

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 22 February 2017 at 2.00 p.m.

**Present:** Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, John Mooney, Lawrence O'Neill and Hazel Sorrell.

**Attending:** Pamela Clifford, Planning & Building Standards Manager; Keith Bathgate, Team Leader - Development Management; Antony McGuinness, Team Leader - Forward Planning; Bernard Darroch, Lead Planning Officer; Irene McKechnie, Technical Support Coordinator, Planning & Building Standards; John Walker, Engineering Assistant, Roads and Transportation Services; Nigel Ettles, Section Head - Litigation; and Scott Kelly, Committee Officer.

**Apologies:** Apologies were intimated on behalf of Councillors Jonathan McColl, Patrick McGlinchey and Tommy Rainey.

**Councillor Lawrence O'Neill in the Chair**

### **DECLARATIONS OF INTEREST**

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

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 25 January 2017 were submitted and approved as a correct record.

Having heard the Planning & Building Standards Manager in answer to a Member's question concerning planning applications DC16/227 and DC16/269, it was noted:-

- (1) that it had not been possible for these applications to be continued to the present meeting of the Committee because information had not yet been received from the applicant's agent; and
- (2) that the Planning & Building Standards Manager would write again to the agent to request a response in order that the applications could be considered at the next meeting of the Committee.

## NOTE OF VISITATIONS

A Note of Visitations carried out on 23 January 2017, a copy of which forms Appendix 1 hereto, was submitted and noted.

## PLANNING APPLICATIONS

Reports were submitted by the Strategic Lead - Regulatory in respect of the undernoted planning applications. It was noted that each report had been circulated to Members without its appendix (a map) and there were submitted (tabled) copies of the missing appendices.

- (a) **DC16/270 – Formation of heavy goods vehicle operating centre comprising new workshop building and parking area on land at Burroughs Way, Vale of Leven Industrial Estate, Dumbarton by McPherson Ltd.**

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed to grant full planning permission subject to the conditions set out in Section 9 of the report as detailed within Appendix 2 hereto.

- (b) **DC16/280 – Partial demolition and redevelopment of existing retail unit with ancillary uses including a new cafe, soft play area, outdoor seating area with children's play area, and associated improvements to the main access, car park, coach parking, landscaping and the provision of a coach drivers' rest area and ancillary works (renewal of permission DC12/093) at Antartex Village, Bowie Road, Alexandria Industrial Estate by Edinburgh Woollen Mill Group.**

Having heard the Planning & Building Standards Manager in further explanation of the report it was noted:-

- (a) that, following the publication of the report, a consultation response had been received from the Health and Safety Executive which advised against granting planning permission for the application; and
- (b) that should the Committee agree that it was minded to grant full planning permission, the matter would be referred to Scottish Ministers who, it was anticipated, would either 'call-in' the application or write to the Council giving authority for a decision to be issued.

The Committee agreed that it was minded to grant full planning permission and delegated authority to the Planning & Building Standards Manager to issue the decision subject to the conditions set out in Section 9 of the report as detailed within Appendix 2 hereto, and authority being received from Scottish Ministers.

- (c) **DC16/273 – Change of use from retail unit (class 1) to financial, professional and other services (class 2) at 93 High Street, Dumbarton by Mr Simon Fuller, Glasgow Orthodontics.**

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed to grant full planning permission subject to the condition set out in Section 9 of the report as detailed within Appendix 2 hereto.

### **DUMBARTON WATERFRONT PATH PLANNING GUIDANCE**

A report was submitted by the Strategic Lead - Regulatory seeking approval of Planning Guidance on Dumbarton Waterfront path. There was also submitted (tabled) an updated version of the map which formed Appendix A to the report.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed to approve Appendix 1 to the report as Planning Guidance on Dumbarton Waterfront path subject to the following amendments:-

- The associated plan updated to reflect the application boundary of the waterfront path (Appendix A to the report);
- Option A is confirmed as the specification subject to a few minor amendments. This includes changing the type of asphalt from resin bonded gravel/coloured to standard hot rolled asphalt. Option B is removed from the guidance (Section 3 and Appendix B to the report); and
- Table 1 (Section 3) on path costs per site to include a note that estimated costs will be updated in line with any rises in inflation.

### **CLYDEBANK BUSINESS PARK PLANNING GUIDANCE**

A report was submitted by the Strategic Lead - Regulatory seeking approval of Planning Guidance on Clydebank Business Park.

Having heard the Planning & Building Standards Manager in further explanation of the report, the Committee agreed to approve Appendix 1 to the report as Planning Guidance on Clydebank Business Park.

### **PLANNING APPEAL CONCERNING MODIFICATION OF PLANNING OBLIGATION RELATING TO OCCUPANCY RESTRICTION AT FLATS 9, 10 AND 11, CHERRY TREE COURT, HILL STREET, ALEXANDRIA (DC16/160)**

A report was submitted by the Strategic Lead - Regulatory informing of the outcome of a planning appeal in relation to the above application.

The Committee agreed to note the outcome of the appeal.

**PLANNING APPEAL CONCERNING PROPOSED WORKING OF DUMBUCKHILL QUARRY OTHERWISE THAN IN COMPLIANCE WITH CONDITIONS OF PERMISSION DC02/187 (DC14/168)**

A report was submitted by the Strategic Lead - Regulatory informing of the outcome of a planning appeal in relation to the above application.

Following discussion, the Committee agreed to note the outcome of the appeal.

**SCOTTISH GOVERNMENT CONSULTATION ON RAISING PLANNING FEES**

A report was submitted by the Strategic Lead - Regulatory requesting consideration of the Scottish Government consultation on proposed changes to the fee arrangements for planning applications, and agreement of the Council's response.

Having heard the Planning & Building Standards Manager in further explanation of the report and in answer to a Member's question, the Committee agreed:-

- (1) that the report would form the basis of the Council's response to the consultation; and
- (2) to support the proposals to increase the maximum cap in relation to certain categories of planning applications.

**STREET NAME FOR NEW HOUSING DEVELOPMENT SITE AT SECOND AVENUE/SINGER STREET, CLYDEBANK**

A report was submitted by the Strategic Lead - Regulatory requesting the allocation of a new street name to the housing development site at Second Avenue and Singer Street, Clydebank.

Following discussion and having heard the Planning & Building Standards Manager and the Technical Support Coordinator in further explanation of the report and in answer to Members' questions, Councillor Mooney, seconded by Councillor Casey, moved:-

That Caronia Place be approved as the street name.

As an amendment, Councillor O'Neill, seconded by Councillor Agnew, moved:-

That Singer Gardens be approved as the street name.

On a vote being taken, 4 Members voted for the amendment and 3 for the motion. The amendment was accordingly declared carried.

**STREET NAMES FOR NEW HOUSING DEVELOPMENT SITE AT CASTLEGREEN  
STREET/CASTLE ROAD, DUMBARTON**

A report was submitted by the Strategic Lead - Regulatory requesting the allocation of new street names to the new housing development site at Castlegreen Street/ Castle Road, Dumbarton.

The Committee agreed that Rock View, Rock Place, Scots Terrace, Wallace Tower Way, Castlegate Avenue, Castlegate Lane and Castlegate Gardens be approved as the street names.

The meeting closed at 2.40 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 23 JANUARY 2017**

- Present:** Councillors Jim Finn and John Mooney.
- Attending:** Pamela Clifford, Planning & Building Standards Manager and Bernard Darroch, Lead Planning Officer.
- Apologies:** Councillors Jim Bollan, Jim Brown, Gail Casey, John Millar and Martin Rooney.

**SITE VISITS**

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

(a) Unit 2 Bleasdale Court, 2 South Avenue, Clydebank Business Park

DC16/227 – Non-Compliance with Condition 3 of permission DC16/079 (deletion of requirement to provide pedestrian crossing), and DC16/269 - Installation of two car parking spaces (Retrospective) at Children's Soft Play Area, Unit 2, Bleasdale Court, 2 South Avenue, Clydebank Business Park, Clydebank by Neil Halls.

(b) Aitkenbar/St. Peter's Primary Schools, Dumbarton

DC16/279 – Use of existing synthetic sports pitch for community lets without providing acoustic fence (variation of Condition 12 of permission DC14/193) at Aitkenbar/St. Peter's Primary Schools, Dumbarton by WDC.

**DC16/270 – Formation of heavy goods vehicle operating centre comprising new workshop building and parking area on land at Burroughs Way, Vale of Leven Industrial Estate, Dumbarton by McPherson Ltd.**

**Permission GRANTED subject to the following conditions:-**

1. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved prior to the occupation of the building. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and shall thereafter be implemented as approved.
2. No development (other than tree felling) shall commence until such time as a scheme of landscape, ecological and public access enhancements for the open space within the “blue line” on plan AL(0)05 have been submitted to and approved in writing by the Planning Authority. The information submitted for approval shall include details of a timescale for the implementation of these works. Such enhancements shall include:
  - (a) Planting of appropriate native species around the edge of the development to minimise its visual impact upon the adjacent open space;
  - (b) Proposals for management of the open space to maximise its ecological value and to improve public access over the riverside footpath; and
  - (c) Provide a maintenance schedule for the area.

The approved scheme shall thereafter be implemented in accordance with the agreed timescale

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Scotland Order and the Town and Country Planning (General Permitted Development) (Scotland) Order, the site shall be used exclusively as an operating centre for heavy goods vehicles and shall not be used for any other purpose (including any other purpose within Use Class 6 – Storage and Distribution) without a specific grant of planning permission.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order, no buildings, structures or hard standing (other than those approved as part of this permission) shall be erected on any part of the site lying within the functional floodplain without a specific grant of planning permission.

5. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented as approved.
6. No development shall commence on site until details of the layout of staff car parking spaces shall be submitted to and approved in writing by the Planning Authority. Such spaces shall thereafter be delineated and made available for such use at all times.
7. Prior to the commencement of works on site full details of all ground surfaces, including roads, ramps, parking bays and pathways shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the new building.
8. Prior to the commencement of works, full details of the design and location of all bin stores, walls and fences (including retaining walls), to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented within a timescale to be agreed by the Planning Authority prior to the occupation of the new building.
9. Notwithstanding the approved plans, details of the design and siting of all external lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the new building.
10. Prior to the commencement of development on site, a plan shall be submitted which identifies the trees located around the perimeter of the site which are to be removed. No trees other than those specifically marked for removal on the approved plan shall be lopped, topped, felled, lifted, removed or otherwise disturbed without prior written approval of the Planning Authority. No development shall commence until the trees marked for retention have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved.
11. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees, shrubs and plant species shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. Planting shall be undertaken within a timescale to be agreed by the Planning Authority and no later than the next planting season after occupation of the building. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of a similar size or species.
12. Prior to the undertaking of any tree works a bat roost survey shall be undertaken, and in the event of tree works being carried out between February and August (inclusive) a breeding bird survey shall also be undertaken. Tree work shall thereafter be arranged to avoid any impact upon roosting bats or breeding birds.

13. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.
14. A minimum freeboard allowance of 500mm shall be incorporated into the finished floor level of the workshop building.
15. No land raising or earthworks shall take place within the part of the site shown as being within the functional floodplain as shown on Drawing No. AL(0)10 Rev. C unless otherwise approved in writing by the Planning Authority.

**DC16/280 – Partial demolition and redevelopment of existing retail unit with ancillary uses including a new cafe, soft play area, outdoor seating area with children’s play area, and associated improvements to the main access, car park, coach parking, landscaping and the provision of a coach drivers’ rest area and ancillary works (renewal of permission DC12/093) at Antartex Village, Bowie Road, Alexandria Industrial Estate by Edinburgh Woollen Mill Group.**

**Minded to GRANT planning permission subject to the following conditions:-**

1. Exact details and specifications of all proposed external materials, including cladding panels, the roof, render and roller shutters shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented prior to the occupation of the approved development.
2. Exact details and specifications of all ground surfaces, bins, seating, outdoor furniture, external lighting, external CCTV cameras, play equipment and boundary treatments shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented within a timescale agreed by the Planning Authority.
3. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees and shrubs to be planted shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented prior to the occupation of the approved development.
4. During the period of construction, all works (including piling) and ancillary operations which are audible at the site boundary, or at such other places that may be agreed with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.

5. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of the approved development. The proposed drainage details are required to include a suitable overland flow path through the site to mitigate the risk of flooding.
6. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.
7. Prior to the commencement of development a comprehensive contaminated land investigation shall be carried out and its findings submitted to and approved in writing by the Planning Authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites- Code of Practice" (BS 10175:2001). The report shall include a site-specific risk assessment of all relevant pollutant linkages as required in Scottish Government Planning Advice Note 33.
8. Where the risk assessment identifies any unacceptable risk or risks as defined under Part 11a of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the Planning Authority for the written approval. No works other than investigation works shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.
9. Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to the occupation of the approved development, the developer shall submit a report to the Planning Authority confirming that the works have been carried out in accordance with the remediation plan.
10. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.

11. Prior to the commencement of development, full details of an adequately sized grease trap shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.
12. Prior to the commencement of development, a scheme for the control and mitigation of dust shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the demolition of any building or structure on site.
13. Not more than 5% of the overall floor area (275m<sup>2</sup>) of the building shall be used for the sale of food or drink.
14. A minimum of 40% of the overall floor area (2,160m<sup>2</sup>) of the building shall be solely reserved for the display/retail of goods manufactured by Antartex/The Edinburgh Woollen Mill Ltd, under their associated brand names.
15. Prior to the commencement of development, full details of the proposed new vehicular access, including sightlines, shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.
16. Prior to the commencement of development, full details of the proposed coach parking shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.

**DC16/273 – Change of use of from retail unit (class 1) to financial, professional and other services (class 2) at 93 High Street, Dumbarton by Mr Simon Fuller, Glasgow Southside Orthodontics.**

**Permission GRANTED subject to the following condition:-**

Details of any alterations to shop front should be submitted for the further approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.