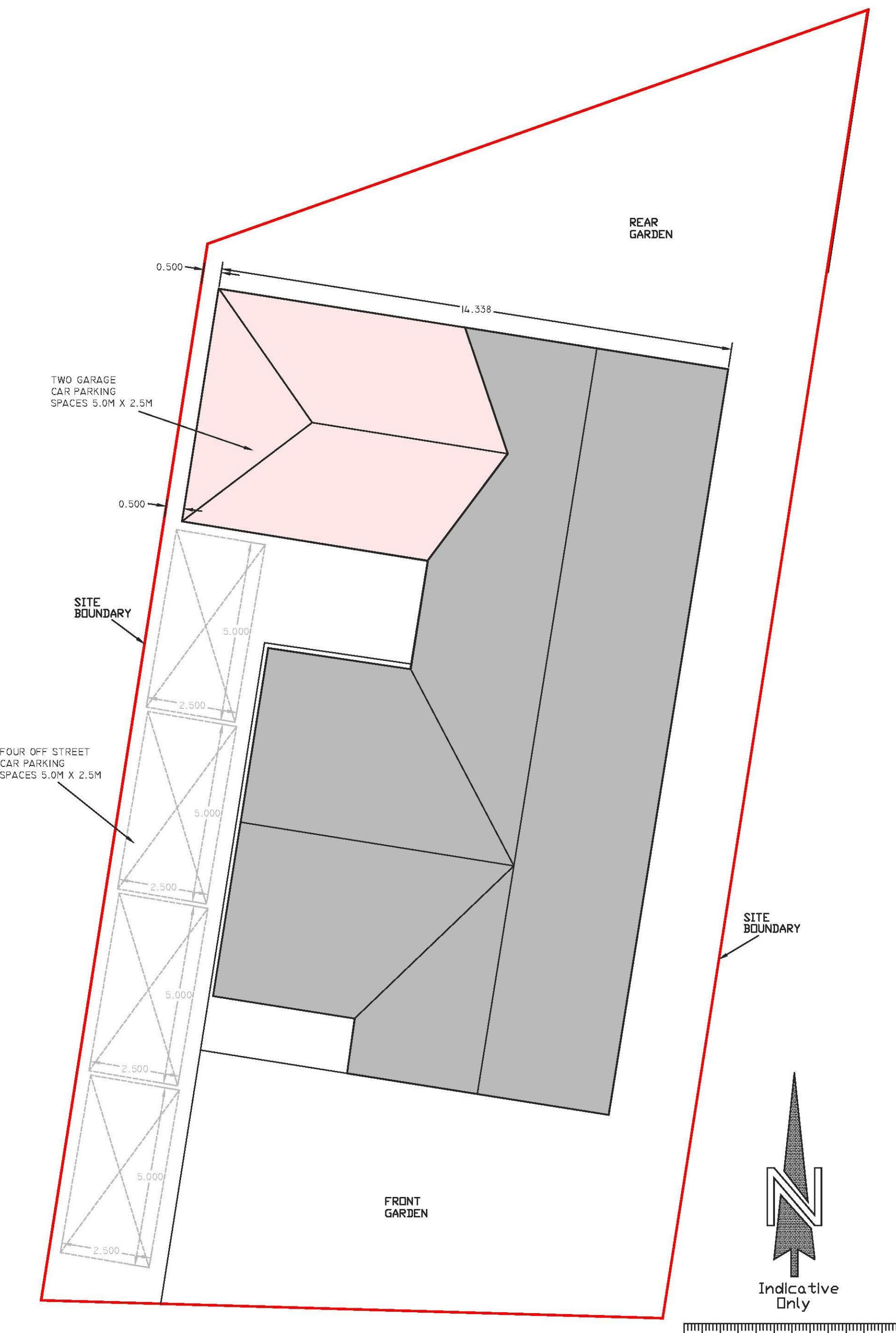
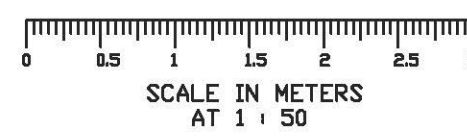
AT ALL TIMES THE CONTRACTOR MUST OBSERVE ALL HEALTH AND SAFETY PROTOCOLS AND PROVIDE METHOD STATEMENTS BEFORE WORK COMMENCES

PROPOSED ALTERATIONS AND CHANGES ARE SHOWN HIGHLIGHTED LIGHT RED

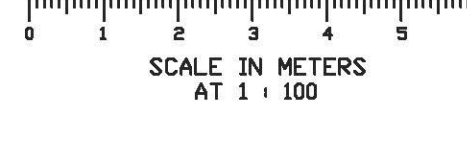
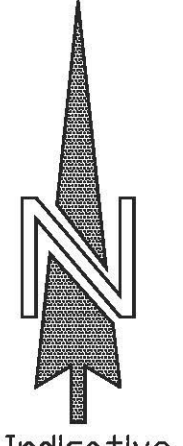
THIS DRAWING HAS BEEN PREPARED FURTHER TO A WALKOVER SURVEY OF THE SUBJECT PROPERTY. NO OPENINGS WERE MADE. SHOULD ON OPENINGS BEING MADE BY THE CONTRACTOR, IT BE DISCOVERED THAT THE CONSTRUCTION OF ANY ELEMENT IS NOT AS SHOWN ON THE DRAWING, THEN THE CONTRACTOR SHOULD CONTACT PINELOAD DESIGNS IMMEDIATELY.



PROPOSED GROUND FLOOR PLAN



SITE BLOCK PLAN
SCALED AT 1 : 100



PINELOAD DESIGNS.
77 WILSON GARDENS
TILLOTSON RD
TILLOTSON RD
TILLOTSON RD

PROJECT.
PROPOSED SINGLE STOREY REAR /
SIDE EXTENSION AND INTERNAL
ALTERATIONS AT
15 LINDEN DRIVE
CLYDEBANK G81 6BW

CLIENT.
MR & MRS ROYCE
15 LINDEN DRIVE
CLYDEBANK G81 6BW

DETAIL.
FLOOR PLANS, ELEVATIONS AND
SITE LOCATION PLAN

Dwg.No.2176B REV 1

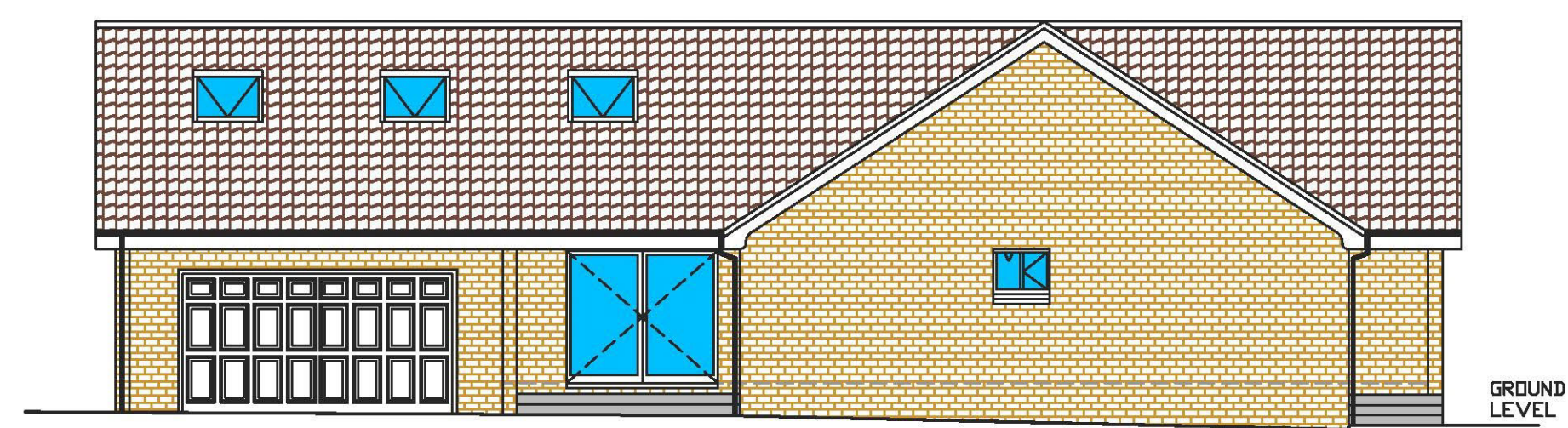
Scale. 1:50 1:100 1:1250

AMENDMENTS

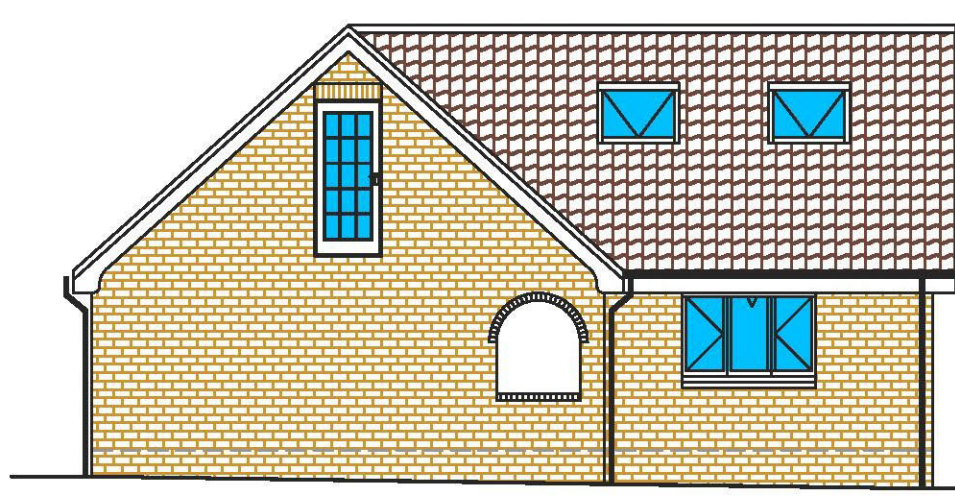
GENERAL NOTES
DO NOT SCALE FROM DRAWINGS IN
CASE OF REPRODUCTION ERRORS
ALL DRAWINGS USED FOR PLANNING &
BUILDING WARRANT APPLICATIONS SHALL
BE USED SOLELY FOR LOCAL AUTHORITY
APPROVALS AND COSTING PURPOSES
ONLY
ADEQUATE PROTECTION/SAFETY MEASURES
MUST BE CARRIED OUT DURING ALL
BUILDING WORKS
TIMBERS USED IN CONSTRUCTION MUST
BE PRESURE TREATED WITH SUITABLE
& ACCREDITED PRESERVATIVES
IT IS THE CONTRACTORS RESPONSIBILITY
TO CHECK AND VERIFY ALL SITE
MEASUREMENTS AND SPECIFICATION
PRIOR TO ANY WORK COMMENCING

**THIS IS A TRUE COPY
OF THE PLAN REFERRED
TO IN THE ACCOMPANYING
APPLICATION**

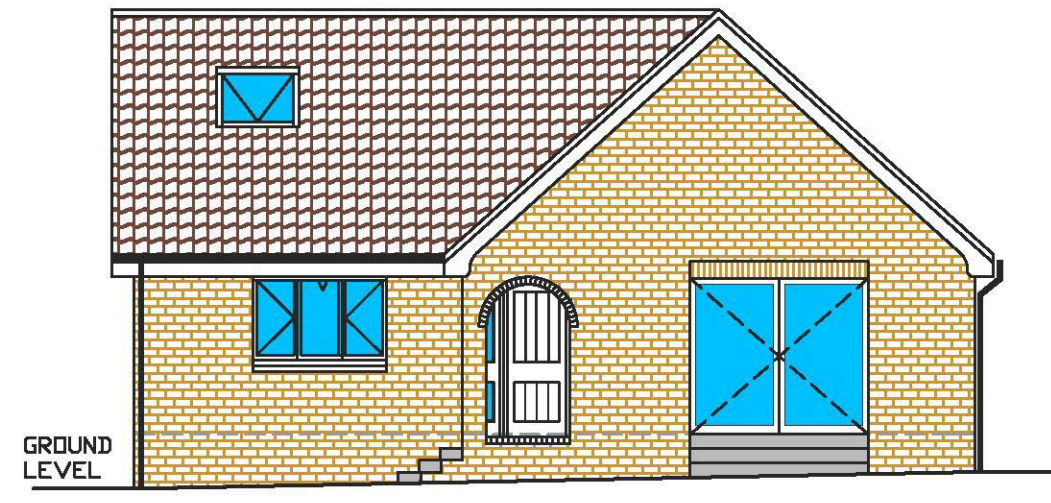
SIGNED. [Signature]
DATED 05/08/2020



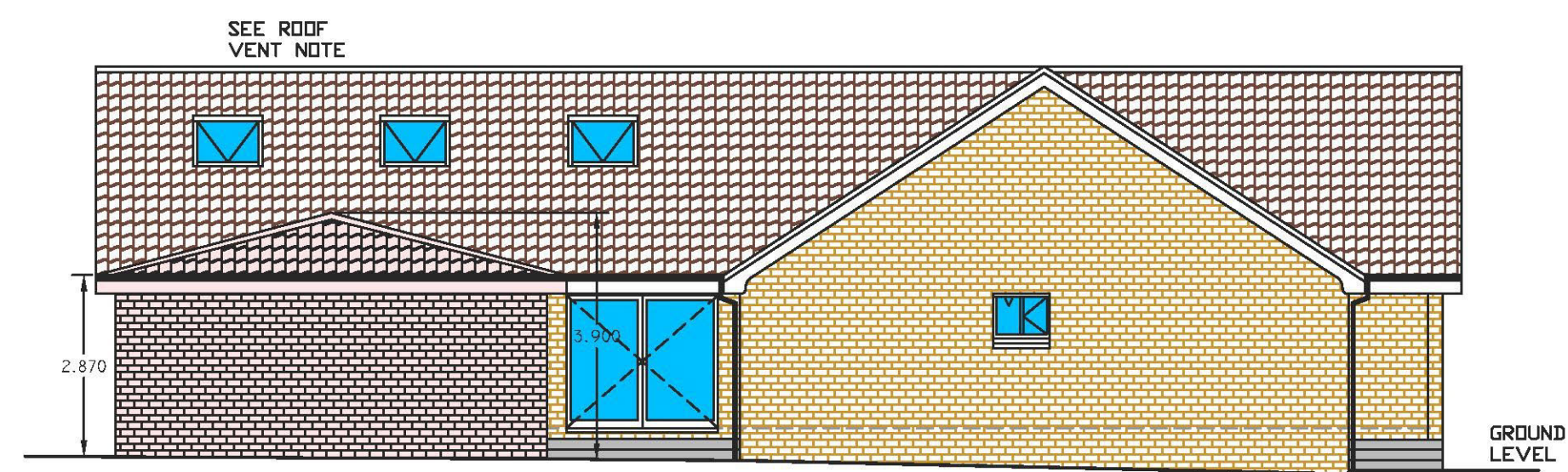
EXISTING LEFT GABLE ELEVATION



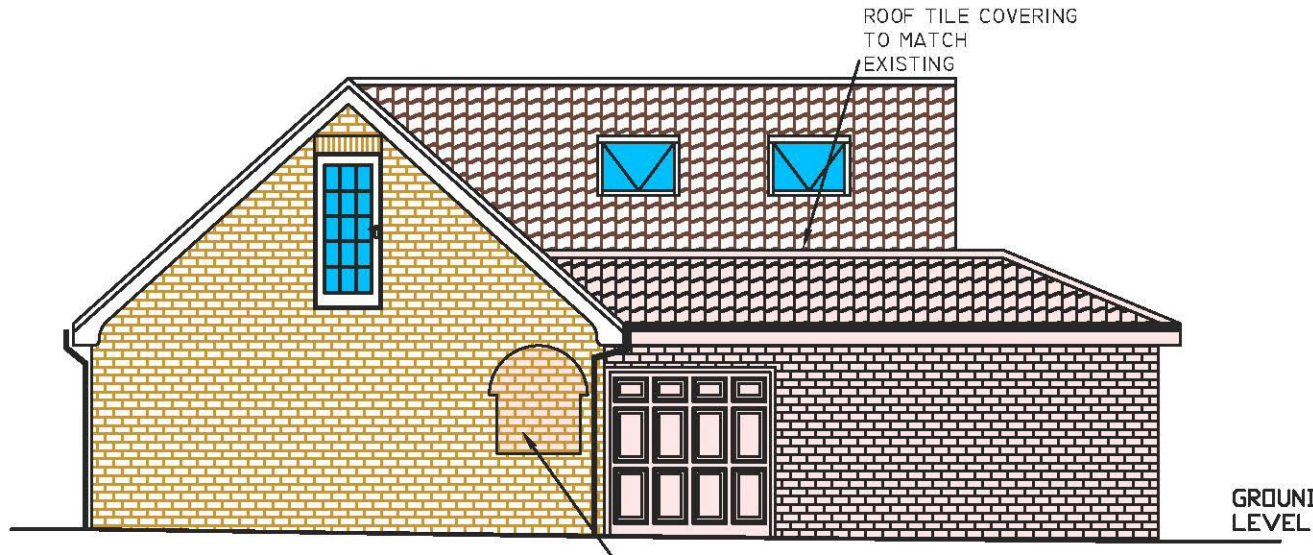
EXISTING REAR ELEVATION



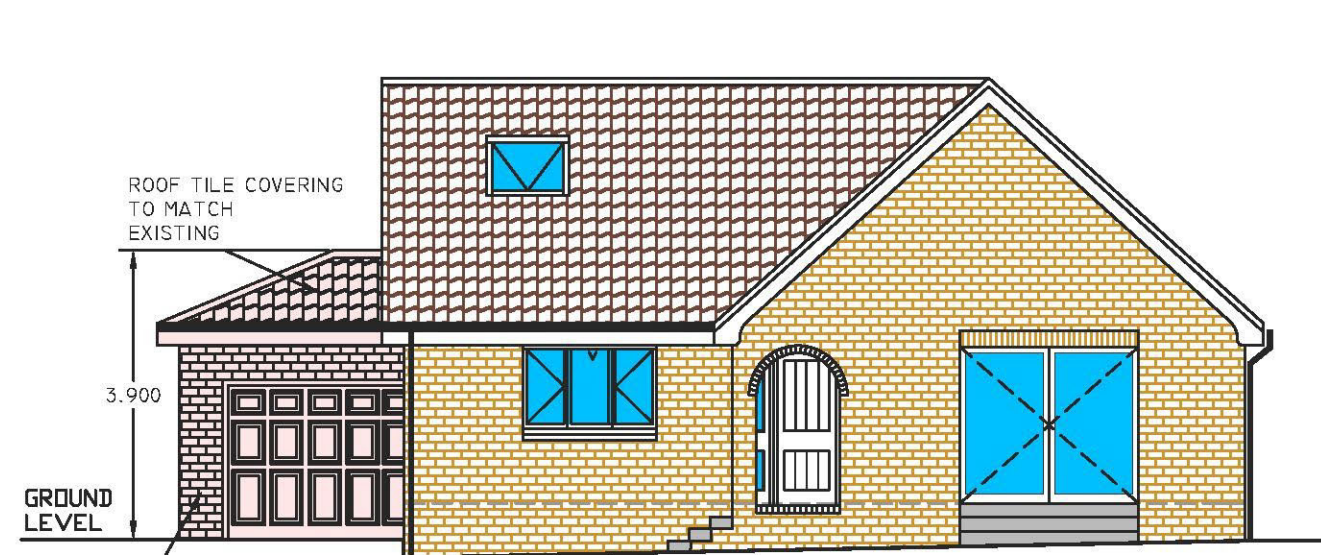
EXISTING FRONT ELEVATION



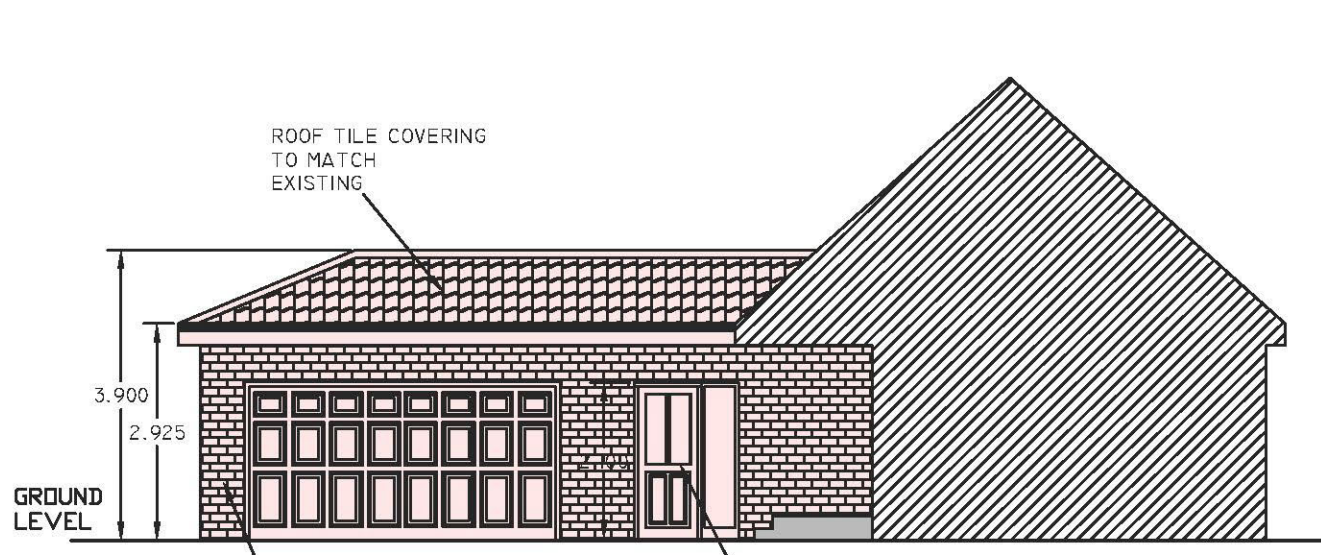
PROPOSED LEFT GABLE ELEVATION



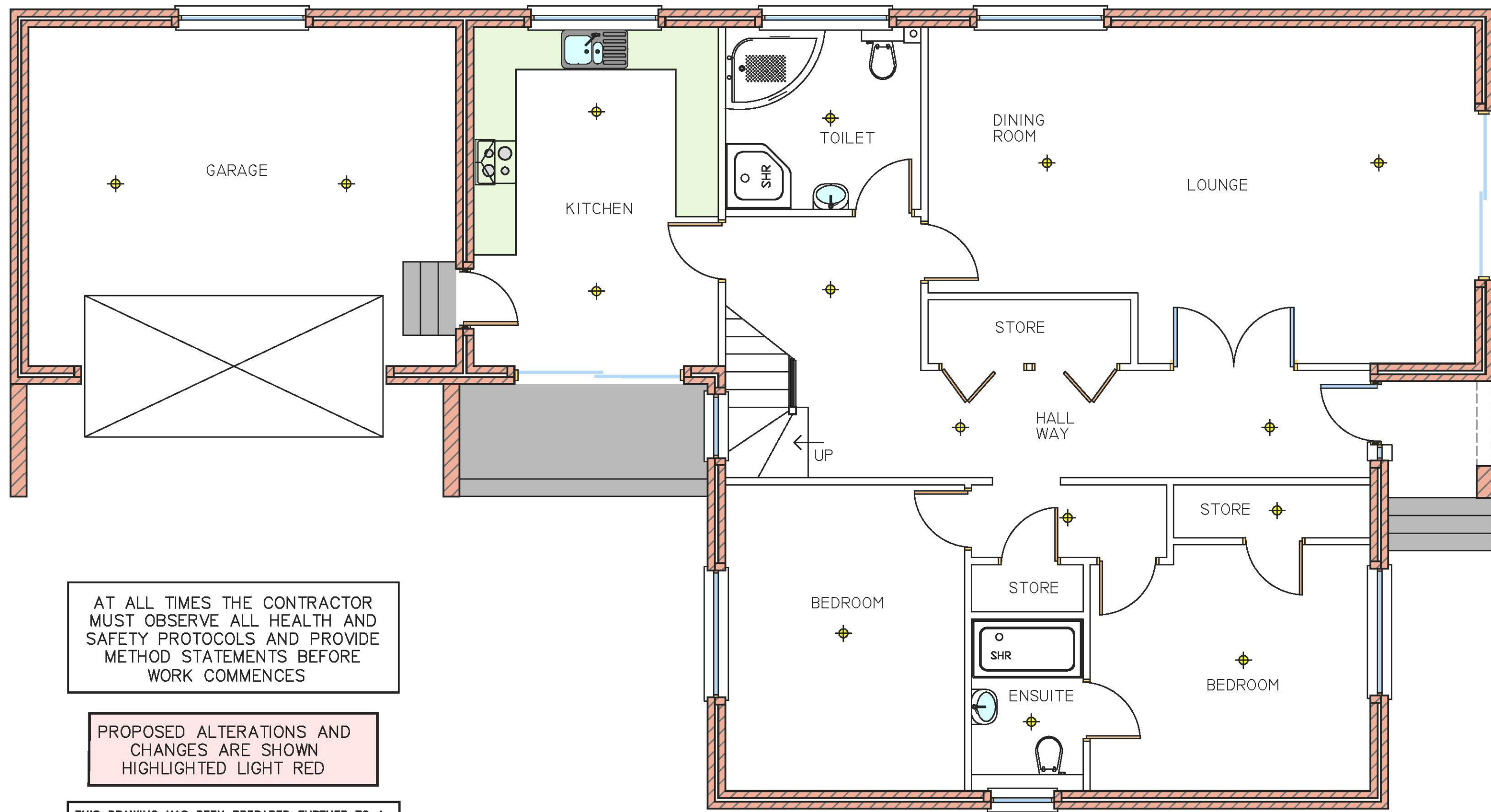
PROPOSED REAR ELEVATION



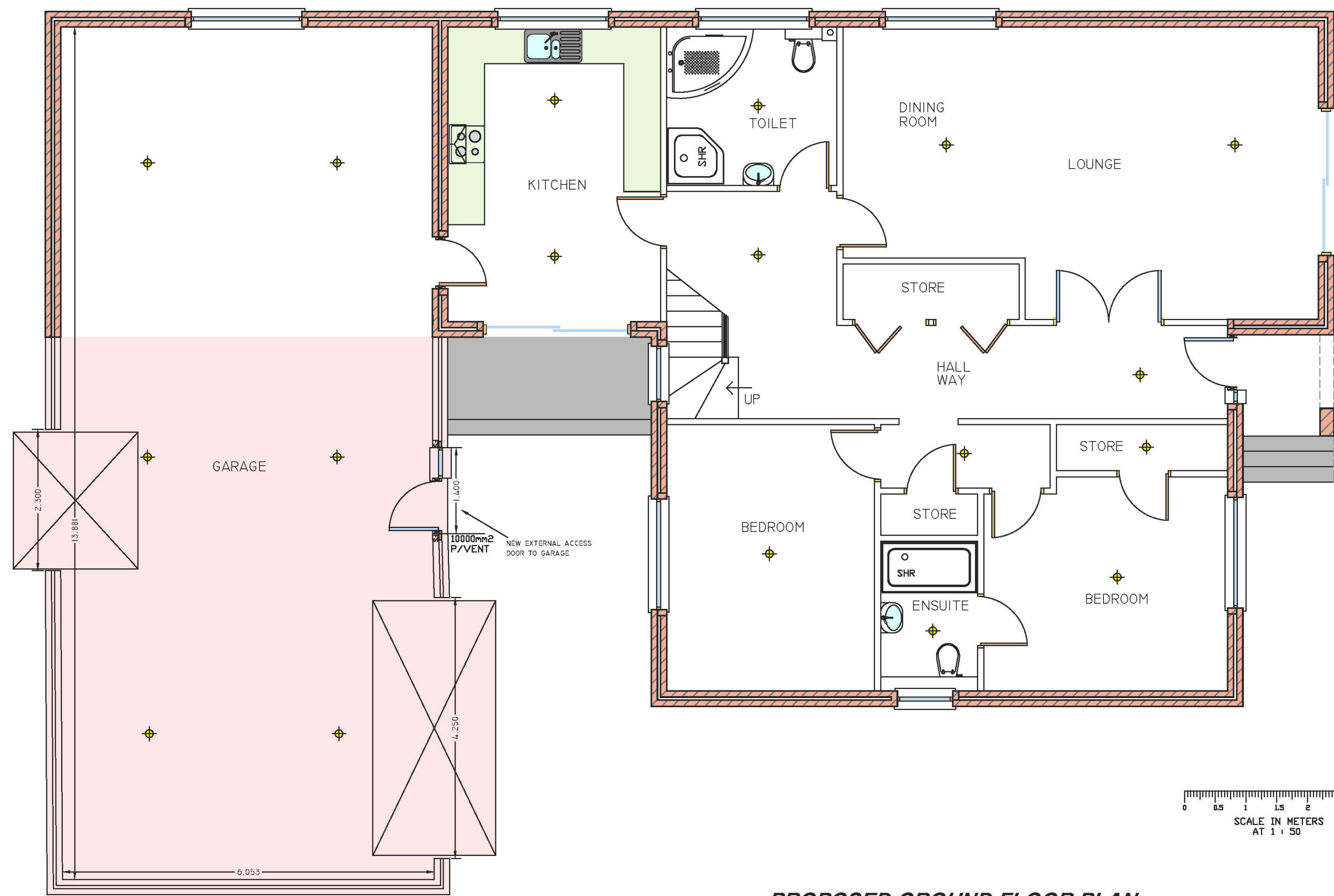
PROPOSED FRONT ELEVATION



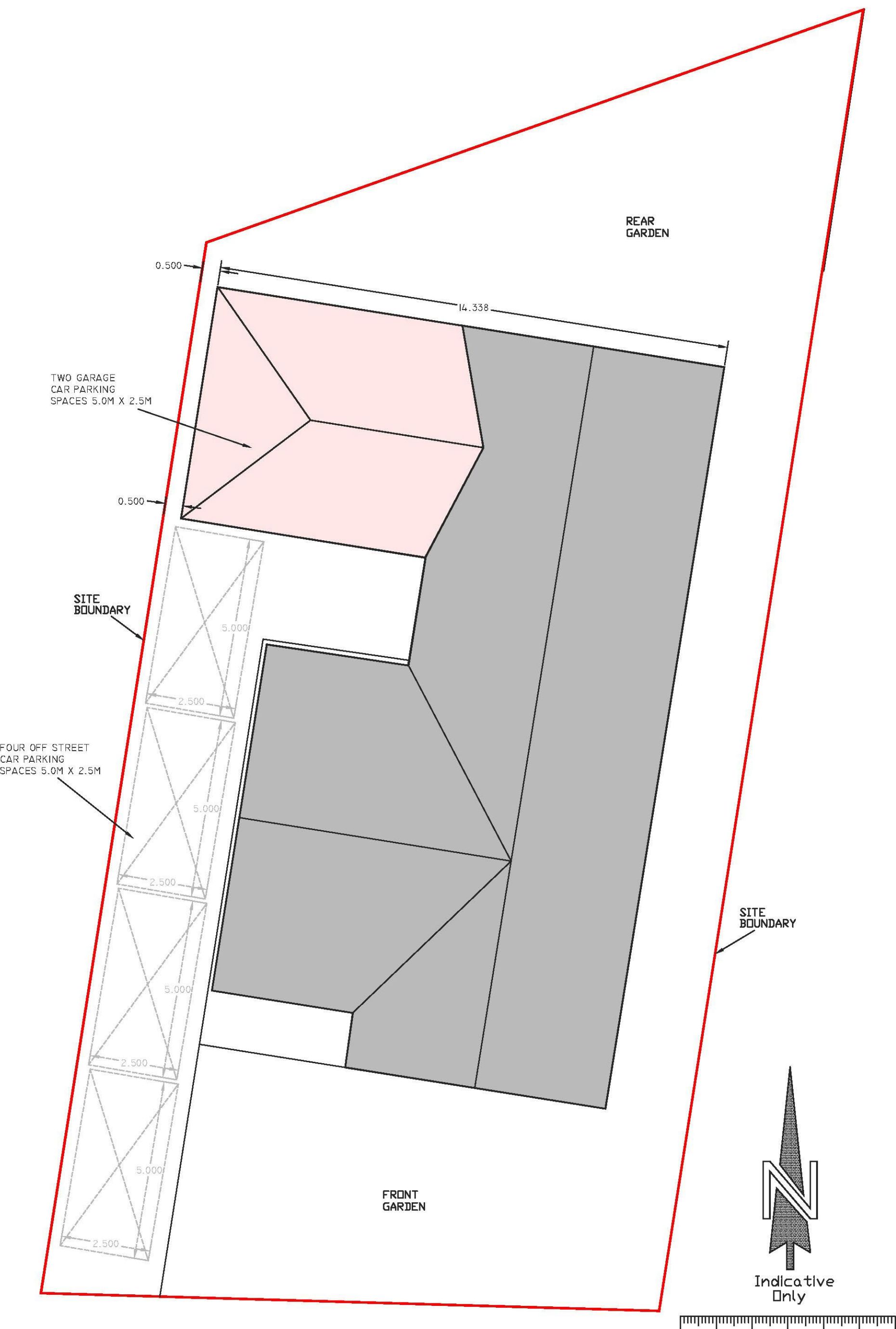
PROPOSED INNER FRONT ELEVATION



EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



SITE BLOCK PLAN
SCALED AT 1 : 100

PINELOAD DESIGNS.
77 WILSON GARDENS
TILLYMORRE
TEL: 011 857 1234

PROJECT.
PROPOSED SINGLE STOREY REAR /
SIDE EXTENSION AND INTERNAL
ALTERATIONS AT
15 LINDEN DRIVE
CLYDEBANK G81 6BW

CLIENT.
MR & MRS ROYCE
15 LINDEN DRIVE
CLYDEBANK G81 6BW

DETAIL.
FLOOR PLANS, ELEVATIONS AND
SITE LOCATION PLAN

Dwg.No.2176B REV 2

Scale. 1:50 1:100 1:1250

AMENDMENTS

GENERAL NOTES
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CASE OF REPRODUCTION ERRORS
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APPROVALS AND COSTING PURPOSES
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TO CHECK AND VERIFY ALL SITE
MEASUREMENTS AND SPECIFICATION
PRIOR TO ANY WORK COMMENCING

**THIS IS A TRUE COPY
OF THE PLAN REFERRED
TO IN THE ACCOMPANYING
APPLICATION.**

SIGNED. [Signature]
DATED26/02/2024.....

Colin,

Thanks for the email and amended plans attached.

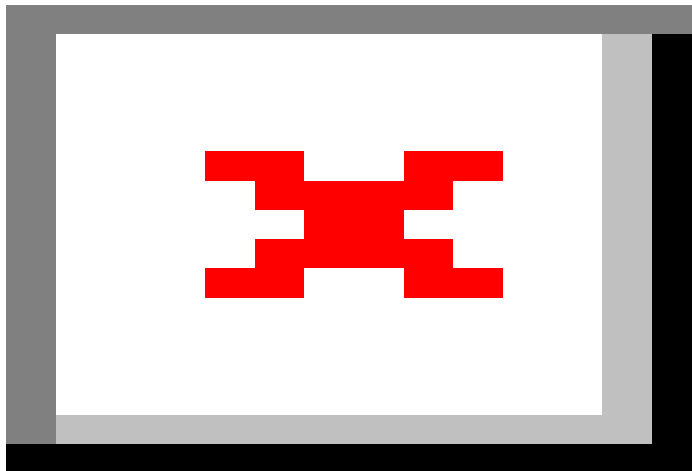
The attached plans do not address the concerns that Erin had raised.

That said, provided that a number of criteria are fulfilled the works could be carried out as permitted development. I have snipped an extract from the Circular which you will need to satisfy. If you are satisfied that you can meet these criteria then you would be welcome to submit a Certificate of Lawfulness whereby the Planning Authority would provide a formal view. The cost for this is £101 and is likely to take around 6-8 weeks to determine.

Can you therefore advise if

- i) You wish to withdraw this application with a view to submitted a Certificate of Lawfulness, or
- ii) You wish to amend the plans as submitted to address the concerns that had been raised in Erin's phonecall with yourself and the Planning Authority proceed to determine the application.

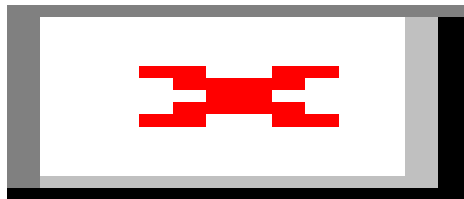
Please advise by return within 14 days of the date of this email.



Kind regards

Helen

Helen Atkinson MRTPI
Lead Planning Officer
Planning & Building Standards
Tel: 01389 738558



From: [REDACTED]
Sent: 26 February 2020 12:01
To: Helen Atkinson <Helen.Atkinson@west-dunbarton.gov.uk>
Subject: Re: Planning application DC19/109

Helen Atkinson,

Thank you for reply to my email yesterday, I do recall a phone conversation to Erin Goldie about this planning application, at the time the extension was a garage extension on the ground floor level and domestic room extension on the upper floor level, Erin did indeed ask me to reduce the extension to no further to the west than the existing dwelling house western gable, as the drawing that I sent you as an amendment to the original planning application with the upper floor removed and only indicated a garage extension back 0.5m from the site boundary, I would have thought this would have overall reduced the area of the extension close to the west boundary and reduced the over massing build to the rear of the dwelling.

I have taken the liberty to attach another set of proposed drawings with the garage ride level reduced to 3.9m as you indicated in your last email that 4.0m was the maximum limit for the extension to be considered under permitted development, please see drawings attached.

I would also like to draw your attention to both neighbouring proprieties to this site (No. 13 and No. 17), both proprieties have detached garages constructed directly on the site boundary that have a greater impact in my opinion on the respective neighbours than this proposal built 0.5m back from the site boundary.

Regards,

Colin Aitchison,
Pineload Designs.

On Tuesday, 25 February 2020, 15:52:44 GMT, Helen Atkinson <helen.atkinson@west-dunbarton.gov.uk> wrote:

Mr Aitchison

I refer to the above application and our email exchange.

Firstly, the proposed extension could not be considered to represent permitted development as it is more than 4m in height.

I have spoken to my team leader and she advises that, when discussing amendments with yourself she had requested that the extension should not project beyond the existing west facing gable. This request was made in order to limit the impact on the rear garden areas of No.13 Linden Drive which sits at a lower level to your clients.

I therefore respectfully request that the plans are amended to bring the extension in line with the existing west facing gable. Please amend the plans within 14 days of the date of this email. If the requested plans have not been received or amended sufficiently to deal with the highlighted issue the Planning Authority will proceed to determine the application on the basis of the submission to date which will result in the application being recommended for refusal.

Kind regards

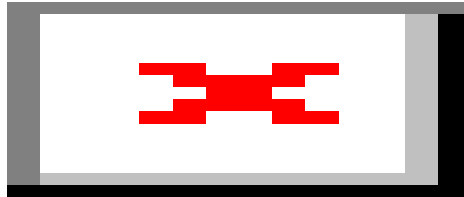
Helen

Helen Atkinson MRTPI

Lead Planning Officer

Planning & Building Standards

Tel: 01389 738558



From: Helen Atkinson
Sent: 18 February 2020 14:58
To: [REDACTED]
Subject: RE: Planning application DC19/109

Mr Aitchison

Jane Tennant has now left the Council and I wasn't aware that this was one I was taking over until just now.

I will have a look at the plans during the course of the week. I note that you had asked if the extension could be permitted but can't see that Jane came back to you. Can you confirm if she responded to this point?

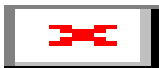
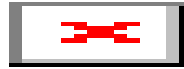
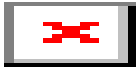
Kind regards

Helen

Helen Atkinson MRTPI
Lead Planning Officer

Planning & Building Standards

Tel: 01389 738558



From: Erin Goldie <Erin.Goldie@west-dunbarton.gov.uk>
Sent: 18 February 2020 12:22
To: Helen Atkinson <Helen.Atkinson@west-dunbarton.gov.uk>
Subject: FW: Planning application DC19/032

Helen, please see below.

E

From: [REDACTED]
Sent: 18 February 2020 10:48
To: Jane Tennant
Cc: Erin Goldie
Subject: Planning application DC19/032

Jane Tennant,

My Client has asked me to email you in regards to the amended drawing I sent to you on the 6th of February for the planning application at 15 linden Drive Clydebank, have you any further thought on this application?

Regards,

Colin Aitchison

Pineload Designs.

The information contained in this message is confidential and is intended for the addressee only. If you have received this message in error or there are any problems please notify the originator immediately at - systems.manager@west-dunbarton.gov.uk The unauthorised use, disclosure, copying or alteration of this message is strictly forbidden. West Dunbartonshire Council will not be liable for direct, special, indirect or consequential damages arising from alteration of the contents of this message by a third party or as a result of any virus being passed on. Unless expressly stated to the contrary, this email and its contents shall not have any contractually binding effect on West Dunbartonshire Council or its clients and any writings which are or could form the basis of any agreement are subject to contract.

Mr Aitchison

I refer to the above application and our email exchange.

Firstly, the proposed extension could not be considered to represent permitted development as it is more than 4m in height.

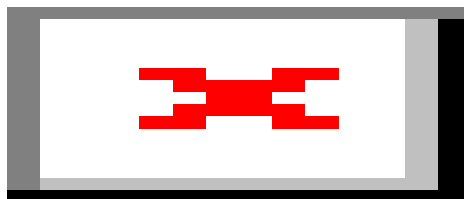
I have spoken to my team leader and she advises that, when discussing amendments with yourself she had requested that the extension should not project beyond the existing west facing gable. This request was made in order to limit the impact on the rear garden areas of No.13 Linden Drive which sits at a lower level to your clients.

I therefore respectfully request that the plans are amended to bring the extension in line with the existing west facing gable. Please amend the plans within 14 days of the date of this email. If the requested plans have not been received or amended sufficiently to deal with the highlighted issue the Planning Authority will proceed to determine the application on the basis of the submission to date which will result in the application being recommended for refusal.

Kind regards

Helen

Helen Atkinson MRTPI
Lead Planning Officer
Planning & Building Standards
Tel: 01389 738558



From: Helen Atkinson
Sent: 18 February 2020 14:58
To: [REDACTED]
Subject: RE: Planning application DC19/109

Mr Aitchison

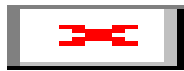
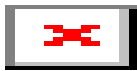
Jane Tennant has now left the Council and I wasn't aware that this was one I was taking over until just now.

I will have a look at the plans during the course of the week. I note that you had asked if the extension could be permitted but can't see that Jane came back to you. Can you confirm if she responded to this point?

Kind regards

Helen

Helen Atkinson MRTPI
Lead Planning Officer
Planning & Building Standards
Tel: 01389 738558



From: Erin Goldie <Erin.Goldie@west-dunbarton.gov.uk>
Sent: 18 February 2020 12:22
To: Helen Atkinson <Helen.Atkinson@west-dunbarton.gov.uk>
Subject: FW: Planning application DC19/032

Helen, please see below.

E

From: [REDACTED]
Sent: 18 February 2020 10:48
To: Jane Tennant
Cc: Erin Goldie
Subject: Planning application DC19/032

Jane Tennant,

My Client has asked me to email you in regards to the amended drawing I sent to you on the 6th of February for the planning application at 15 linden Drive Clydebank, have you any further thought on this application?

Regards,

Colin Aitchison
Pineload Designs.

OBJECTIONS TO PLANNING APPLICATION

DC19/109

Planning - PLNComment

Call date: 14/08/2019 21:17:45
User: 223418/2
Contact number:
Document Number: 4257466

Comment on Planning Application

About You

Please provide details about yourself

Forename

Surname

Address

Jim

Gallagher

17 Linden Drive

Duntocher

Clydebank

G81 6BW

Telephone Number

E-Mail Address

Details

Please provide details regarding this planning application

Case Type

Comments

FUL

Concern about the on-road / pavement parking resulting from this development. Application shows 4 parking spaces in the development. This would not be practical. If car furthest in driveway was to be used, it would result in 3 cars having to be moved to allow car out of driveway. It is likely therefore that on road/pavement parking will be used. A solution, to secure planning application approval, should be a parallel parking provision at front of property within plot boundary.

Do you support the proposal

Yes

RELEVANT LOCAL PLAN,
LOCAL DEVELOPMENT PLAN: PROPOSED PLAN (2016)
AND LOCAL DEVELOPMENT PLAN 2: PROPOSED PLAN POLICIES

DC19/109



WEST DUNBARTONSHIRE LOCAL PLAN



ADOPTED BY
WEST DUNBARTONSHIRE COUNCIL
MARCH 2010

04

General Development

4.1

The enhanced role of the Local Plan in providing clear development control advice is stated in Section 25 of the Town and Country Planning (Scotland) Act 1997. Planning Advice Note 40 Development Control indicates that development control should satisfy the expectations of various groups and users of the service. Local Plans form the basis for development control decisions and provide a stable background for investment decisions.

4.2

The Local Plan indicates, amongst other matters, development control policy in relation to the main land uses within the Plan area. This chapter provides guidance in relation to new development in general, and also to specific redevelopment opportunities. Chapter 12 indicates Local Plan policy in relation to more specific types of development not dealt with elsewhere in the Plan.

Development Control

4.3

The following policy relates to all new development and applies to the whole of the Plan area.

4.4 Policy GD 1 - Development Control

4.4.1

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale, density, massing, height, aspect, effect on daylighting, crime prevention measures and privacy); developers will be required to submit design statements where appropriate;
- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape features and valuable species and habitats are conserved and where possible enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised, and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or environmental pollution, provide drainage consistent with Sustainable Urban Drainage Systems design guidance and ensure that suitable remediation measures





- are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access, and considering the need for a Green Travel Plan;
- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies.

Reasoned Justification

4.4.2

Policy GD 1 sets out the criteria which will be used in considering all development proposals and applications for planning permission. The intention of the policy is to ensure that all new development enhances the Plan area and environmental quality in general. The emphasis on the importance of design reflects a similar emphasis in SPP 1 and the Designing Places document published by the Scottish Government. This emphasis has been continued in more recent policy and advice, and SPP 20 draws together and reinforces the Government's design policy commitment. Achieving better quality design in the built environment and public open space requires design to be given greater importance from the beginning. New development should provide lasting improvements to the built environment, create successful places and promote local distinctiveness. PAN 68 Design Statements provides further advice. Specific design guidelines have been produced for both the Clydebank and Dumbarton Riverside areas and have been approved as Supplementary Planning Guidance. Other Local Plan policies within the following chapters will give more guidance to developers on specific types of development, for example Policy H 4 in relation to new housing. These should be referred to where appropriate, and together with Policy GD 1, will form the first point of reference when considering planning applications.

4.4.3

Development proposals on sites which have watercourses flowing through them or adjacent to them, or which are at risk from tidal flooding, are likely to be required to be submitted with a Flood Risk Assessment. Further details in relation to flooding and drainage are provided in the flooding and sustainable urban drainage policies in Chapter 13. However, it is considered appropriate to apply Sustainable Urban Drainage Systems to all new developments, whether or not they are currently affected by flooding, in order to address diffuse pollution originating



from new developments, as well as controlling site run-off so as not to exacerbate flood risk elsewhere. The Government has endorsed the guidance “Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland” published by the Sustainable Urban Drainage Systems Scottish Working Party, but further guidance may be appropriate as methods develop. PAN 61 Planning and Sustainable Urban Drainage Systems provides further advice. It should be noted that as at 2009 the Council does not have a policy of adopting SUDS features and the matter of liability and maintenance must be discussed for every development with the Council, to ensure all parties are aware of their responsibilities prior to any construction. The Council requires that any planning applications affecting contaminated land include suitable remediation measures so that the ground is made suitable for the new use, as required by PAN 33 Development of Contaminated Land. Finally, the Water Framework Directive and related regulations require that the physical characteristics of water courses as well as the quality is to be protected - see also paragraphs 13.8.1 and 13.8.2.

4.4.4

The requirement to minimise waste and provide for its storage and collection from new development is in accordance with SPP 10 Planning for Waste Management and PAN 63 Waste Management Planning. A Site Waste Management Plan may be required to minimise waste at source on construction sites through the accurate assessment of the use of materials and the potential for recycling material on or off site.

Redevelopment Opportunity Sites

4.5

There are a number of sites within West Dunbartonshire which are in need of comprehensive redevelopment. These sites have not been identified within the individual chapters because they are suitable for a variety of future uses, including mixed uses. Policy GD2 will apply to these sites.



in place for these areas. The importance of design is reflected both in SPP 1, which indicates that a proposal may be refused solely on design grounds, and SPP 3. A number of recent Planning Advice Notes (for example on Housing Quality, New Residential Streets, Designing Safer Places and Inclusive Design) provide further advice and information on good practice in terms of housing design. Options for micro-renewable technologies should be considered as part of a range of energy efficiency measures. Open space and car parking facilities are essential elements of acceptable housing layouts, and the Council will expect developers to conform to the standards laid down by Policy R2 and the Roads Development Guide respectively and in particular consider the development of Home Zones. Existing trees, hedges, shrubs and other natural and manmade features contribute to landscape quality and biodiversity, and should be retained and enhanced. In relation to access to new dwellings, developers will be strongly encouraged to provide homes which are accessible to all and will meet the needs of a growing elderly population - design and layout should comply with the Housing for Varying Needs guidance.

Development within Existing Residential Areas

6.37

As well as ensuring that new residential development reaches the highest standard, it is also vital that the character and amenity of existing residential areas is protected and enhanced by any new development which is proposed. This is particularly important when, as a matter of policy, development is being actively promoted within the existing built up area.

6.38 Policy H5 - Development within Existing Residential Areas

6.38.1

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;





- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;
- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies.

Reasoned Justification

6.38.2

This policy seeks to ensure that the character of existing residential areas is protected and that all development proposals within these areas will maintain or enhance their amenity. It is considered that using sympathetic design, avoiding over-development and retaining existing landscape features is the best way of achieving this. It is particularly important that the development of infill and gap sites should not be at the expense of open space which makes an important contribution to the quality of local environments.

6.38.3

The introduction of small-scale non-residential uses to existing residential areas may be acceptable, but their impact on the residential environment will be the overriding consideration. Policy H 5 indicates the factors which might lead to a loss of amenity in an existing area. However, there may be benefits in encouraging some other suitable uses into existing residential areas, for example nursing homes, children's nurseries and offices, which could provide small-scale local services and employment opportunities.

Priority Areas

6.39

The Scottish Government has identified five strategic objectives for a Wealthier and Fairer, Healthier, Smarter, Safer and Stronger and Greener Scotland. The Fairer Scotland Fund has replaced several previous funding streams, including the Community Regeneration Fund, and will help the Community Planning Partnership regenerate disadvantaged communities. Allocations of the Fund were informed by using the Scottish Index of Multiple Deprivation.

West Dunbartonshire Local Development Plan (Proposed Plan)



2016

puts pedestrians first. Neighbourhoods should have a variety of house types to meet the needs of people at different stages in their lifecycle. New homes should be designed taking account of issues that are important to residents such as the need for adequate and flexible internal space, energy efficiency, noise insulation and natural light.

6.6.3 Key elements of design and the standards expected for all new housing development will be set out in Residential Development Principles for Good Design Supplementary Guidance.

6.7 Existing Neighbourhoods

6.7.1 New house-building will form only a small part of the overall number of houses in West Dunbartonshire. The majority of residents live in well-established residential areas. It is important that these areas are kept or made as attractive as possible for the residents living there.



6.7.2 The term 'residential amenity' refers to the pleasantness of living somewhere. It reflects the appearance of buildings and their surroundings, the amount and quality of open and green spaces, the level of traffic, noise and privacy. Residential amenity can be adversely affected by development which is out of character in terms of design or overdevelopment, removes valued open space, introduces an inappropriate amount of traffic or noise, or overlooks private areas. Householder development such as extensions, driveways and decking will generally be acceptable except where there is a significant adverse impact on neighbours. Supplementary Guidance will be produced on this matter. Local shops, community uses and some small scale employment uses such as nurseries and offices may add to the attractiveness of a residential area and provide convenient services, but need to respect the amenity of the area.

Policy BC4

6.7.3 Development that would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted.

6.8 Community Facilities

6.8.1 In addition to housing, there are a range of other facilities that contribute to a community being attractive and successful, for example

schools, local shops, health facilities, leisure centres, community halls, quality open spaces and outdoor sports facilities.



6.8.2 In 2013, the Council approved a 10 year Capital Plan with specific projects identified for development in the period to 2016. Projects identified by this Local Development Plan include a new Kilpatrick Secondary School on the site of the current school, a shared campus for early and primary school education in Bellsmyre on the site of the current St Peter's primary school, a new cemetery for Dumbarton and an extension to the Vale of Leven cemetery. A site for the extension to the Vale of Leven cemetery is still to be identified. A replacement school for Our Lady and Saint Patrick's secondary school in Dumbarton for which a site is to be



LOCAL DEVELOPMENT PLAN 2

West 
Dunbartonshire
COUNCIL

August 2020

Homes for Particular Needs

As in many other areas of Scotland, West Dunbartonshire has a growing population of older people. Ideally people should be supported to allow them to continue to live independently in their own homes as they get older. This might require adaptations to their existing home, or moving to more suitable accommodation, for example, to a home without stairs. The demand for sheltered housing or housing specifically built for older people is also likely to increase. Proposals for this type of accommodation in suitable accessible locations, for whatever tenure, will be welcomed. In addition, all new housing should comply with the Housing for Varying Needs guidance to ensure it is suitable for all life stages and that it will meet future needs.

Despite the desire to help older people remain at home and, as our population continues to age, the demand for care home and nursing home places will continue to increase. The Council has provided a new Care Home at Crosslet Estate in Dumbarton, and a second is to be built at Queens Quay in Clydebank. A new private care home in Alexandria has been completed and has been opened for use. This reorganisation of Care Homes has resulted in the sites of the former smaller homes being vacated, creating opportunities for redevelopment to other appropriate uses. The reuse of these properties for residential development and other uses is supported by this Plan, subject to being in accordance with the provisions of this Plan.

Policy H3
Homes for Particular Needs

Particular needs housing will be supported on the sites contained within Table 3 of this Plan, and other suitable sites, where they accord with the relevant policies of the Plan.

Table 3: Sites for Particular Needs Housing				
Site Ref	Address	Location	Status	Particular Need
H3(1)	Auchentoshan	Clydebank	Proposal	Care Home
H3(2)	Queens Quay	Clydebank	Consent	Care Home
H3(3)	Dalreoch	Dumbarton	Proposal	Travellers' Site
H3(4)	Cochno Waterworks	Hardgate	Consent	Care Home

Note: Development of those sites which are in the greenbelt will be restricted to the uses and areas identified.

Residential Amenity

New house-building is only a small part of the overall number of homes in West Dunbartonshire. The majority of residents live in well-established areas, and it is important that these are kept or made as attractive as possible for the residents living there. Inappropriate development which could have a detrimental impact on the amenity of a community will not be supported. Local shops, community uses and some small scale employment uses, such as nurseries and offices, can add to the attractiveness of a residential area and provide convenient services, but must respect the amenity of the area.

Policies CP1 and CP2, the Creating Places Supplementary Guidance and other relevant policies of the Plan, will be used in conjunction with Policy H4 to ensure all new development is well integrated with existing residential areas and has no detrimental impact on them.

Policy H4
Residential Amenity

The Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents;
- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy G1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.;

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

PROPOSED CONDITIONS

DC19/109

DC19/109 - 15 Linden Drive, Duntocher, Clydebank

CONDITIONS:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, no windows shall be installed on the west elevation of the extension hereby permitted without the prior written consent of the planning authority.

Reason: In the interests of neighbouring residential amenity.

2. For the avoidance of doubt the garage extension hereby permitted shall be used solely for purposes incidental to the use of the dwellinghouse and no commercial activity shall be carried out in, or from the garage.

Reason: In the interests of residential amenity.

3. Before the development hereby permitted starts, details of the external finishing materials for the extension hereby permitted shall be first agreed in writing by the planning authority and thereafter implemented as approved.

Reason: In the interests of visual amenity.

APPLICATION FOR REVIEW

DC20/097



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100301905-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Joanna"/>	Building Number:	<input type="text" value="46"/>
Last Name: *	<input type="text" value="Ignys"/>	Address 1 (Street): *	<input type="text" value="Castlehill Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Dumbarton"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Wielka Brytania"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G82 5AS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

West Dunbartonshire Council

Full postal address of the site (including postcode where available):

Address 1:

46 CASTLEHILL ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

DUMBARTON

Post Code:

G82 5AS

Please identify/describe the location of the site or sites

Northing

676136

Easting

238275

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of shed to rear of property for use as a dog grooming business

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.							
<h3>Statement of reasons for seeking review</h3> <p>You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p>Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 10px; min-height: 60px;"> In my opinion decision made by Council is wrong and unfair. For explanation please see Supporting Documents section. </div>							
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; min-height: 60px;"> I didn't raise matter of treating citizen equal and fair before, because I didn't know that West Dunbartonshire Council is not following this rule. </div>							
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; min-height: 60px;"> Cosmetics specification dryer specification Notice of review </div>							
<h3>Application Details</h3> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Please provide the application reference no. given to you by your planning authority for your previous application.</td> <td style="border: 1px solid black; padding: 5px;">DC20-097</td> </tr> <tr> <td>What date was the application submitted to the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">08/07/2020</td> </tr> <tr> <td>What date was the decision issued by the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">04/09/2020</td> </tr> </table>		Please provide the application reference no. given to you by your planning authority for your previous application.	DC20-097	What date was the application submitted to the planning authority? *	08/07/2020	What date was the decision issued by the planning authority? *	04/09/2020
Please provide the application reference no. given to you by your planning authority for your previous application.	DC20-097						
What date was the application submitted to the planning authority? *	08/07/2020						
What date was the decision issued by the planning authority? *	04/09/2020						

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Joanna Ignys

Declaration Date: 06/09/2020

The notice of review

In my opinion decision made by West Dunbartonshire Council is wrong and unfair.

Firstly, the typical activities of dog grooming salons are not harmful. As I explain in my planning permission application form, level of noise can be compared to vacuum cleaner, and this noise is not permanent it only takes about 15 minutes from a 2 hour session. Further, all cosmetics (shampoos, conditioners, etc.) are made from 100% natural ingredients. After making some recognition with my close neighbors, no one said that they think that this kind of practise in their close residence is harmful. Also as I stated in my planning application form, I would like to work only part time during school hours. My activity will not cause any problems for traffic, as will start when residents were already in their works, and will finish before they will need to drive home. I also mentioned that I can provide even up to 3 parking spaces on my own property, to avoid on street parking.

Secondly, this decision is unfair and show that West Dunbartonshire Council is not treating all citizens the same way. I have consulted with my fellow dog groomer from „short bark and sides” dog grooming salon, 8 Barwood Hill, G82 3DX Dumbarton. This dog grooming salon is located in garden shed at the rear garden. It's 1,5 miles from my location, and it's in the residential area. Owner of this dog grooming salon received permission for opening dog grooming salon, as I was informed by Lead Planning Officer Mrs. Helen Atkinson, because owner of this salon is a West Dunbarton Council tenant. I am really suprised that just because this person is a council tenant, she didnt have to make a plannig premiton application, didnt have to pay fees, and even receive permission as this grooming salon is not harmful for the residential area. I feel I was treated unfair, because I am the home owner, and that's the reason why I received refusal decision.

I live in semidetached house. My wall neighbor is West Dunbartonshire Council tenant. Should I understand that if my neighbor will ask for permission to open dog grooming salon, she will receive an acceptance because she is a Council tenant? Dog grooming salon run by a Council tenant is not harmful for residential area?

I really hope that for this two reasons West Dunbartonshire Council will consider again my aplication, and guided by care for all citizens in the same way, will issue a fair decision.

Best regards,
Joanna Ignys

THE MAKING OF

[VIEW](#)

01

WildWash is a naturally derived pet shampoo and cosmetic range unlike any other. Quintessentially British, it is made in the beautiful English countryside overlooking the hills of Glastonbury.

[VIEW](#)

02

Each WildWash product is researched extensively to make sure it fulfils every purpose.

Our products are kind to our pets, to ourselves and to the environment and there is no compromise with using a natural shampoo on your pet. Our shampoo for light coats will lighten your pet's coat beautifully and naturally without stripping the coat or harming the skin.

[VIEW](#)

03

Every product starts with a brain storming session with the wonderful Richard, owner of the apothecary that makes our products. His experience and knowledge of working with natural ingredients is almost overwhelming and we feel blessed to have met him.

The ingredients we use are chosen for their quality, traceability and transparency of manufacture. It is very important to us to know that our base ingredients can be traced back to their origin and are as natural as possible.

[VIEW](#)

04

We discuss which product we want to make, what we want to achieve and of course, the ingredients we would like to use. Our renowned apothecary is recognized as one of the top 10 natural perfumers in world, so we spend time developing unique, divine fragrances that our customers know and love.

[VIEW](#)

05

The 100% pure essential oils that form our fragrances, also play a huge part in the performance of our products. For example the sweet orange in our shampoo for dark or greasy coats helps to clarify greasy hair and skin whilst still imparting a beautiful shine to the coat. Its scent is one of my favourites, and together with the other essential oils used, it creates a stunning natural fragrance.

[VIEW](#)

The scents that we develop for our products are made by hand with precision and recreated for every product run in the perfume room which smells so good we never want to leave!

[VIEW](#)

06

WildWash is handmade and hand stirred to perfection. We in fact stirred our very first batch of conditioner, which was incredibly hard work! I hadn't realised the muscle power needed for the job and am very happy to leave that to the professionals who do it the best!!!!

[VIEW](#)

07

Lastly of course, once each product is made, stability tested and signed off, it is time to bottle and label.

[VIEW](#)[VIEW](#)

This process, again done by hand, is so exciting for us because it is the last phase before we are able to bring our range to market.

[VIEW](#)[VIEW](#)

08

We would like to thank our apothecary for the support and the understanding they have given us to enable us to create WildWash.

[VIEW](#)

09

Since we launched WildWash, we have been inundated with wonderful emails, letters and testimonials from pet owners all over the world about the benefits of our products. We will always maintain the quality of our products and the quality of our ingredients to bring you what we believe to be the best pet care range available.

WILDWASH

221 Westbourne Park Road, London, W11 1EA.
Tel No: 020 7402 9672
info@wildwash.co.uk / www.wildwash.co.uk



THE END



Quiet engineered dryer especial for sensitive and small pets

Silencing cover helps reduce noise by 10%. External filter is especially designed for noise reductions, easy to remove and clean.

Special:

- * Comes with 4 Different NOZZLES suit for various situation.
- * Extraordinary Noise Reduces, keep it down to 72dB.
- * Carrying Handle for the portable use.
- * Stepless Speed Control from 15m/s to 62m/s
- * CE Approved

Specification:

Power: 2800W

Voltage: 250V / 13A

Wind Speed: 15m/s - 62m/s

Temperature: 30°C - 70°C

Hose Length: 2.5 meters

Package Include :

- 1x Black Pet Dryer
- 3x Nozzles
- 1x Connected Tube
- 1x Filter

SSGOO®



REPORT OF HANDLING BY APPOINTED OFFICER
AND DECISION NOTICE

DC20/097

WEST DUNBARTONSHIRE COUNCIL

REPORT OF HANDLING (Delegated)

APP NO: DC20/097

CASE OFFICER: Ms Helen Atkinson

ADDRESS/SITE: 46 Castlehill Road, Dumbarton

PROPOSAL: Siting of shed to rear of property for use as a dog grooming business

This application appraisal is based on a desktop assessment only and photographs provided by the agent/applicant due to COVID 19 restrictions.

1. Site Description/Development Details

The application site is a semi – detached house located on Castlehill Road. The house is located on the corner of Castlehill Road and there is a vehicle driveway to the front of the house. The property is contained within a 2m high close boarded fence to the rear garden. The properties southern boundary adjoins a road also known as Castlehill Road that provides vehicle access to the flats to the south in Cumbrae Crescent South. Castlehill Road comprises of two storey dwellings whereas the properties to the south are three storey flats.

The application seeks planning permission for the siting of a shed to the side/rear of the house. The proposed shed would be used to operate a dog grooming business. The proposed shed measures 2.3m x 3m and will have a pitched roof a maximum height of 2.2m. The shed would be sited next to the houses south facing elevation and would be less than 1m from the sites southern boundary. In support of the application the applicant has submitted a statement that outlines the proposed business. The statement advises that the salon would operate during school term time only, Tuesday to Saturday, parking will be available off road in the applicant's front garden, a maximum of 3 clients a day by appointment only and only one client at a time. The applicant has also advised that the shed a blast dryer would be installed in the shed; this equipment has a maximum volume equivalent to 72 decibels.

2. Consultations

None.

3. Application Publicity

None.

4. Representations

None.

5. Relevant Policy

West Dunbartonshire Local Plan (Adopted) 2010

- Policy GD1 Development Control
- Policy H5 Development within Existing Residential Areas

West Dunbartonshire Local Development Plan (Proposed) 2016

On 27 April 2016, the Planning Committee took a final decision not to accept the Local Development Plan Examination Report recommended modification in respect of including the Duntiglennan Fields site in Clydebank as a housing development opportunity, and therefore, as a result of the Scottish Ministers' Direction, the Local Development Plan has remained unadopted but continues to be a material consideration in the determination of planning applications.

- Policy BC4 Existing Neighbourhoods

West Dunbartonshire Local Development Plan 2 (Proposed) 2018

On 19th September [2018](#) the Planning Committee approved Local Development Plan 2: Proposed Plan for consultation. It is therefore the Council's most up to date policy position and it is a material consideration in the assessment of planning applications. The Examination Report of LDP 2 was received on 22nd April [2020](#) and the modified LDP 2 and associated documents was presented to the August 2020 Planning Committee. The Planning Committee approved LDP2 and this has now been sent to the Scottish Ministers for Adoption. LDP2 is therefore afforded significant weight in the assessment and determination of planning applications at this time.

- Policy H4 Residential Amenity

6. Appraisal

The proposal involves the siting of a shed to the side of 46 Castlehill Road, Dumbarton and for this shed to be used to operate a dog grooming business from. Details of the proposed business operations have been provided and are summarised above.

The issues in the determination of the application relate to the siting of the shed relative to the host property and the streetscene. The main issue in the determination of this application relates to the principle of a business operating from a domestic

setting. The policies below are most relevant in the assessment of this application and regard is had to them in this assessment.

In terms of the shed siting and design the shed is of modest proportions and of scale that is typical of such a domestic setting. The siting to the side of the house equally would be typical of a residential area and in itself the shed would not be harmful to the established residential character and appearance of the area. It is the use of the shed that the Planning Authority must give careful consideration to.

In terms of residential amenity, the relevant policies in the adopted Local Plan (2010) and the proposed Local Development Plan 1 (2016) and Local Development Plan 2 (2018) are;

- Local Plan (2010) Policy H5 Development within existing areas
- Local Development Plan (2016) Policy BC4 Existing Neighbourhoods
- Local Development Plan 2 (2018) Policy H4 Residential Amenity

All of these policies seek to protect, preserve and enhance the residential character and amenity of existing residential areas at all times.

As described above the Local Plan and LDP iterations seek to protect and uphold the residential character and amenity of an area. The application site is located in an entirely residential area. Activities within the area are those which are typical of a residential area and would not be untypical of this or any other residential area. The Planning Authority has a role to support economic growth and enable small businesses to set up and grow. However, the Planning Authority also has a role to protect residential amenity and guard against the introduction of business uses that would introduce uses and movements that would be out of keeping with that established residential character. The role of the Planning Authority is therefore to direct business use to the most appropriate areas.

The applicant has provided a supporting statement outlining that the dog grooming salon would principally operate around school times and would open on a Saturday too. It is likely that a maximum of three clients would be seen a day and these would be one at a time and by appointment only. The applicant has advised that the noisiest equipment would be a dryer which the applicant advises is similar in volume to a domestic vacuum. The applicant has suggested that the majority of clients would walk to the premises but has highlighted that off road parking is available. The Planning Authority contend that the level of likely client visits, combined with vehicle movements, dogs barking and equipment noises is likely to be notable in the area as these are a combination of activities that are not typically associated with a residential area. In being notable there is also an argument that these activities are out of keeping with the established residential area and in turn would be harmful to that residential character. The protection of residential amenity is a key requirement of the Local Plan and LDP's. Whilst the Planning Authority acknowledge the importance of small businesses, particularly in the current climate a residential area

is not an appropriate location for such a business as there will be an adverse impact on that established residential character. On balance, it is recommended that the application be refused as the dog grooming salon and the associated movements and activities would be out of keeping and harmful to the established residential character of the area. .

7. Added Value

None.

8. Recommendation

Refuse

The proposed dog grooming salon by reason of the typical activities associated with the use and the siting in a residential area is considered to be out of keeping with the residential character and harmful to that established residential amenity. The proposal is contrary to Policy H5 Development within existing areas, Local Plan (2010), Policy BC4 Existing Neighbourhoods, Local Development Plan (2016) and Policy H4 Residential Amenity of the Local Development Plan 2 (2018).

FOR NOTING

Informatives

1. The plans relevant to this decision include the following:

- *Supporting Statement
- *Floor plan (shed)
- *Shed specification drawing
- *Ground and first floor plan
- *Block plan (with shed)
- *Front – elevation plan
- *Rear- elevation plan
- *Side 1 – elevation plan
- *Side 2 – elevation plan
- *Location plan

Refusal of Planning Permission

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS

Proposal **Erection of shed to rear of property for use as a
dog grooming business**

Site 46 Castlehill Road
Dumbarton
G82 5AS

Applicant Mrs Joanna Ignys

Agent N/A

Class of Development Local Development
Decision Type Delegated

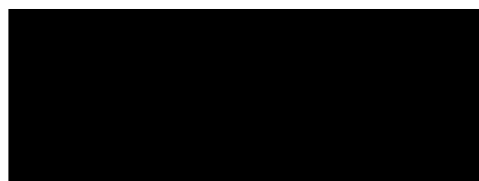
*WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR
POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED
YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND
THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-*

**DECISION: REFUSE PLANNING PERMISSION FOR THE REASON(S)
CONTAINED IN THE ACCOMPANYING PAPER(S) APART.**

DATED THIS: 3rd day of September 2020

STRATEGIC LEAD, REGULATORY
16 CHURCH STREET,
DUMBARTON G82 1QL

SIGNED
for WEST DUNBARTONSHIRE COUNCIL



Reason The proposed dog grooming salon by reason of the typical activities associated with the use and the siting in a residential area is considered to be out of keeping with the residential character and harmful to that established residential amenity. The proposal is contrary to Policy H5 Development within existing areas, Local Plan (2010), Policy BC4 Existing Neighbourhoods, Local Development Plan (2016) and Policy H4 Residential Amenity of the Local Development Plan 2 (2018).

FOR NOTING

Informatives

01. The plans associated with this decision include the following:

- *Supporting Statement
- *Floor plan (shed)
- *Shed specification drawing
- *Ground and first floor plan
- *Block plan (with shed)
- *Front - elevation plan
- *Rear- elevation plan
- *Side 1 - elevation plan
- *Side 2 - elevation plan
- *Location plan

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING ETC. (SCOTLAND) ACT 2006

RIGHTS OF AGGRIEVED APPLICANTS (DELEGATED DECISIONS)

1. If this decision involves a refusal of planning permission or the granting of permission subject to conditions, and if the applicant is aggrieved by this decision, they may seek a review of this decision with the Local Review Body within 3 months of the date of this notice.

Notice of Review forms can be obtained and submitted to us from the Scottish Government ePlanning portal:

<https://www.eplanning.scot/ePlanningClient/default.aspx>

The notice of review may alternatively be submitted in writing* to:

**West Dunbartonshire Council
Planning Local Review Body
Council Offices
16 Church Street
Dumbarton
G82 1QL**

Or emailed to:

development.management@west-dunbarton.gov.uk

*Note there will be delays with receiving submissions in writing to the above Church Street address as staff are currently working remotely due to Covid-19 government restrictions.

Contact telephone 0141 9517930

2. If permission to develop is refused or granted subject to conditions (whether by the Planning Authority or the Scottish Ministers), and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

PLANNING APPLICATION FORM, PLANS
AND SUPPORTING INFORMATION

DC20/097



16 Church Street Dumbarton G82 1QL Tel: 0141 951 7930 Email: development.management@west-dunbarton.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100261365-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

I am a dog groomer with 4 years experience, I would like to set up a small dog grooming salon for my local neighbors in a shed in my rear garden.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Joanna"/>	Building Number:	<input type="text" value="46"/>
Last Name: *	<input type="text" value="Ignys"/>	Address 1 (Street): *	<input type="text" value="Castlehill Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Dumbarton"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Wielka Brytania"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G82 5AS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:	<input type="text" value="West Dunbartonshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="46 CASTLEHILL ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUMBARTON"/>
Post Code:	<input type="text" value="G82 5AS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="676136"/>	Easting	<input type="text" value="238275"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

The feedback I received was that West Dunbartonshire Council want to support small businesses, that local authority need more time to properly considerate my proposal, and that I need to apply for planning permission.

Title:

Mrs

Other title:

First Name:

Helen

Last Name:

Atkinson

Correspondence Reference Number:

Date (dd/mm/yyyy):

27/05/2020

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

300.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Right now my garden is used only for private purpose

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">3</div>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">3</div>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * ☒ Yes ☐ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐ Yes

☒ No, using a private water supply

☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☐ Yes ☒ No

If Yes or No, please provide further details: * (Max 500 characters)

As I am planning to open small grooming salon, just for locals (up to three dogs a day) so I am planning to use my household waste bins.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☐ Yes ☒ No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☒ Yes ☐ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Don't Know

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

7

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

All the floor space of the shed (7 sq.m) will be used for dog grooming salon

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☐ Yes ☒ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Robert Ignys

Address:

46, Castlehill Road, Dumbarton, G82 5AS

Date of Service of Notice: *

29/05/2020

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Mrs Joanna Ignys

On behalf of:

Date: 29/05/2020

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☐ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mrs Joanna Ignys

Declaration Date: 29/05/2020

Payment Details

Online payment: 029715

Payment date: 29/05/2020 17:34:48

Created: 29/05/2020 17:34

46, Castlehill Road, Dumbarton, West Dunbartonshire, G82 5AS

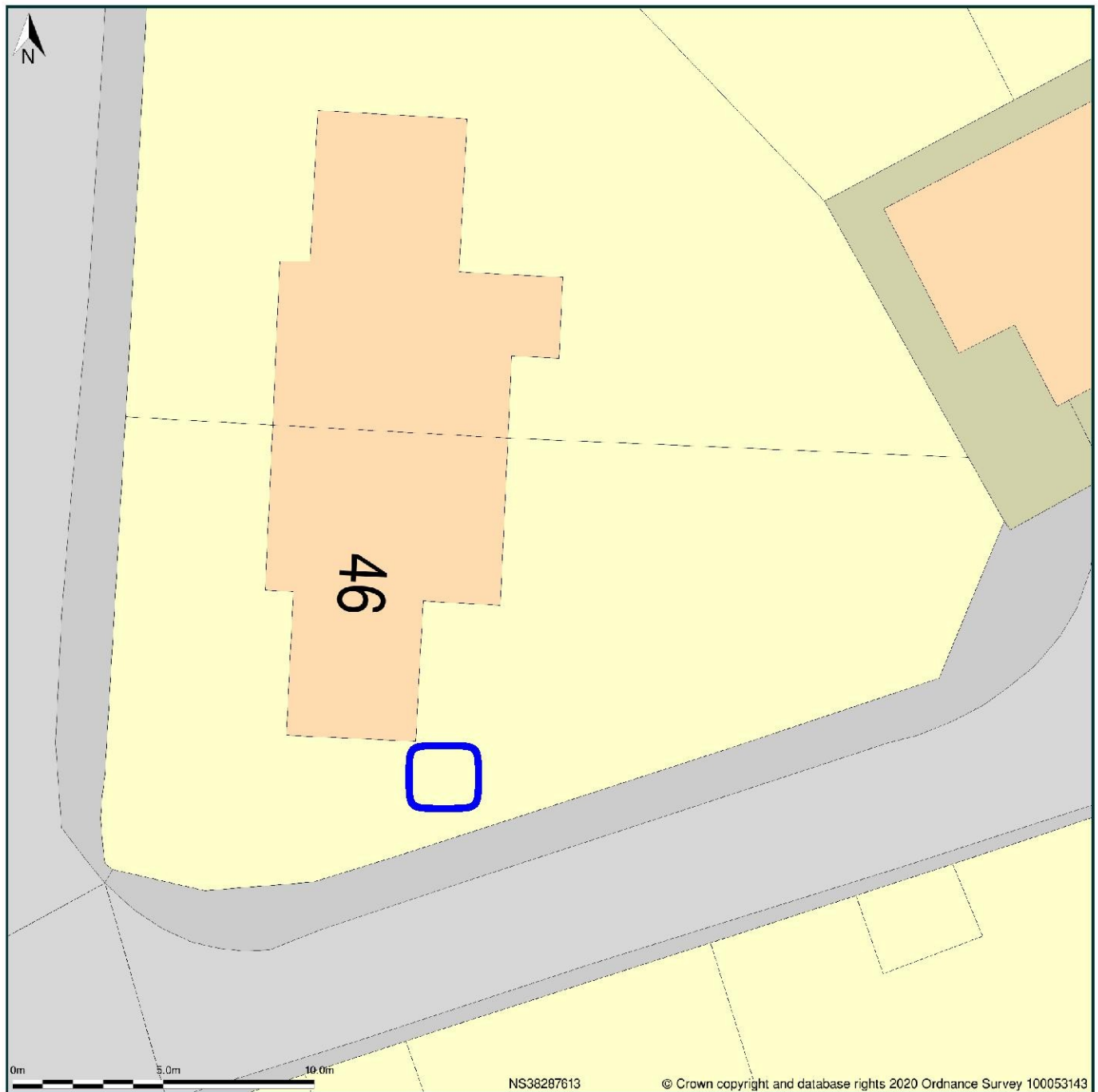


Site Plan shows area bounded by: 238203.53, 676064.46 238403.53, 676264.46 (at a scale of 1:1250), OSGridRef: NS38307616. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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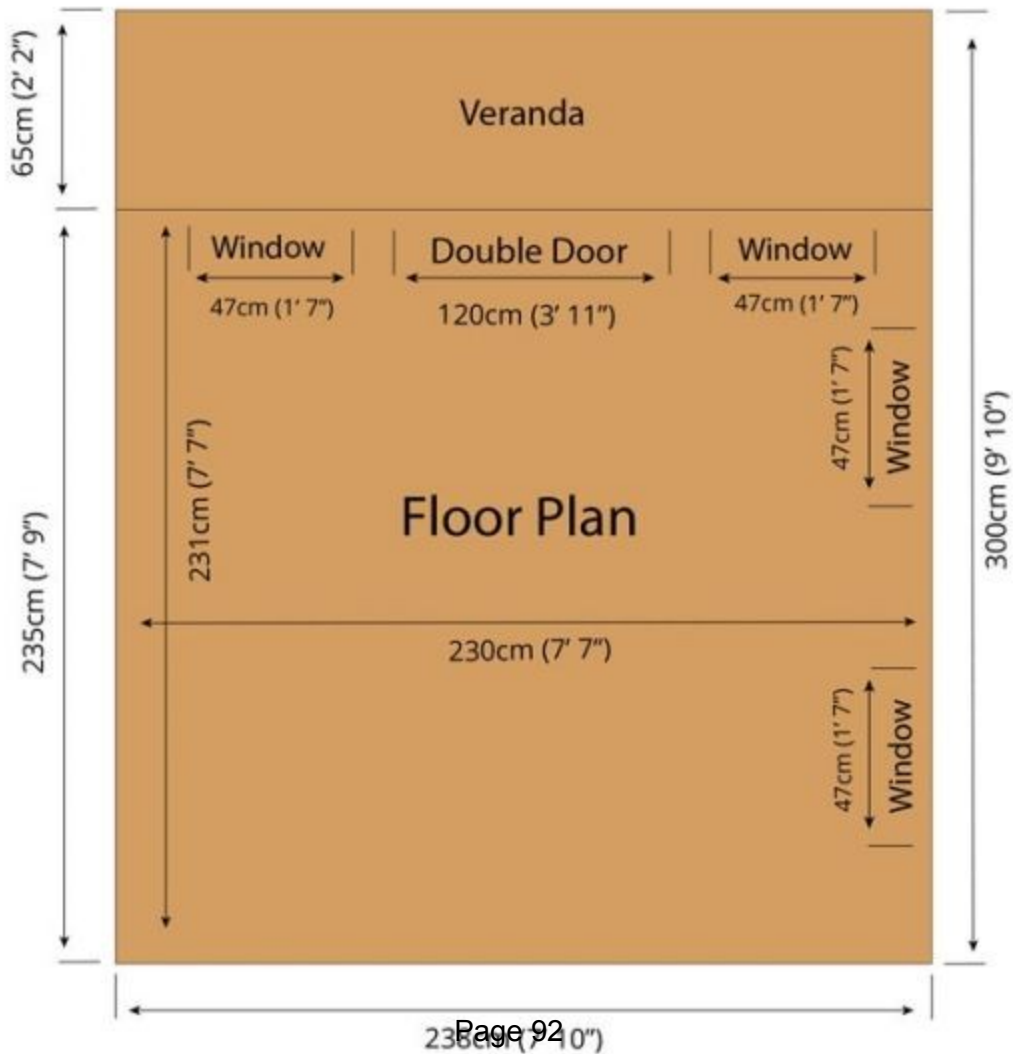
46, Castlehill Road, Dumbarton, West Dunbartonshire, G82 5AS

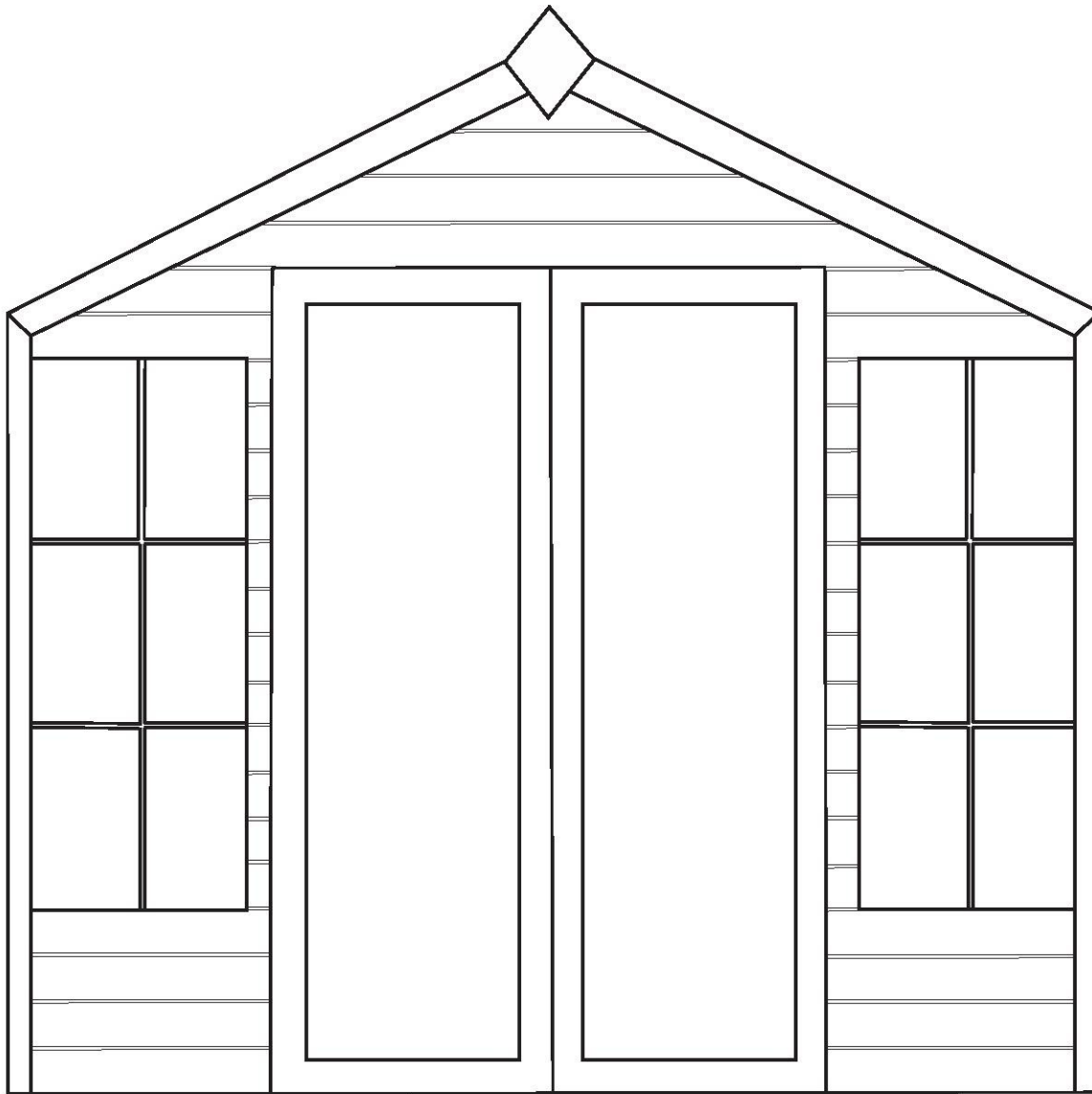


Block Plan shows area bounded by: 238262.61, 676117.27 238298.61, 676153.27 (at a scale of 1:200), OSGridRef: NS38287613. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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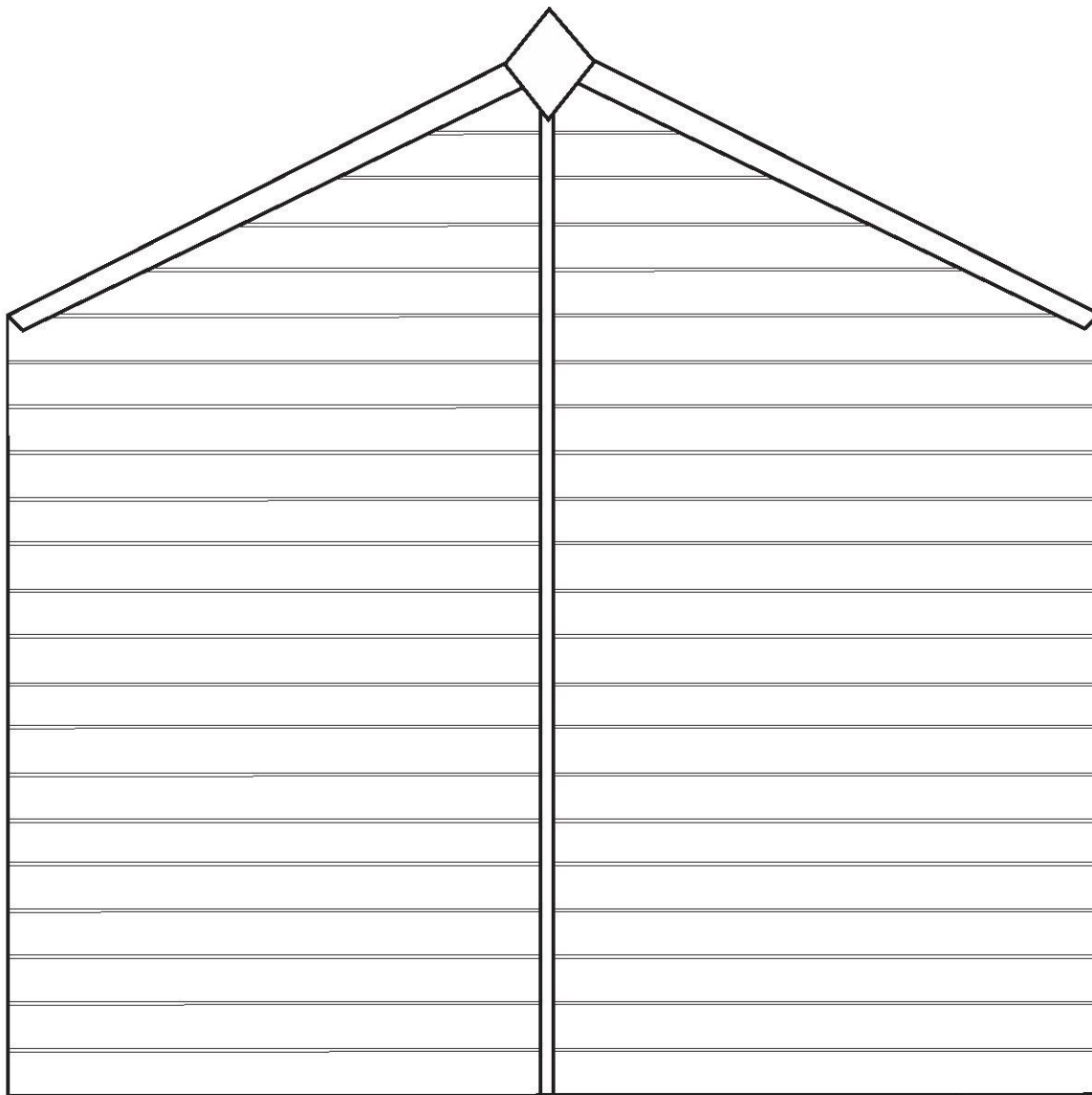
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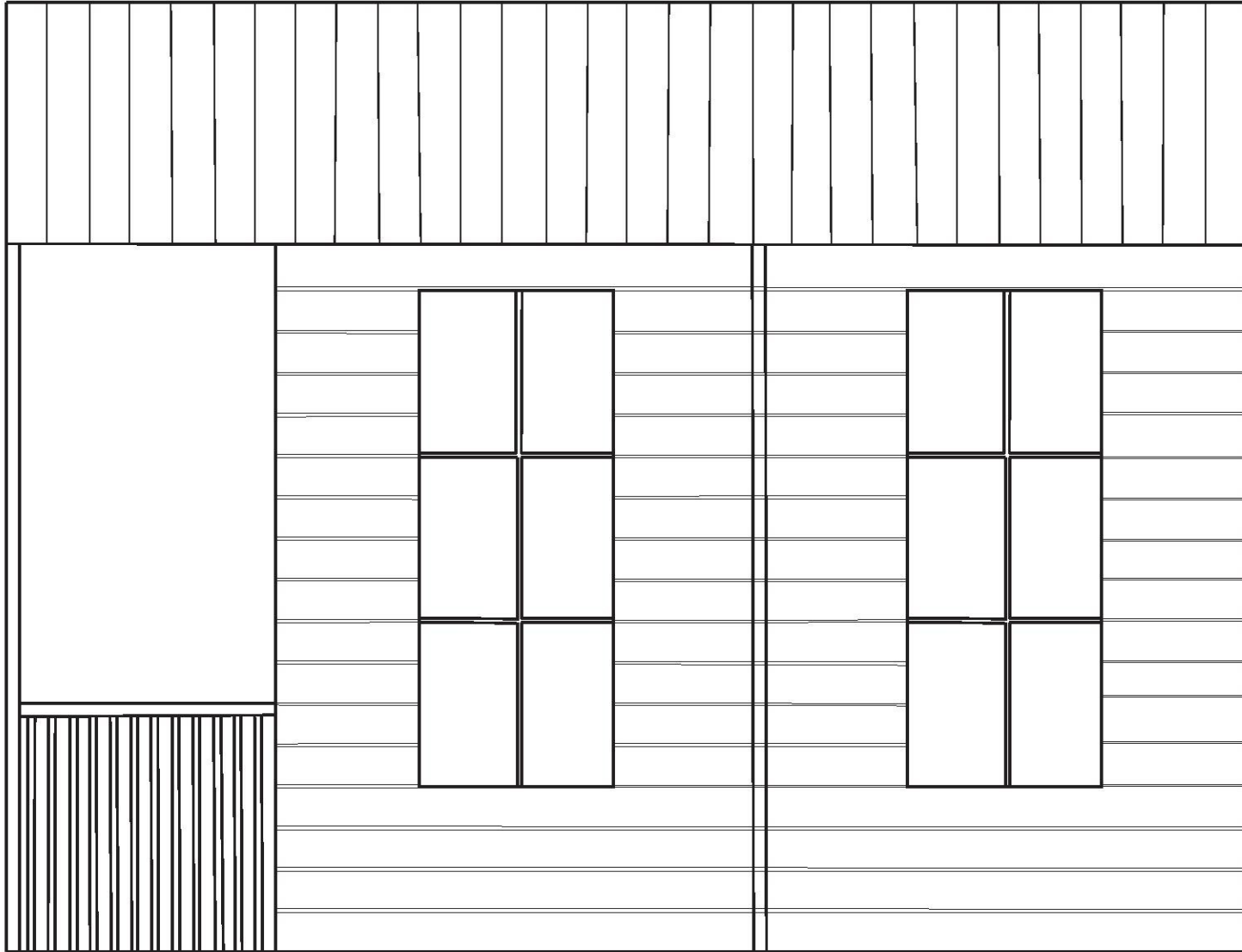
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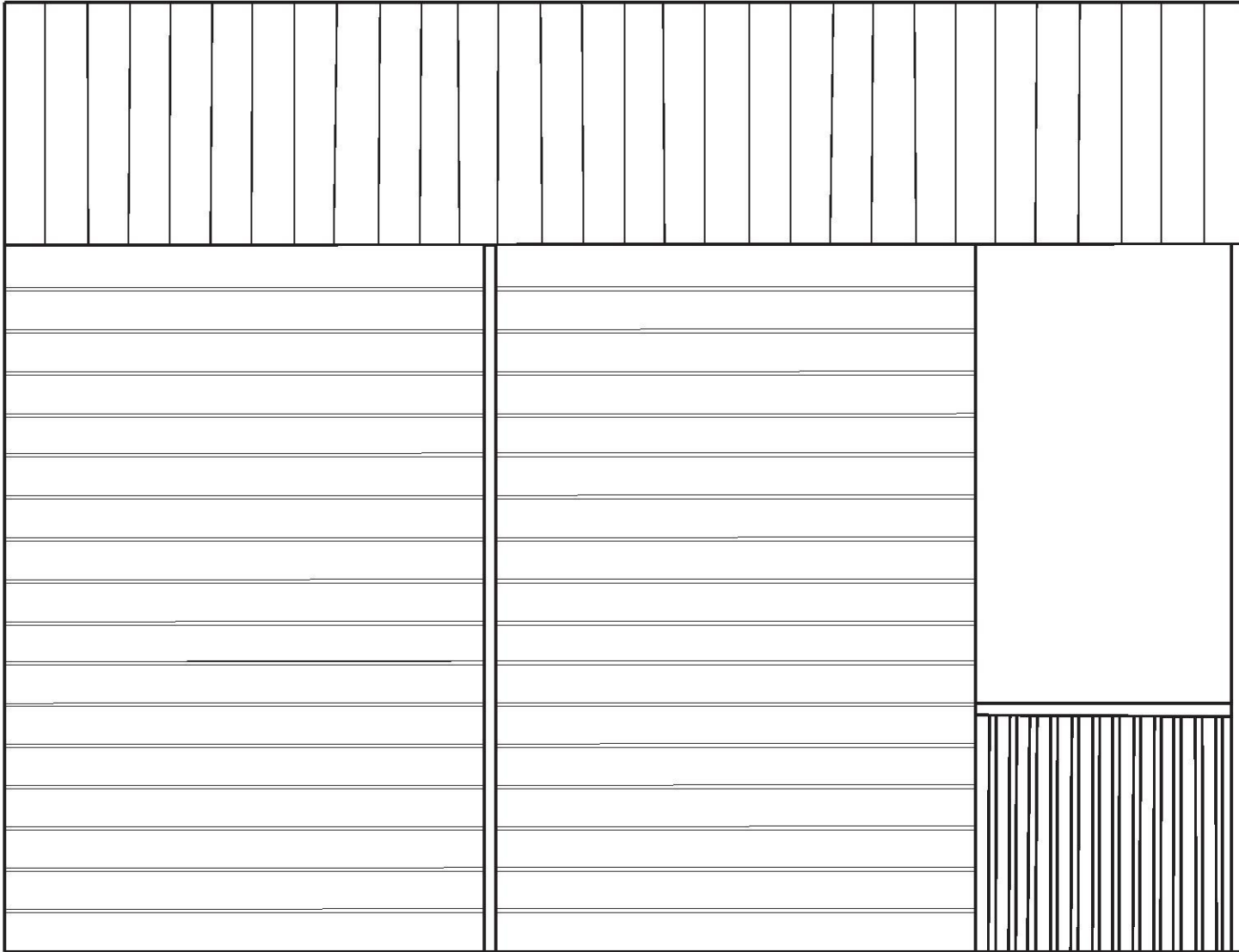
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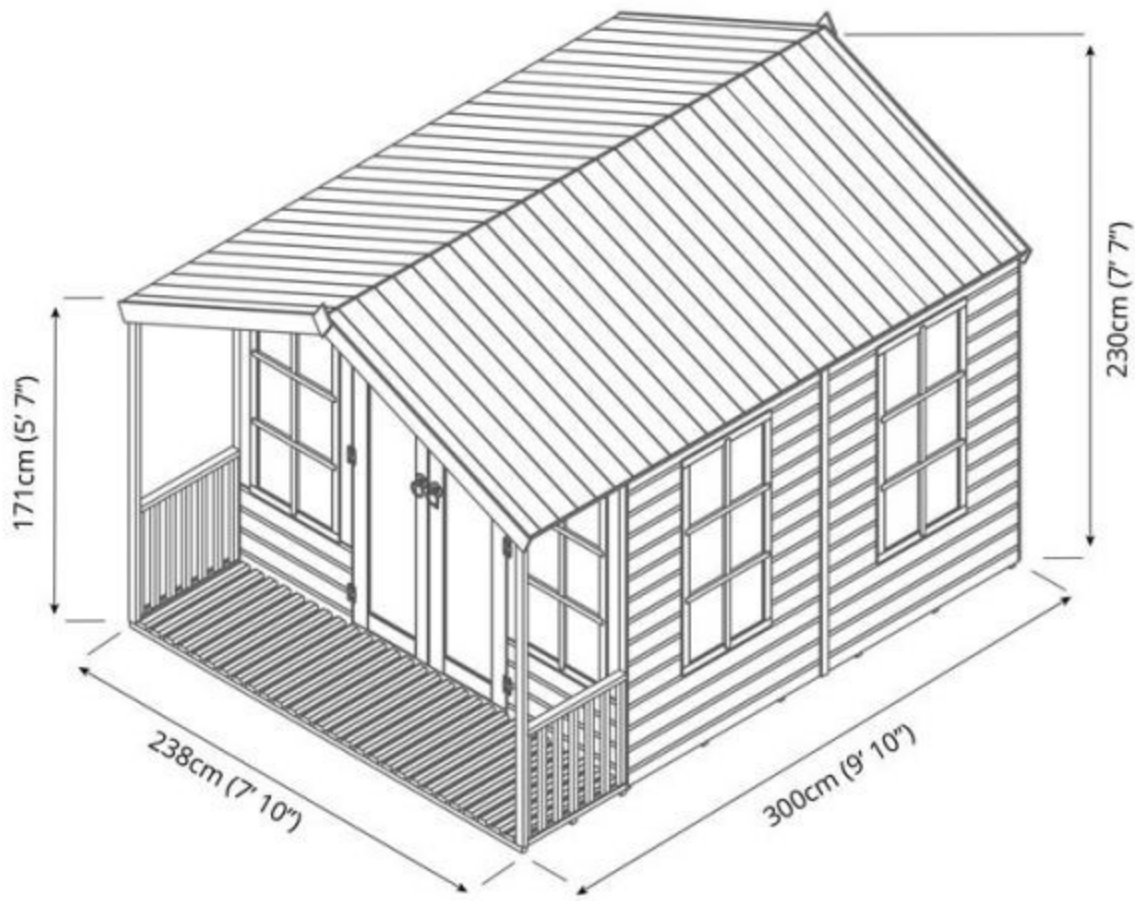
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Scale: 1:15







GROUND FLOOR



1ST FLOOR



Page 99





FOR SALE
To view call
01389
731730

46

46

My name is Joanna Ignys. I am a certified dog groomer. While living in England in 2016 I become sole trader and opened home based dog grooming salon. I was successfully running my business till the end of 2018 when I decide to close down. The only reason was our move to Scotland. Now when we settle in I would like to start working as a dog groomer again. Me and my husband own house on 46 Castlehill road, G82 5AS, [REDACTED]

[REDACTED] I could focus on restarting my business. I am writing to you for your permission to run small dog grooming salon in a shed situated in back of our house.

After exact consideration of potential impact I can assure you about that, there won't be any traffic or parking issues as my target client will be residents of Castlehill community. Many of my closer and further neighbors have at least one dog. I'm planning to work Tuesday to Saturday, basically during school hours. As I mentioned my target clients will be from Castlehill community so most of them will have short walking distance to my dog grooming salon. Most of them passes my house anyway taking their dogs for a walk to former farm close by. Those of my future clients who will travel by car, can park on my private possession in front of my house where is enough space to park three cars. Dog grooming session taking me 1,5 to 2 hours per dog. In busy day when I'll be working all day I'll manage to groom 3 dogs per day. I will be working alone, and my opening hours will be similar to school hours, between 9 am till 3 pm. All clients will have to book their appointment first by phone or message, and I'll be serving only one client at the time.

In case you were worry about noise, the loudest from dog groomers stuff is a blast dryer. My dryer has silencing cover, and special noise reduction filter. This model also have wind capacity control. On highest speed is the loudest and producing 72 decibels, what can be compared to vacuum cleaner. Drying time take around 10 to 15 minutes. This level of noise won't be noticed even to the closest residents.

During the last few days I manage to speak with my close neighbors to ensure if such an activity in his close surrounding won't be a problem. All of them assured me that, they won't have any issues with a dog grooming salon in their close surrounding. Some of them already were interested to book an appointment for their dogs.

Any activity in this mater I would start after lockdown end. In the mean time I had completed the professional pet groomers Covid-19 certification training. You can find certificate in attachment.

Hope this letter provides enough information to convince you that there are no contraindications for opening small dog grooming salon in a shed in back of my house. If you still have any concerns, or question, please don't hesitate to contact me.

Best regards,
Joanna Ignys

RELEVANT LOCAL PLAN,
LOCAL DEVELOPMENT PLAN: PROPOSED PLAN (2016)
AND LOCAL DEVELOPMENT PLAN 2: PROPOSED PLAN POLICIES

DC20/097



WEST DUNBARTONSHIRE LOCAL PLAN



ADOPTED BY
WEST DUNBARTONSHIRE COUNCIL
MARCH 2010

04

General Development

4.1

The enhanced role of the Local Plan in providing clear development control advice is stated in Section 25 of the Town and Country Planning (Scotland) Act 1997. Planning Advice Note 40 Development Control indicates that development control should satisfy the expectations of various groups and users of the service. Local Plans form the basis for development control decisions and provide a stable background for investment decisions.

4.2

The Local Plan indicates, amongst other matters, development control policy in relation to the main land uses within the Plan area. This chapter provides guidance in relation to new development in general, and also to specific redevelopment opportunities. Chapter 12 indicates Local Plan policy in relation to more specific types of development not dealt with elsewhere in the Plan.

Development Control

4.3

The following policy relates to all new development and applies to the whole of the Plan area.

4.4 Policy GD 1 - Development Control

4.4.1

All new development is expected to be of a high quality of design and to respect the character and amenity of the area in which it is located. Proposals will be required to:

- be appropriate to the local area in terms of land use, layout and design (including scale, density, massing, height, aspect, effect on daylighting, crime prevention measures and privacy); developers will be required to submit design statements where appropriate;
- be energy efficient, including considering options for micro-renewable technologies;
- ensure that landscaping is integral to the overall design, that important landscape features and valuable species and habitats are conserved and where possible enhanced, and that there is an emphasis on native planting;
- ensure that the value of the historic and natural environment is recognised, and is not devalued or threatened by the proposal;
- ensure that open space standards are met;
- assess and address any existing or potential increase in flood risk and/or environmental pollution, provide drainage consistent with Sustainable Urban Drainage Systems design guidance and ensure that suitable remediation measures





- are undertaken on contaminated sites;
- demonstrate, where appropriate, that the development will not result in a negative impact on the water environment;
- ensure that increases in traffic volumes and adverse impacts on air quality are avoided or minimised by including provision for public transport, pedestrian and cycling access, and considering the need for a Green Travel Plan;
- meet the roads, parking and access requirements of the Council (particularly for disabled people and the emergency services) reflecting national guidance where appropriate;
- consider the availability of infrastructure and the impact on existing community facilities;
- minimise waste, and provide for the storage, segregation and collection of recyclable and compostable material; a Site Waste Management Plan may be required; and
- be consistent with other Local Plan policies.

Reasoned Justification

4.4.2

Policy GD 1 sets out the criteria which will be used in considering all development proposals and applications for planning permission. The intention of the policy is to ensure that all new development enhances the Plan area and environmental quality in general. The emphasis on the importance of design reflects a similar emphasis in SPP 1 and the Designing Places document published by the Scottish Government. This emphasis has been continued in more recent policy and advice, and SPP 20 draws together and reinforces the Government's design policy commitment. Achieving better quality design in the built environment and public open space requires design to be given greater importance from the beginning. New development should provide lasting improvements to the built environment, create successful places and promote local distinctiveness. PAN 68 Design Statements provides further advice. Specific design guidelines have been produced for both the Clydebank and Dumbarton Riverside areas and have been approved as Supplementary Planning Guidance. Other Local Plan policies within the following chapters will give more guidance to developers on specific types of development, for example Policy H 4 in relation to new housing. These should be referred to where appropriate, and together with Policy GD 1, will form the first point of reference when considering planning applications.

4.4.3

Development proposals on sites which have watercourses flowing through them or adjacent to them, or which are at risk from tidal flooding, are likely to be required to be submitted with a Flood Risk Assessment. Further details in relation to flooding and drainage are provided in the flooding and sustainable urban drainage policies in Chapter 13. However, it is considered appropriate to apply Sustainable Urban Drainage Systems to all new developments, whether or not they are currently affected by flooding, in order to address diffuse pollution originating



from new developments, as well as controlling site run-off so as not to exacerbate flood risk elsewhere. The Government has endorsed the guidance “Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland” published by the Sustainable Urban Drainage Systems Scottish Working Party, but further guidance may be appropriate as methods develop. PAN 61 Planning and Sustainable Urban Drainage Systems provides further advice. It should be noted that as at 2009 the Council does not have a policy of adopting SUDS features and the matter of liability and maintenance must be discussed for every development with the Council, to ensure all parties are aware of their responsibilities prior to any construction. The Council requires that any planning applications affecting contaminated land include suitable remediation measures so that the ground is made suitable for the new use, as required by PAN 33 Development of Contaminated Land. Finally, the Water Framework Directive and related regulations require that the physical characteristics of water courses as well as the quality is to be protected - see also paragraphs 13.8.1 and 13.8.2.

4.4.4

The requirement to minimise waste and provide for its storage and collection from new development is in accordance with SPP 10 Planning for Waste Management and PAN 63 Waste Management Planning. A Site Waste Management Plan may be required to minimise waste at source on construction sites through the accurate assessment of the use of materials and the potential for recycling material on or off site.

Redevelopment Opportunity Sites

4.5

There are a number of sites within West Dunbartonshire which are in need of comprehensive redevelopment. These sites have not been identified within the individual chapters because they are suitable for a variety of future uses, including mixed uses. Policy GD2 will apply to these sites.



in place for these areas. The importance of design is reflected both in SPP 1, which indicates that a proposal may be refused solely on design grounds, and SPP 3. A number of recent Planning Advice Notes (for example on Housing Quality, New Residential Streets, Designing Safer Places and Inclusive Design) provide further advice and information on good practice in terms of housing design. Options for micro-renewable technologies should be considered as part of a range of energy efficiency measures. Open space and car parking facilities are essential elements of acceptable housing layouts, and the Council will expect developers to conform to the standards laid down by Policy R2 and the Roads Development Guide respectively and in particular consider the development of Home Zones. Existing trees, hedges, shrubs and other natural and manmade features contribute to landscape quality and biodiversity, and should be retained and enhanced. In relation to access to new dwellings, developers will be strongly encouraged to provide homes which are accessible to all and will meet the needs of a growing elderly population - design and layout should comply with the Housing for Varying Needs guidance.

Development within Existing Residential Areas

6.37

As well as ensuring that new residential development reaches the highest standard, it is also vital that the character and amenity of existing residential areas is protected and enhanced by any new development which is proposed. This is particularly important when, as a matter of policy, development is being actively promoted within the existing built up area.

6.38 Policy H5 - Development within Existing Residential Areas

6.38.1

The character and amenity of existing residential areas, identified on the Proposals Map, will be safeguarded and where possible enhanced. Development within existing residential areas will be considered against the following criteria:

- the need to reflect the character of the surrounding area in terms of scale, density, design and materials;
- the requirement to avoid over development which would have an adverse effect on local amenity, access and parking or would be out of scale with surrounding buildings;
- the need to retain trees, hedgerows, open space and other natural features;
- extensions to dwellings must complement the character of the existing building, particularly in terms of scale and materials, not dominate in terms of size or height, and not have a significantly adverse affect on neighbouring properties;





- the subdivision of the curtilage of a dwelling for a new house should ensure that the proposed plot can accommodate a house and garden; the new house and garden to be of a scale and character appropriate to the neighbourhood; sufficient garden ground should be retained for the existing house; the privacy of existing properties should not be adversely affected and separate vehicular accesses should be provided;
- with regard to non-residential uses, whether they can be considered ancillary or complementary to the residential area, and would not result in a significant loss of amenity to the surrounding properties. A significant loss of amenity might be expected to occur as a result of increased traffic, noise, vibration, smell, artificial light, litter, hours of operation and general disturbance; and
- the proposal conforms with other Local Plan policies.

Reasoned Justification

6.38.2

This policy seeks to ensure that the character of existing residential areas is protected and that all development proposals within these areas will maintain or enhance their amenity. It is considered that using sympathetic design, avoiding over-development and retaining existing landscape features is the best way of achieving this. It is particularly important that the development of infill and gap sites should not be at the expense of open space which makes an important contribution to the quality of local environments.

6.38.3

The introduction of small-scale non-residential uses to existing residential areas may be acceptable, but their impact on the residential environment will be the overriding consideration. Policy H 5 indicates the factors which might lead to a loss of amenity in an existing area. However, there may be benefits in encouraging some other suitable uses into existing residential areas, for example nursing homes, children's nurseries and offices, which could provide small-scale local services and employment opportunities.

Priority Areas

6.39

The Scottish Government has identified five strategic objectives for a Wealthier and Fairer, Healthier, Smarter, Safer and Stronger and Greener Scotland. The Fairer Scotland Fund has replaced several previous funding streams, including the Community Regeneration Fund, and will help the Community Planning Partnership regenerate disadvantaged communities. Allocations of the Fund were informed by using the Scottish Index of Multiple Deprivation.

West Dunbartonshire Local Development Plan (Proposed Plan)



2016

puts pedestrians first. Neighbourhoods should have a variety of house types to meet the needs of people at different stages in their lifecycle. New homes should be designed taking account of issues that are important to residents such as the need for adequate and flexible internal space, energy efficiency, noise insulation and natural light.

6.6.3 Key elements of design and the standards expected for all new housing development will be set out in Residential Development Principles for Good Design Supplementary Guidance.

6.7 Existing Neighbourhoods

6.7.1 New house-building will form only a small part of the overall number of houses in West Dunbartonshire. The majority of residents live in well-established residential areas. It is important that these areas are kept or made as attractive as possible for the residents living there.



6.7.2 The term 'residential amenity' refers to the pleasantness of living somewhere. It reflects the appearance of buildings and their surroundings, the amount and quality of open and green spaces, the level of traffic, noise and privacy. Residential amenity can be adversely affected by development which is out of character in terms of design or overdevelopment, removes valued open space, introduces an inappropriate amount of traffic or noise, or overlooks private areas. Householder development such as extensions, driveways and decking will generally be acceptable except where there is a significant adverse impact on neighbours. Supplementary Guidance will be produced on this matter. Local shops, community uses and some small scale employment uses such as nurseries and offices may add to the attractiveness of a residential area and provide convenient services, but need to respect the amenity of the area.

Policy BC4

6.7.3 Development that would significantly harm the residential amenity, character or appearance of existing neighbourhoods will not be permitted.

6.8 Community Facilities

6.8.1 In addition to housing, there are a range of other facilities that contribute to a community being attractive and successful, for example

schools, local shops, health facilities, leisure centres, community halls, quality open spaces and outdoor sports facilities.



6.8.2 In 2013, the Council approved a 10 year Capital Plan with specific projects identified for development in the period to 2016. Projects identified by this Local Development Plan include a new Kilpatrick Secondary School on the site of the current school, a shared campus for early and primary school education in Bellsmyle on the site of the current St Peter's primary school, a new cemetery for Dumbarton and an extension to the Vale of Leven cemetery. A site for the extension to the Vale of Leven cemetery is still to be identified. A replacement school for Our Lady and Saint Patrick's secondary school in Dumbarton for which a site is to be



LOCAL DEVELOPMENT PLAN 2

West 
Dunbartonshire
COUNCIL

August 2020

Homes for Particular Needs

As in many other areas of Scotland, West Dunbartonshire has a growing population of older people. Ideally people should be supported to allow them to continue to live independently in their own homes as they get older. This might require adaptations to their existing home, or moving to more suitable accommodation, for example, to a home without stairs. The demand for sheltered housing or housing specifically built for older people is also likely to increase. Proposals for this type of accommodation in suitable accessible locations, for whatever tenure, will be welcomed. In addition, all new housing should comply with the Housing for Varying Needs guidance to ensure it is suitable for all life stages and that it will meet future needs.

Despite the desire to help older people remain at home and, as our population continues to age, the demand for care home and nursing home places will continue to increase. The Council has provided a new Care Home at Crosslet Estate in Dumbarton, and a second is to be built at Queens Quay in Clydebank. A new private care home in Alexandria has been completed and has been opened for use. This reorganisation of Care Homes has resulted in the sites of the former smaller homes being vacated, creating opportunities for redevelopment to other appropriate uses. The reuse of these properties for residential development and other uses is supported by this Plan, subject to being in accordance with the provisions of this Plan.

Policy H3
Homes for Particular Needs

Particular needs housing will be supported on the sites contained within Table 3 of this Plan, and other suitable sites, where they accord with the relevant policies of the Plan.

Table 3: Sites for Particular Needs Housing				
Site Ref	Address	Location	Status	Particular Need
H3(1)	Auchentoshan	Clydebank	Proposal	Care Home
H3(2)	Queens Quay	Clydebank	Consent	Care Home
H3(3)	Dalreoch	Dumbarton	Proposal	Travellers' Site
H3(4)	Cochno Waterworks	Hardgate	Consent	Care Home

Note: Development of those sites which are in the greenbelt will be restricted to the uses and areas identified.

Residential Amenity

New house-building is only a small part of the overall number of homes in West Dunbartonshire. The majority of residents live in well-established areas, and it is important that these are kept or made as attractive as possible for the residents living there. Inappropriate development which could have a detrimental impact on the amenity of a community will not be supported. Local shops, community uses and some small scale employment uses, such as nurseries and offices, can add to the attractiveness of a residential area and provide convenient services, but must respect the amenity of the area.

Policies CP1 and CP2, the Creating Places Supplementary Guidance and other relevant policies of the Plan, will be used in conjunction with Policy H4 to ensure all new development is well integrated with existing residential areas and has no detrimental impact on them.

Policy H4
Residential Amenity

The Council will protect, preserve and enhance the residential character and amenity of existing residential areas at all times. In this regard, there will be a general presumption against:

- a) Extensions to residential properties and/or outbuildings within the curtilage of the Plot, which would have adverse significant impacts upon neighbouring properties, including but not limited to, overshadowing, overlooking, overbearing, insufficient parking, and the character and appearance of the area;
- b) The establishment of non-residential uses within, or in close proximity to, residential areas which potentially have detrimental effects on local amenity or which cause unacceptable disturbance to local residents;
- c) The development for other uses on locally important areas of recreational or amenity open space, which are not safeguarded or covered by Policy G1, but significantly contribute to the character and appearance of the residential area concerned, or which offer opportunities for informal outdoor sport and recreation;
- d) The removal of play equipment from areas of recreational open space;
- e) The closure or disruption of existing footpaths, which provide important links between housing areas and areas of public open space; local shops and other community facilities and transportation nodes etc.;

New housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents.

PROPOSED CONDITIONS

DC20/097

DC20/097 – 46 Castlehill Road, Dumbarton

CONDITIONS:

1. Before the development hereby permitted starts on site, a parking plan shall be submitted for the approval in writing of the planning authority and shall include provision of two additional in curtilage parking spaces measuring 5.5 metres x 2.5 metres. Thereafter the development shall be implemented as approved.

Reason: To ensure adequate off street parking provision for the use.

The road opening permit requirement would be an 'informative'.

2. Before the development hereby permitted starts on site, a noise mitigation strategy shall be submitted for the approval in writing of the planning authority through consultation with the Council's Environmental Health Service. The noise mitigation strategy shall detail all noise sources resulting from the operation of the business and identify suitable means of reducing the impact of these noise sources on neighbouring properties and shall include proposed days and hours of operation. The noise mitigation strategy shall be implemented as approved and no changes shall take place without the prior written consent of the planning authority.

Reason: To protect neighbouring amenity from adverse noise nuisance.