

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Council Offices, Rosebery Place, Clydebank on Wednesday, 3 September 2003 at 10.00 a.m.

**Present:** Provost Alistair Macdonald and Councillors Dennis Brogan\*, Jack Duffy, Linda McColl, Duncan McDonald, Connie O'Sullivan and Raymond Young.

**Attending:** Irving Hodgson, Head of Planning and Development; Nigel Ettles, Principal Solicitor; Alasdair Gregor, Planning and Development Manager; Kevin Neeson, Section Head, Planning and Building Control and Craig Stewart, Administrative Assistant.

**Apology:** An apology for absence was intimated on behalf of Councillor Denis Agnew.

\* Attended later in meeting.

## MINUTES OF PREVIOUS MEETING

629 The Minutes of the Meeting of the Committee held on 6 August 2003 were submitted and approved as a correct record.

## NOTE OF VISITATION

630 A Note of Visitation carried out on 5 August 2003, a copy of which forms Appendix 1 hereto, was submitted and noted.

## PLANNING APPLICATIONS

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

### Continued Applications

#### **(a) DC03/069 – Erection of decking (retrospective) at 14 Helenslee Court, Dumbarton**

632 Reference was made to the site visit undertaken in respect of this application. After discussion and having heard the Planning and Development Manager, the Committee agreed that the application be approved, contrary to the recommendation of the Director, subject to a condition being attached concerning the provision of screening deemed appropriate by the Director of Economic, Planning and Environmental Services.

633 It was noted that Councillors McDonald and O'Sullivan had not taken part in the determination of this application as neither had attended the meeting of the Committee held on 6 August 2003, when the hearing took place.

**(b) DC03/045 – Two storey rear extension at 9 Old Dalnottar Road, Clydebank**

634 The Convener, Councillor Duffy, explained the procedure which the Committee would follow when dealing with this application. The applicant, Mrs. McGregor, was invited to address the Committee. Thereafter, Mr. Durnan, an objector to the application, was invited to address the Committee.

635 After discussion, it was agreed that consideration of the application be continued to the next meeting of the Committee in order to enable a site visit to be undertaken.

**(c) DC02/269 – Residential development of 84 flatted units, car park, access and landscaping at Miller Street, Clydebank**

636 Reference was made to the site visit undertaken in respect of this application. After discussion and having heard the Planning and Development Manager in answer to Members' questions, Provost Macdonald, seconded by Councillor McDonald, moved:-

637 That the application be modified or refused, contrary to the recommendation of the Director, on the grounds of the adverse effect which the development, as currently proposed, would have on the amenity of the area.

638 As an amendment, the Convener, Councillor Duffy, seconded by Councillor Young, moved:-

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

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

## New Application

**(d) DC02/384 – Erection of 14 flats with associated parking at Mansefield House, Strathleven Place, Dumbarton**

641 The Planning and Development Manager provided an update on the application. The Committee then heard the applicant, Mr. Heath, in support of the application. It was noted that an objector to the application, who had been invited to attend the meeting, was not in attendance.

642 It was agreed that consideration of the application be continued to the next meeting of the Committee in order to enable a site visit to be undertaken.

**DECKING - 27 ADMIRALTY GROVE, OLD KILPATRICK**

643 A report was submitted by the Director of Economic, Planning and Environmental Services advising of progress with the Discontinuance Order agreed in April 2003 and outlining potential further options for action.

644 The Planning and Development Manager provided the Committee with an update on this matter and advised that letters had been received from the two parties involved requesting that they be allowed to address the Committee and make representations in respect of this matter. It was noted that one of the parties, Mr. & Mrs. Magee, was not able to be in attendance and, in the circumstances, had requested that the matter be continued, in order that they may be allowed to address Members at the next meeting of the Planning Committee.

645 At this point in the proceedings, it was agreed that the other party concerned, Mrs. Fulton, be allowed to address the Committee and make representations in respect of this matter. After discussion and having heard the Head of Planning and Development and the Principal Solicitor in clarification of certain matters, the Convener, Councillor Duffy, seconded by Councillor Young, moved:-

646 That consideration of the application be continued to the next meeting of the Committee to allow Mr. and Mrs. Magee to be heard and to allow a site visit to take place.

647 As an amendment, Provost Macdonald, seconded by Councillor McColl, moved:-

648 That application be made for Interim Interdict which, if granted by the Court, would prohibit the use of the decking.

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

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

### **PLANNING APPEAL – BRAIDFIELD FARM, HARDGATE, CLYDEBANK**

650 A report was submitted by the Director of Economic, Planning and Environmental Services advising of an appeal which had recently been submitted to the Scottish Executive Inquiry Reporters Unit in respect of the refusal of planning consent for the installation of a monopole telecommunications mast and associated apparatus at the above location.

651 The Committee agreed to note that the appeal would be dealt with by way of written submissions.

### **PLANNING APPEAL DECISION – THE WHITECROOK CENTRE, WHITECROOK STREET, CLYDEBANK**

652 A report was submitted by the Director of Economic, Planning and Environmental Services informing of the decision of the Scottish Executive Inquiry Reporters Unit in respect of an appeal against the Council's refusal of planning consent for the change of use of the ground floor of business premises at the Whitecrook Centre, Whitecrook, Clydebank to retail use.

653 The Committee noted that the appeal had been upheld but that a number of conditions had been attached, in particular restricting the size of the floorspace to a maximum of 730m<sup>2</sup> and permitting only the sale of household, gardening, electrical equipment and D.I.Y. goods.

### **NOTICE OF PROPOSED DEVELOPMENT LATTA STREET, DUMBARTON**

654 A report was submitted by the Director of Economic, Planning and Environmental Services informing of an application submitted for development on Crown land at Latta Street, Dumbarton.

655 The Committee agreed to object to the proposal on the grounds that there were concerns over the positioning of a portable cabin close to a shared boundary with a residential property in terms of privacy and loss of amenity. Accordingly, it was noted that the proposal would require to be referred to Scottish Ministers for determination.

### **E-PLANNING**

656 A report was submitted by the Director of Economic, Planning and Environmental Services informing of a number of initiatives and actions being proposed and undertaken in relation to the electronic delivery of the Planning service.

657 The Committee agreed:-

- (a) that the contents of the report be noted; and
- (b) to note that there were budget issues for the future which would require special consideration in due course.

The meeting closed at 10.45 a.m.

**PLANNING COMMITTEE****NOTE OF VISITATION – 5 AUGUST 2003**

- Present:** Provost Alistair Macdonald and Councillors Jack Duffy, Linda McColl, Connie O’Sullivan and Raymond Young.
- Attending:** Ken Clark, Team Leader – Economic, Planning and Environmental Services and Craig Stewart, Administrative Assistant – Legal & Administrative Services.
- Apology:** An apology for absence was intimated on behalf of Councillor Dennis Brogan.

**SITE VISIT**

With reference to the Minutes of the Meeting of the Planning Committee held on 25 June 2003, a site visit was undertaken in connection with the undernoted planning application:-

DC03/019 – Erection of rear upper floor extension, front porch and external spa at 2 MacPhie Road, Dumbarton.

**APPENDIX 2****APPLICATION FOR PLANNING PERMISSION CONSIDERED BY THE PLANNING COMMITTEE ON 3 SEPTEMBER 2003****DC02/269 - Residential development of 84 flatted units, car park, access and landscaping at Miller Street, Clydebank for Strathclyde Homes per PMP Architects****Permission GRANTED subject to the following conditions:-**

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. All works to form the extension to the Council car park hereby granted consent shall be carried out and brought into use prior to work commencing on the main site at Miller Street.
3. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services prior to any work commencing on the site.
4. Prior to commencement of works, full details of the design and location of all fences, walls and signposts to be erected on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
5. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
6. Prior to the commencement of any works on the site, detailed plans showing a proposed lighting scheme for the site fronting the canal (northern boundary) and the footpath link (eastern boundary) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services.

7. Notwithstanding any details shown on approved plans the development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Economic, Planning and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
  - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Economic, Planning and Environmental Services.
  - (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Economic, Planning and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
8. At the same time as the landscaping plans are submitted and prior to the commencement of development, the developer shall submit a detailed survey of all trees and hedging identified on the site hatched green on Drawing No. PP02 Rev. B. This survey shall be displayed on a site layout plan and include identification of the existing tree species and proposals to fell or remove as appropriate.
9. Notwithstanding the details shown on the site layout, Drawing No. PP02 Rev B, footpath provision shall be made to link the western part of the site with the canal and through to Miller Street to the east. Details of the proposals including an implementation plan shall be submitted for the approval of the Director of Economic, Planning and Environmental Services prior to work commencing on site.
10. Prior to commencement of development a scheme for the provision of one equipped play area within the application site shall be submitted to the Director of Economic, Planning and Environmental Services for his written approval and this shall include:-
  - (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area;
  - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
  - (c) details of the fences to be erected around the play area, and
  - (d) details of the phasing of these works.



11. Prior to the occupation of the last 10 dwellinghouses within the development, all the works required for the provision of the equipped play area and included in the scheme approved under the terms of condition 10 above shall be completed, and thereafter that area shall not be used for any purpose other than as a play area.
12. Prior to the commencement of any works on the site, a scheme for the management and maintenance of open spaces within the development shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
13. Prior to the commencement of any works on the site, detailed plans shall be submitted which clearly illustrate the existing and finished ground levels.
14. During the period of construction all works and ancillary operations shall be carried out only between the hours of 0800 and 1800 Monday to Saturday and at no time on a Sunday or on a public holiday, all to the satisfaction of the Director of Economic, Planning and Environmental Services.
15. Any piling operations must be carried out in accordance with the requirements of BS5228 : Part 4 : 1992: Code of Practice for Noise and Vibration Control Applicable to Piling Operations.
16. Prior to development commencing on site Method Statements on the prevention of dust during dry weather shall be submitted for the written approval of the Director of Economic, Planning and Environmental Services
17. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.
18. The bedroom windows on the south gable wall of the dwellings closest to the railway line shall be provided with double glazing windows of 4mm float glass – 12mm cavity – 4mm float glass to ensure acoustic protection.
19. No works shall commence on site until a suitable scheme for the drainage of surface water has been submitted and approved by the Director of Economic, Planning and Environmental Services.

20. Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Director of Economic, Planning and Environmental Services. The scheme shall contain details of proposals to deal with contamination to include:

- (i) the nature, extent and type(s) of contamination on the site;
- (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed;
- (iii) measures to deal with contamination encountered during the re-profiling of the site and subsequent construction works; and
- (iv) condition of the site on completion of decontamination measures.

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the Director of Economic, Planning and Environmental Services.

21. Prior to the occupation of any house in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splay and all turning heads to the satisfaction of the Director of Economic, Planning and Environmental Services.

22. Prior to occupation of the last dwellinghouse in the development all roads and footpaths within and servicing the development shall be completed to their final specification and adoptable standard to the satisfaction of the Director of Economic, Planning and Environmental Services.

- N.B. The applicant should note that the proposed gas remedial measures shall form part of the application for a Building Warrant for the works approved under this consent and shall be carried out to the specifications contained in the BRE Report "Construction of New Buildings on Gas Contaminated Land".