

# Agenda



## Local Review Body

**Date:** Tuesday, 17 November 2020

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**Time:** 9:30

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**Venue:** Zoom Video Conferencing

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**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 Gail Casey  
Councillor Karen Conaghan  
Councillor Ian Dickson  
Councillor Diane Docherty (Vice Chair)  
Councillor Daniel Lennie  
Councillor Douglas McAllister  
Councillor Marie McNair  
Councillor Lawrence O'Neill

All other Councillors for information

Date of issue: 4 November 2020

**LOCAL REVIEW BODY**  
**TUESDAY, 17 NOVEMBER 2020**

**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 – 8**

Submit for approval as a correct record, the Minutes of Meeting of the Local Review Body held on 26 June 2019.

**4 OPEN FORUM**

The Local Review Body is asked to note that no open forum questions have been submitted by members of the public.

**5 APPLICATIONS FOR REVIEW**

Submit review papers for the following applications:-

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

**9 - 56**

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

**57 - 108**

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

**109 - 161**

**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 in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Wednesday, 26 June 2019 at 11.00 a.m.

**Present:** Councillors Ian Dickson, Diane Docherty and Lawrence O'Neill.

**Attending:** Antony McGuinness, Planning Adviser; Nigel Ettles, Legal Adviser; Craig Stewart and Gabriella Gonda, Committee Officers.

**Apologies:** Apologies for absence were intimated on behalf of Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Jim Finn, Douglas McAllister, Marie McNair and John Mooney.

### Councillor Diane Docherty in the Chair

## DECLARATIONS OF INTEREST

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

### APPLICATION FOR REVIEW: DC19/004

Review papers were submitted for Planning Application DC19/004 – Proposed sub-division of garden ground and erection of dwelling house at 4 Maple Drive, Clydebank.

The Planning Adviser 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 was heard in clarification of certain matters.

Having considered all of the information before them, the LRB agreed to maintain the determination of the Appointed Officer dated 4 April 2019 and to refuse to grant planning permission.

In coming to this decision, the LRB considered that the proposal was unacceptable in terms of its plot size and scale and would be overbearing. It was not in keeping with the existing pattern of development, streetscape and character of Maple Drive; permitting this sub-division would set an unacceptable precedent for other 4 in a block properties in the street which have garden grounds capable of being subdivided. Consequently the LRB concluded that the proposal was considered unacceptable in that it did not comply with the relevant policies contained in the adopted and proposed plans.

The Chair, Councillor Docherty, then confirmed that a decision notice to this effect would be sent to the applicant.

Councillor O'Neill, having failed to find a seconder for a proposed amendment, asked that his dissent be recorded.

The meeting closed at 11.32 a.m.

APPLICATION FOR REVIEW

DC19/145

## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect  
of Decisions on Local Developments  
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)  
Regulations 2013  
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	<u>MR.</u>	Ref No.	
Forename	<u>MARTYN</u>	Forename	
Surname	<u>KENNEDY</u>	Surname	
Company Name	<u>N/A.</u>	Company Name	
Building No./Name	<u>148</u>	Building No./Name	
Address Line 1	<u>DUMBUCK ROAD</u>	Address Line 1	
Address Line 2		Address Line 2	
Town/City	<u>DUMBARTON</u>	Town/City	
Postcode	<u>G82 3LZ</u>	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
<b>3. Application Details</b>			
Planning authority	<u>WEST DUMBARTONSHIRE COUNCIL</u>		
Planning authority's application reference number			
Site address	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p><u>148 DUMBUCK ROAD</u> <u>SILVERTON</u> <u>DUMBARTON. G82 3LZ.</u></p> </div> <div style="border: 1px solid blue; padding: 5px; display: inline-block; margin-left: 20px;"> <p style="text-align: center; color: blue;">PLANNING SERVICES RECEIVED</p> <p style="text-align: center; color: red;">07 JUN 2020</p> <p style="text-align: center; color: blue;">PASS TO REF NO</p> </div>		
Description of proposed development			

# Notice of Review

Date of application	<input type="text" value="17/07/19"/>	Date of decision (if any)	<input type="text" value="06/03/20"/>
<p><b>Note.</b> This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.</p>			
<b>4. Nature of Application</b>			
Application for planning permission (including householder application)		<input checked="" type="checkbox"/>	
Application for planning permission in principle		<input type="checkbox"/>	
Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)		<input type="checkbox"/>	
Application for approval of matters specified in conditions		<input type="checkbox"/>	
<b>5. Reasons for seeking review</b>			
Refusal of application by appointed officer		<input type="checkbox"/>	
Failure by appointed officer to determine the application within the period allowed for determination of the application		<input type="checkbox"/>	
Conditions imposed on consent by appointed officer		<input checked="" type="checkbox"/>	
<b>6. Review procedure</b>			
<p>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.</p> <p>Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.</p>			
Further written submissions		<input type="checkbox"/>	
One or more hearing sessions		<input checked="" type="checkbox"/>	
Site inspection		<input checked="" type="checkbox"/>	
Assessment of review documents only, with no further procedure		<input checked="" type="checkbox"/>	
<p>If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>			
<b>7. Site Inspection</b>			
<p>In the event that the Local Review Body decides to inspect the review site, in your opinion:</p>			
Can the site be viewed entirely from public land?		<input checked="" type="checkbox"/>	
Is it possible for the site to be accessed safely, and without barriers to entry?		<input checked="" type="checkbox"/>	

## Notice of Review

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

SMALL GATE AT DRIVEWAY, THIS CAN BE LEFT UNLOCKED IF I AM CONTACTED ON [REDACTED]

### 8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

I AM SEEKING A REVIEW OF MY APPLICATION ON THE BASIS THAT THE DECISION WAS TAKEN ON THE BASIS OF MISLEADING INFORMATION CONTAINED WITHIN THE REPORT OF HANDLING (DELEGATED). I REFUTE THAT THE REQUIREMENT FOR THE TIMBER SCREEN AT 2.4m HIGH ALIGNS WITH SECTION 5 RELEVANT POLICY OF THE REPORT OF HANDLING

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

# Notice of Review

## 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

N/A.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

## 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

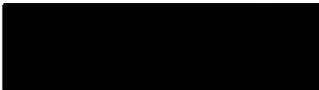
Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

## DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name:  Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

WEST DUNBARTONSHIRE LOCAL PLAN 2010 SECTION G/D1  
DEVELOPMENT CONTROL (REFERRED IN SECTION 5) STATES,

A.4.1

ALL NEW DEVELOPMENT IS EXPECTED TO BE OF A HIGH QUALITY AND 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 AS APPROPRIATE.

NOTWITHSTANDING THE FACT THAT NO BOUNDARY FENCE IS SHOWN ON THE APPROVED DRAWINGS, I WOULD SUGGEST THAT A FENCE OF THE SCALE REQUIRED BY THE PLANNING CONDITION WOULD BE INAPPROPRIATE IN TERMS OF MASS, HEIGHT AND EFFECT ON DAYLIGHTING REFERENCED ABOVE. PLANT GROWTH ON EITHER SIDE OF SUCH A FENCE WOULD BE ADVERSELY AFFECTED. THE SCALE OF THIS FENCE WOULD BE COMPLETELY DISPROPORTIONATE TO ANY OTHER FENCE IN THE WIDER NEIGHBOURHOOD AND IS MORE AKIN TO THAT WHICH WOULD BE SEEN IN AN INDUSTRIAL ESTATE, NOT A RESIDENTIAL COMMUNITY. AT THE REQUIRED SCALE, IT WOULD NEED TO BE DESIGNED BY A STRUCTURAL

ENGINEER TO AVOID COLLAPSE DURING PERIODS OF HIGH WIND. THIS I WOULD SUGGEST IS IN DIRECT CONTRAVENTION OF THIS SECTION OF THE LOCAL PLAN.

2. IN REPORT OF HANDLING SECTION 6. APPRAISAL IT IS STATED "THE APPLICANT PROPOSES A 2.4m HIGH FENCE ON THE NORTHERN BOUNDARY WITH 146 DUMBUCK ROAD ... AND THIS ARRANGEMENT HAS BEEN SOUGHT IN THE REPRESENTATION." DURING THE VISIT TO MY SITE IN SEPTEMBER 2019 THE CASE OFFICER, MS. FANE TENNANT, BROACHED THE POSSIBILITY OF INTRODUCING THE FENCE REFERRED TO ABOVE. DURING THIS DISCUSSION, I ADAMANTLY REFUSED THIS SUGGESTION, AND LEFT MS. TENNANT IN NO DOUBT OF MY POSITION IN THIS REGARD. HER REPORT OF HANDLING IS THEREFORE A MISREPRESENTATION OF OUR DISCUSSION. IT WAS NEVER BEEN MY INTENTION TO ERECT A FENCE AS SUGGESTED. AGAIN, THERE IS NO FENCE SHOWN ON THE PLANNING APPLICATION DRAWINGS.



REPORT OF HANDLING BY APPOINTED OFFICER  
AND DECISION NOTICE

DC19/145

WEST DUNBARTONSHIRE COUNCIL  
REPORT OF HANDLING (Delegated)

**APP NO:** DC19/145  
**CASE OFFICER:** Ms Jane Tennant  
**ADDRESS/SITE:** 148 Dumbuck Road, Dumbarton, G82 3LZ  
**PROPOSAL:** Erection of single storey extension

**1 Site Description/Development Details**

This application seeks permission for the erection of a single storey extension to a two storey end of terrace dwelling in Dumbarton. The site is located in an established residential area of post-war housing on the corner of Dumbuck Road and White Avenue and to the west of the A82 Stirling Road.

The proposed pitched roof extension would measure 4.5 by 4m in footprint, it would project out from the side elevation slightly and there would be a window facing down the garden path towards the front of the house (east). The southern and western elevations would have no windows, however there would be rooflights on the south facing roof plane. Patio doors are proposed on the north elevation. The material finishes are not noted. The proposed extension would provide an additional living room.

**2.Consultations**

None.

**3.Application Publicity**

N/A

**4.Representations**

Two representations have been received and can be summarised as follows.

- Privacy concerns with location of bifolding doors
- Requirement for fencing along northern boundary to safeguard privacy of neighbouring property
- Proposal may result in increased on street parking thereby exacerbating existing situation with regards on street parking

**5. Relevant Policy**

**West Dunbartonshire Local Plan 2010**

GD1 – Development Control

H5 \_ Development within Existing Residential Areas

## **West Dunbartonshire Local Development Plan (LDP1) Proposed Plan**

### BC4 \_ Existing Neighbourhoods

#### West Dunbartonshire Local Development Plan (LDP1) Proposed Plan

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.

## **West Dunbartonshire Local Development Plan 2**

### Policy H4 - Residential Amenity

#### West Dunbartonshire Local Development Plan (LDP2) Proposed Plan

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.

### **6. Appraisal**

The applicant proposes a 2.4m high fence on the northern boundary with no.146 Dumbuck Road which would ensure there is no overlooking or privacy issues with the adjoining property which was raised as a concern in representations. While this is higher than that of a standard screen fence (typically 1.8/2m high) this would ensure there is not the ability to overlook from the extension to the neighbouring garden and rear windows and would safeguard privacy and this arrangement has been sought in the representation.

With regards to the other representation; the proposal will not result in an increase in bedrooms and so parking is not considered in this assessment.

Two conditions are recommended. One will ensure that the 2.4m fence is implemented and maintained. The other will ensure that the material finishes of the extension match the host dwelling in the interests of visual amenity.

The proposal complies with the relevant policies of the Adopted and Proposed Plans. The design is acceptable and there would be no adverse impact on residential amenity. Adequate garden ground would remain. It is recommended that planning permission be approved.

### **7. Added Value**

None.

### **8. Recommendation**

Grant planning permission

### **9. Conditions**

1. The external materials to be used in carrying out the development hereby permitted shall match in colour, form and texture, and shall otherwise harmonise with the existing building at the date of the application.

REASON: To ensure a satisfactory standard of appearance of the development in keeping with the existing building.

2. A 2.4 metre high, when measured from ground level, close boarded timber screen fence shall be erected along the extent of the northern boundary to the application site as illustrated on plan no. PL002A and shall be retained in perpetuity.

REASON: To safeguard neighbouring amenity.

## **FOR NOTING**

### ***Informatives***

***01. The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.***

***02. The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, the developer is required to submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice: a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing); b) A Notice of Completion of Development as soon as practicable once the development has been completed***

***03. A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.***

***04. The plans referred to as part of this decision are***

- ***Location Plan and Existing Plans PL 001 Rev A***
- ***Proposed Plans PL 002 Rev A***

Grant of Planning Permission

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

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Proposal                      **Erection of single storey rear extension**

Site                              148 Dumbuck Road  
Dumbarton  
G82 3LZ

Applicant                      Mr Martyn Kennedy

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: GRANT PLANNING PERMISSION SUBJECT TO THE CONDITIONS AND REASONS CONTAINED IN THE ACCOMPANYING PAPER(S) APART.**

**NOTE:**                      *IT SHOULD BE UNDERSTOOD THAT THIS PERMISSION DOES NOT CARRY WITH IT ANY NECESSARY CONSENT OR APPROVAL TO THE PROPOSED DEVELOPMENT UNDER ANY OTHER STATUTORY ENACTMENTS.*

DATED THIS: 6th day of March 2020

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

SIGNED .....  
for WEST DUNBARTONSHIRE COUNCIL

### **Reason for Decision**

1. The proposal complies with the relevant provisions of the West Dunbartonshire Adopted Local Plan 2010, the West Dunbartonshire Proposed Local Development Plan (LDP1)(2016) and the West Dunbartonshire Proposed Local Development Plan (LDP2)(2019) and there are no other material considerations that indicate otherwise. This is determined following an assessment which has had regard to the provisions of the development plans, so far as material to the application, and to any other material considerations.

### **Conditions**

1. The external materials to be used in carrying out the development hereby permitted shall match in colour, form and texture, and shall otherwise harmonise with the existing building at the date of the application.
2. A 2.4 metre high, when measured from ground level, close boarded timber screen fence shall be erected along the extent of the northern boundary to the application site as illustrated on plan no. PL002A and shall be retained in perpetuity.

### **Reasons**

1. To ensure a satisfactory standard of appearance of the development in keeping with the existing building.
2. To safeguard neighbouring amenity.

### **FOR NOTING**

#### *Informatives*

01. The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.
02. The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, the developer is required to submit to the Planning Authority in

writing upon the forms specified for the purpose and attached to this decision notice:

- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed
03. A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.
  04. The plans referred to as part of this decision are Location Plan and Existing Plans PL 001 Rev A  
Proposed Plans PL 002 Rev A

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 and guidance can be obtained and submitted to us from the Scottish Government [ePlanning portal](#)

The review may be submitted in writing to:

**West Dunbartonshire Council  
Planning Local Review Body  
16 Church Street  
Dumbarton G82 1QL  
01389 737930**

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

DC19/145

# HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997  
 The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application  
**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	MARTYN	Forename	
Surname	KENNEDY	Surname	
Company Name	/	Company Name	
Building No./Name	148	Building No./Name	
Address Line 1	DUMBUCK ROAD	Address Line 1	
Address Line 2		Address Line 2	
Town/City	DUMBARTON	Town/City	
Postcode	G82 3LZ	Postcode	
Telephone	[REDACTED]	Telephone	
Mobile	/	Mobile	
Fax	/	Fax	
Email	[REDACTED]	Email	

### 3. Address or Location of Proposed Development (please include postcode)

148 DUMBUCK ROAD, DUMBARTON G82 3LZ

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

### 4. Describe the Proposed Works

Please describe accurately the work proposed:

PROPOSED SINGLE-STOUREY REAR EXTENSION AND INTERNAL ALTERATIONS TO EXISTING HOUSE.

PLANNING SERVICES RECEIVED

Have the works already been started or completed Yes  No

17 JUL 2019

If yes, please state date of completion, or if not completed, the start date:

PASS TO REF NO

Date started: [REDACTED]

Date completed: [REDACTED]

If yes, please explain why work has already taken place in advance of making this application.

[Empty box for explanation]

### 5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes  No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting  Telephone call  Letter  Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes  No

Please provide a description of the advice you were given and who you received the advice from:

Name:  Date:  Ref No.:

[Empty box for description of advice]

### 6. Trees

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

*If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.*

### 7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes  No

*If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access? Yes  No

*If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.*

How many vehicle parking spaces (garaging and open parking) currently Exist on the application site?

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 reduced number of spaces)

*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, etc.)*

**8. Planning Service Employee/Elected Member Interest**

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes  No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes  No

If you have answered yes please provide details:

[Empty box for providing details]

**DECLARATION**

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes  No  N/A

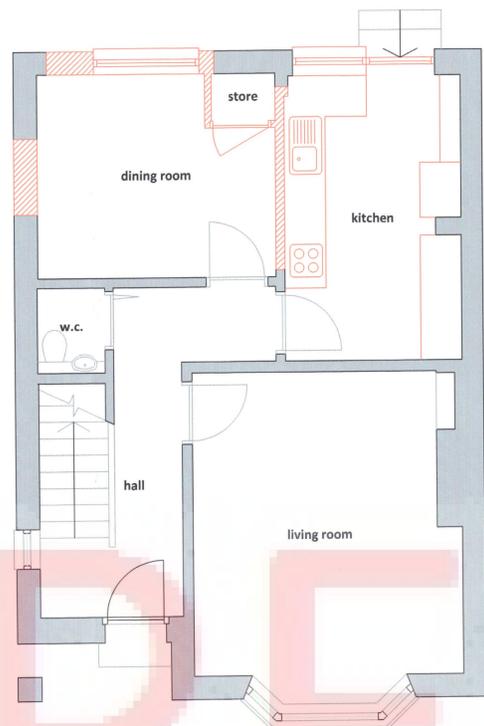
Signature: [Redacted] Name: MARTYN KENNEDY Date: 15/2/19

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

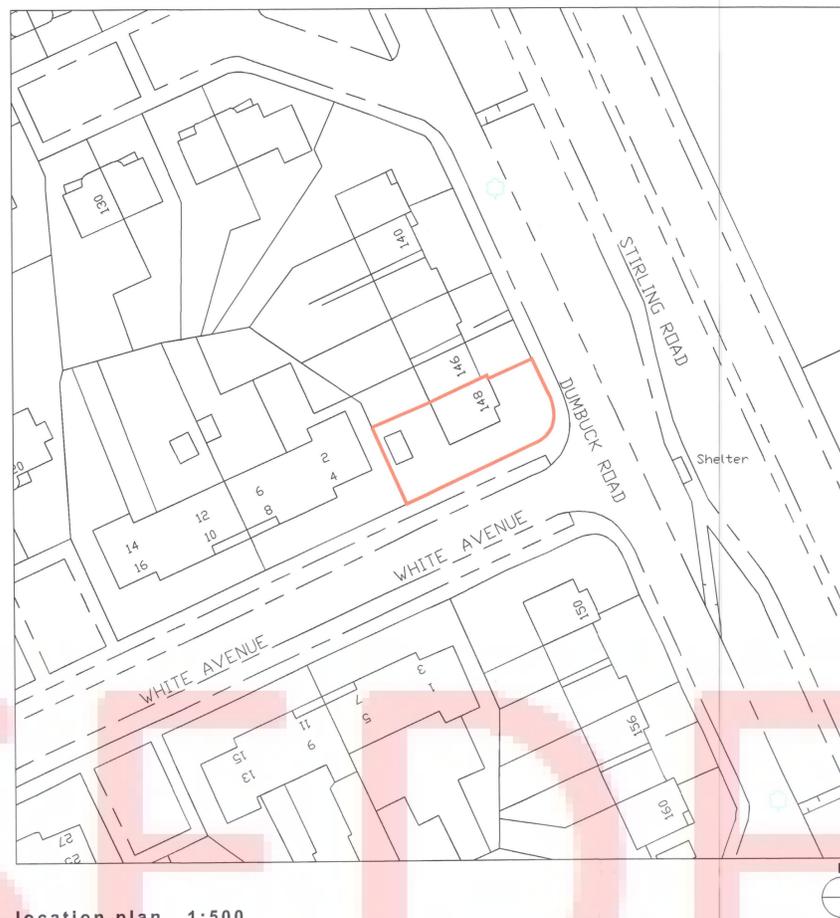
**PLANNING**



existing site plan 1:100



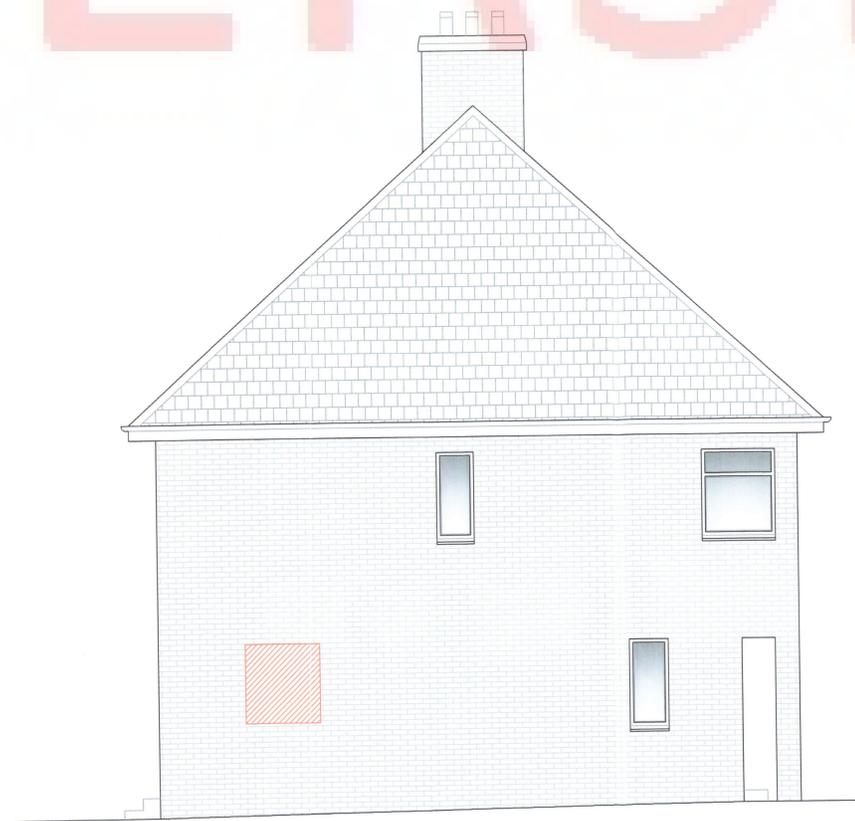
existing ground floor plan 1:50



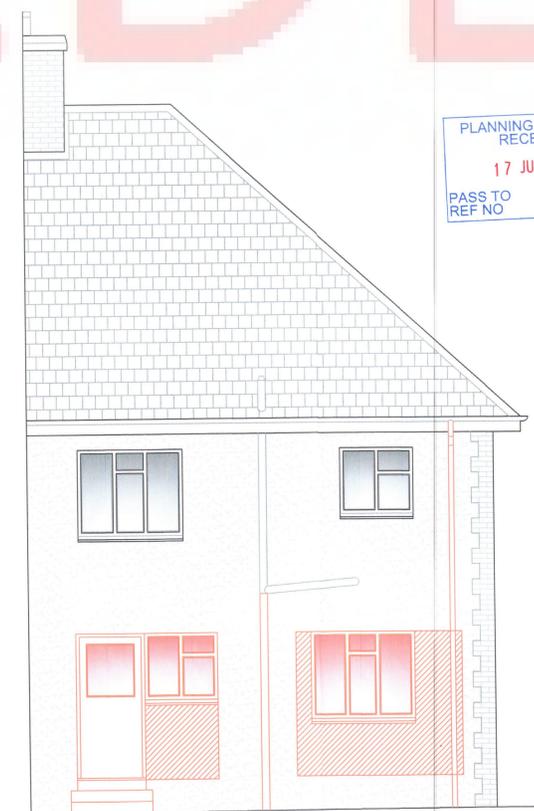
location plan 1:500



existing front elevation 1:50



existing side elevation 1:50



existing rear elevation 1:50

PLANNING SERVICES RECEIVED  
17 JUL 2019  
PASS TO REF NO

application site boundary

downtakings

client:  
**Mr. & Mrs. M Kennedy,  
148 Dumbuck Road,  
Dumbarton,  
G82 3LZ**

project:  
**Proposed single-storey rear  
extension and internal alterations  
to existing house.**

job number:  
2019-008

drawings:  
Existing ground floor plan 1:50  
Existing front elevation 1:50  
Existing side elevation 1:50  
Existing rear elevation 1:50  
Site plan 1:100  
Location plan 1:500  
Existing photographs

drawing number:  
PL 001

scale:  
as shown @ A1

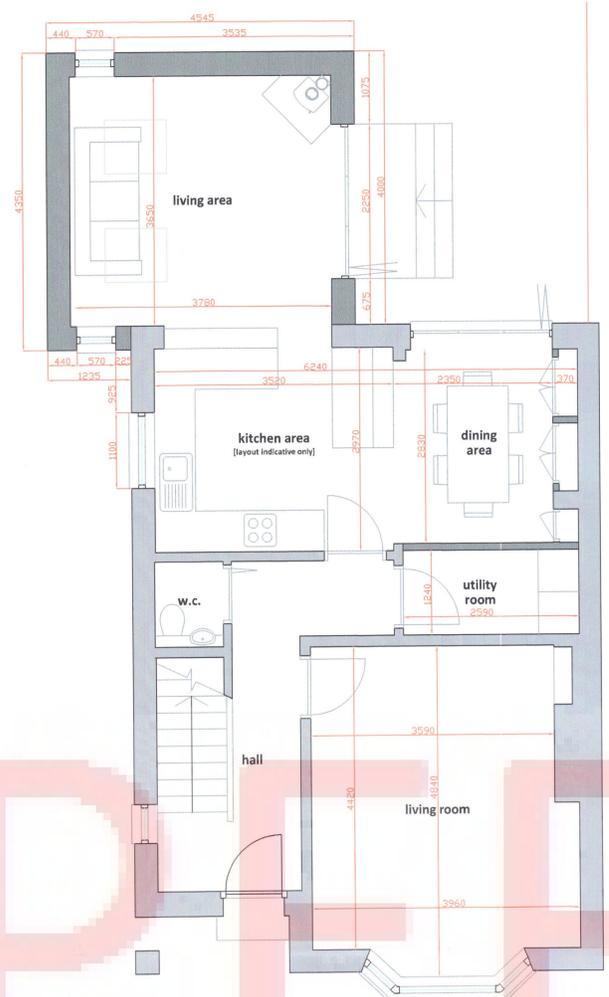
date:  
June 2019

**PLANNING**

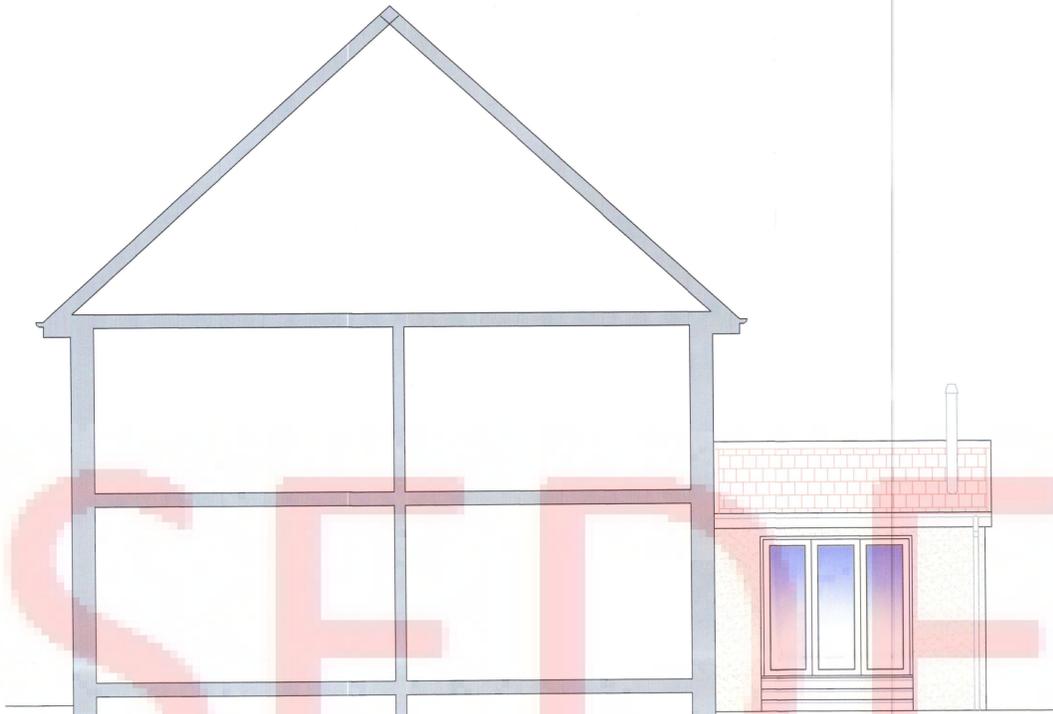
revision A:  
revision B:  
revision C:



proposed site plan 1:100



proposed ground floor plan 1:50



proposed north-side elevation/section 1:50



proposed front elevation 1:50

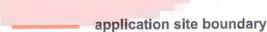


proposed rear elevation 1:50



proposed south-side elevation 1:50

PLANNING SERVICES RECEIVED  
17 JUL 2019  
PASS TO REF NO

-  application site boundary
-  doughtakings

client:  
**Mr. & Mrs. M Kennedy,  
148 Dumbuck Road,  
Dumbarton,  
G82 3LZ**

project:  
**Proposed single-storey rear extension and internal alterations to existing house.**

job number:  
2019-008

drawings:  
Proposed ground floor plan 1:50  
Proposed front elevation 1:50  
Proposed side elevations 1:50  
Proposed rear elevation 1:50  
Proposed site plan 1:100

drawing number:  
PL 002  
scale:  
as shown @ A1  
date:  
June 2019

**From:** [Jane Tennant](#)  
**To:** [planningscanindex](#)  
**Subject:** FW: DC19/145 Urgent!!!  
**Date:** 07 October 2019 07:45:21  
**Attachments:** [PL\\_001A.pdf](#)  
[PL\\_002A.pdf](#)  
[image005.png](#)  
[image004.png](#)  
[image002.png](#)  
[image008.png](#)  
[image007.png](#)  
[image006.png](#)

---

Hi,

Could you index the attached plans to DC19/145 and redact please.

Kind regards,

Jane

---

**From:** Martyn Jones [mailto: ]  
**Sent:** 27 September 2019 09:59  
**To:** Jane Tennant  
**Subject:** Re: DC19/145 Urgent!!!

Morning Jane,

I'm contacting you on behalf of Mr Martyn Kennedy, applicant at the above address. Following your recent meeting with Mr. Kennedy, I attach revised drawings PL001A and PL002A, these drawings have now been amended as follows:

- existing chimney now omitted from main roof.
- proposed window to rear elevation of extension now omitted.
- New 2.4m high timber fence now proposed along rear boundary with no. 146 Dumbuck Road.

I trust these changes are acceptable to you and will allow the application to be granted.

Many thanks,

Martyn Jones

---

**From:** [Jane Tennant](#)  
**Sent:** Friday, 6 September 2019 11:54  
**To:** [redacted]

Dear Martyn,

I write to you with regards to the proposed extension at 148 Dumbuck Road.

The proposed extension in its current form is not acceptable as it raises concerns in terms of residential amenity. Residential amenity is a key planning consideration, overlooking and privacy form part of this. It is considered that the location of the window and patio doors should be moved elsewhere affording all residents privacy within their own homes and gardens, including your household.

In order to make it acceptable the fenestration requires to be amended (see image below). The patio doors require to be altered and placed to the rear, the smaller window to the rear should be omitted.



The patio doors should be situated between the blue lines (southern elevation) and the red lines demark solid walls. Placing the patio doors on the southern elevation would allow for more light into the house, alternatively the patio doors could be relocated to the eastern elevation.

I also observed that the chimneys have taken down when I was on my site visit the existing plans should reflect this.

Please revise the plans so that they are acceptable to the Planning Authority. We would request that they are submitted within two weeks of the date of this email, failure to do so would result in the proposed extension being refused.

Jane Tennant

Planning Officer

Development Management

Planning & Building Standards

Tel : [REDACTED]



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](mailto: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.

# PLANNING

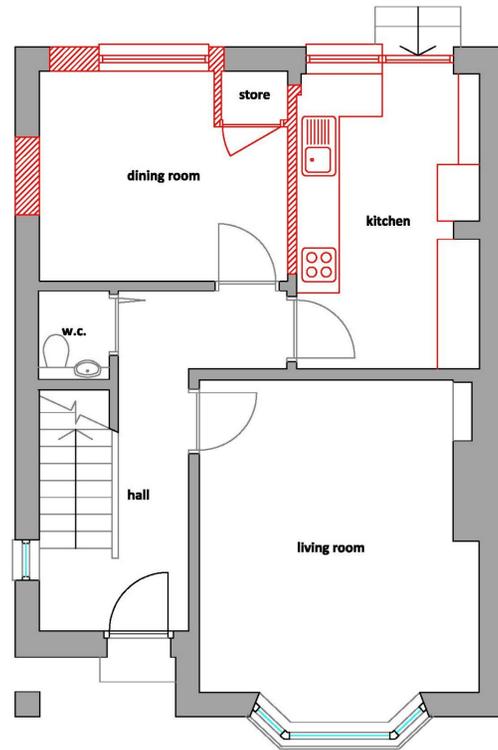
revision A: 21.08.2019:  
existing chimney omitted from elevations.

revision B:

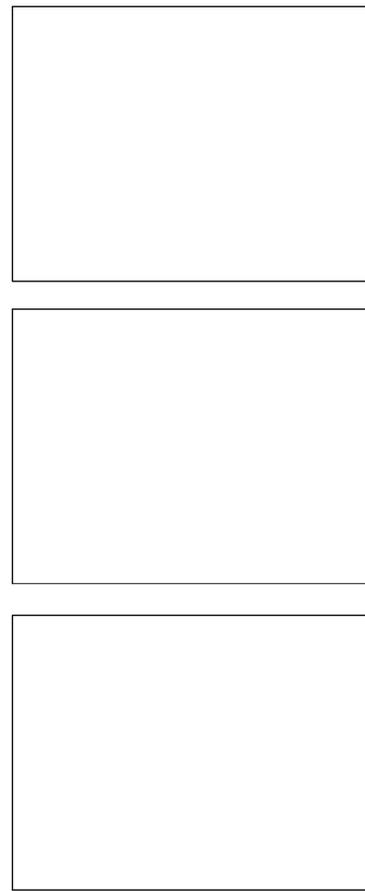
revision C:



existing site plan 1:100



existing ground floor plan 1:50



location plan 1:500

— application site boundary

▨ doughtakings

## AMENDED

client:  
**Mr. & Mrs. M Kennedy,  
148 Dumbuck Road,  
Dumbarton,  
G82 3LZ**

project:  
**Proposed single-storey rear  
extension and internal alterations  
to existing house.**

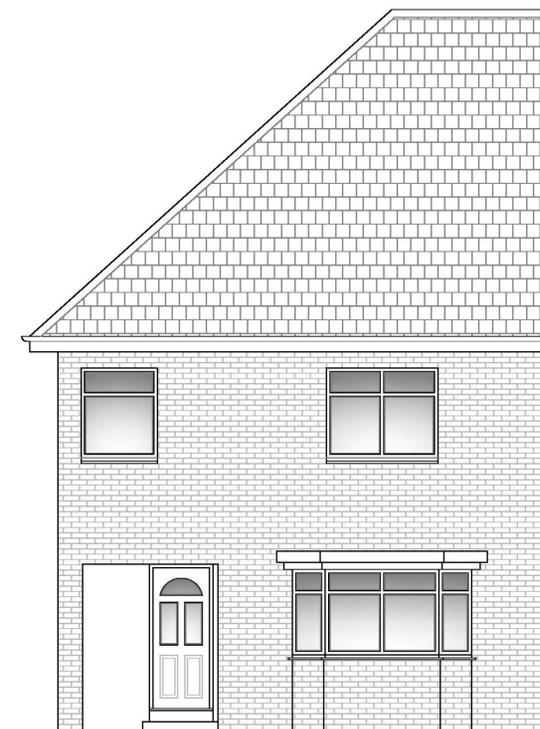
job number:  
2019-008

drawings:  
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Existing front elevation 1:50  
Existing side elevation 1:50  
Existing rear elevation 1:50  
Site plan 1:100  
Location plan 1:500  
Existing photographs

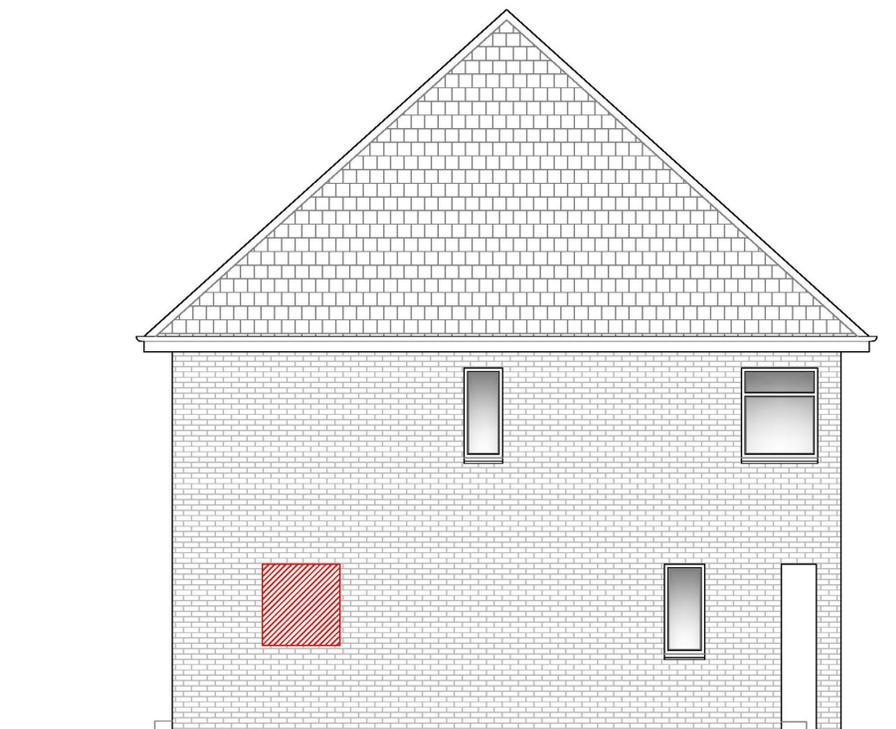
drawing number:  
PL 001A

scale:  
as shown @ A1

date:  
June 2019



existing front elevation 1:50



existing side elevation 1:50



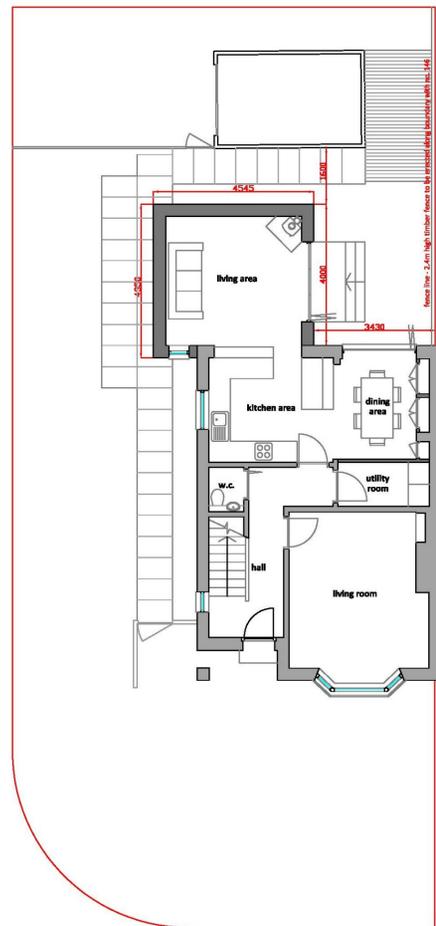
existing rear elevation 1:50

# PLANNING

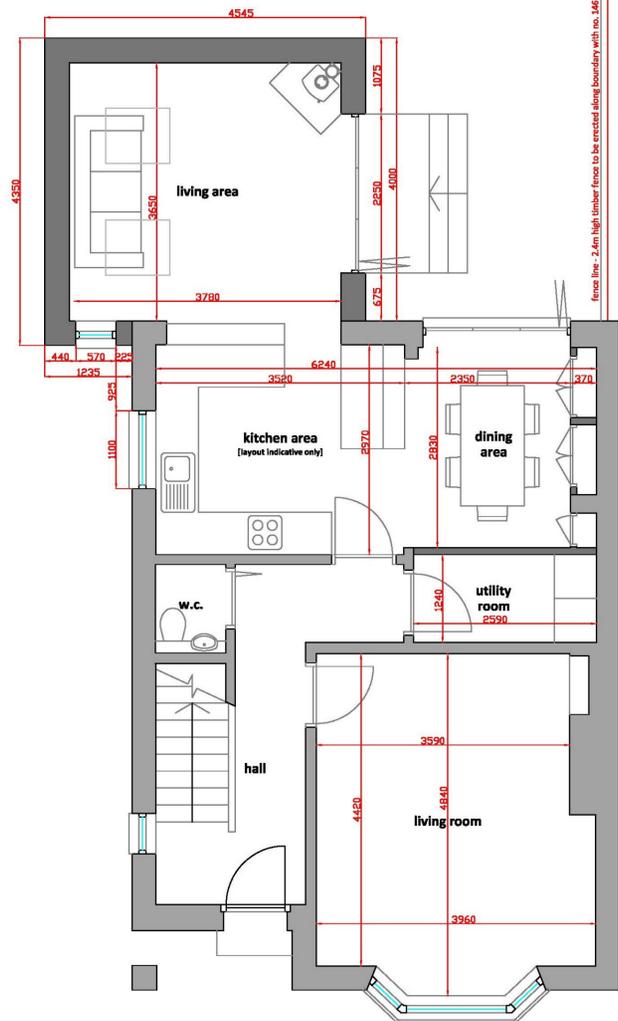
revision A: 21.09.2019:  
existing chimney omitted from elevations, window removed from rear elevation of extension, 2.4m high timber fence now proposed along boundary to rear garden of no. 146.

revision B:

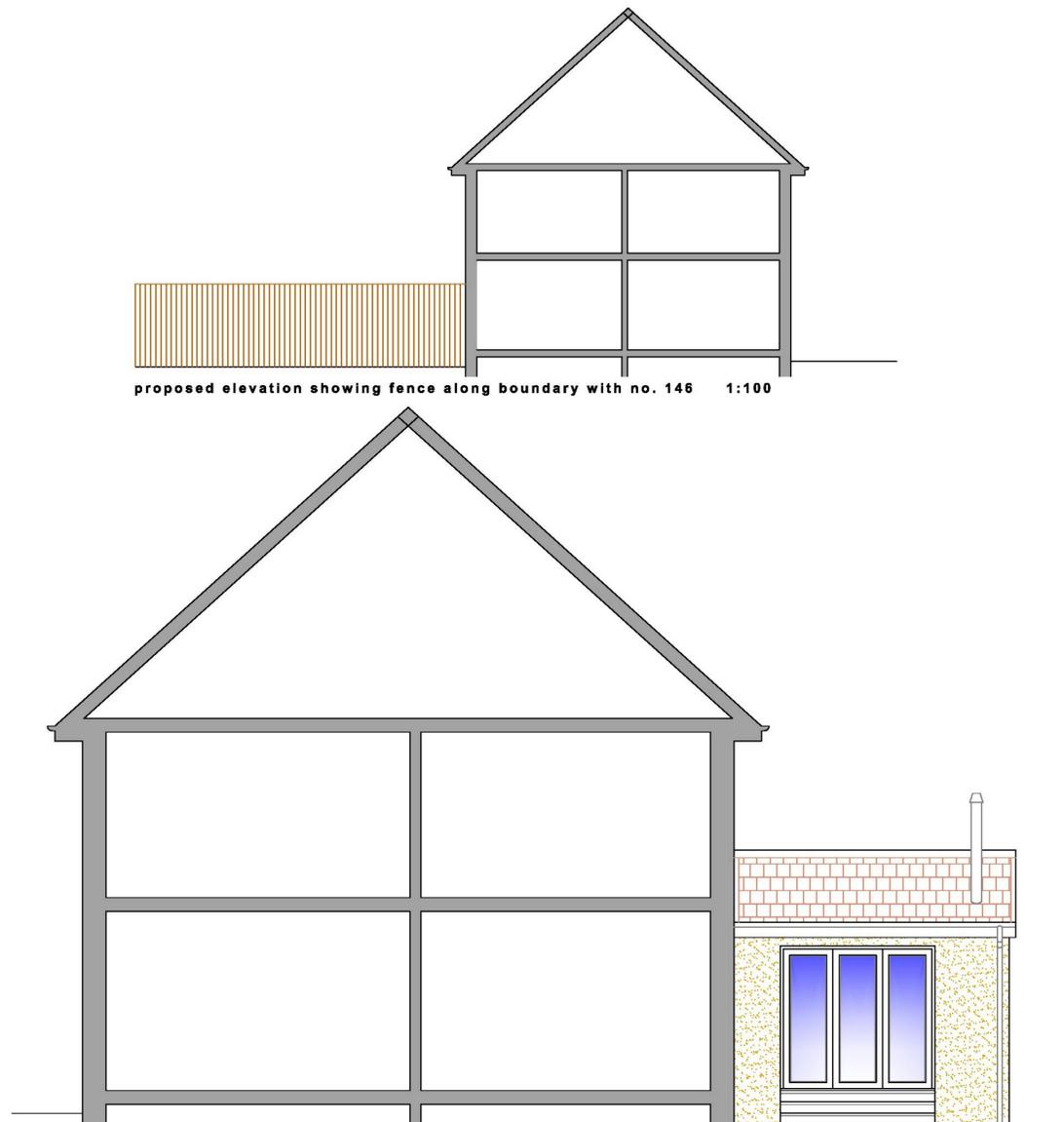
revision C:



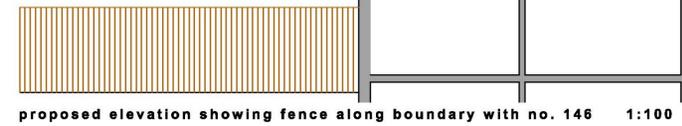
proposed site plan 1:100



proposed ground floor plan 1:50



proposed north-side elevation/section 1:50



application site boundary

dontakings

## AMENDED

client:  
**Mr. & Mrs. M Kennedy,  
148 Dumbuck Road,  
Dumbarton,  
G82 3LZ**

project:  
**Proposed single-storey rear extension and internal alterations to existing house.**

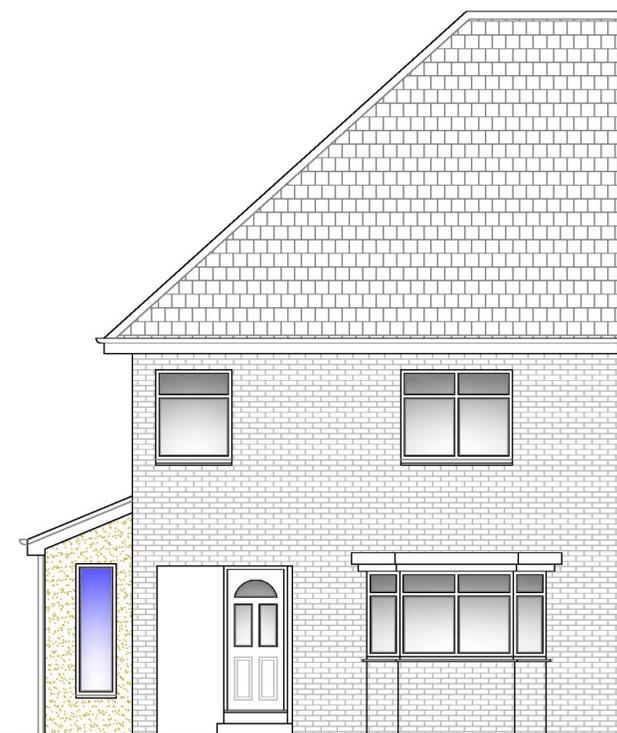
job number:  
2019-008

drawings:  
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Proposed front elevation 1:50  
Proposed side elevations 1:50  
Proposed rear elevation 1:50  
Proposed site plan 1:100  
Proposed fence elevation 1:100

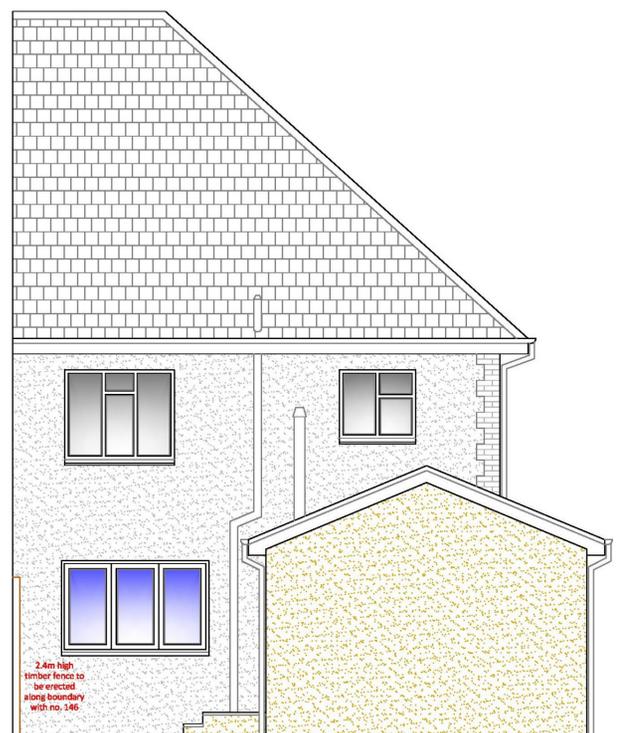
drawing number:  
PL 002A

scale:  
as shown @ A1

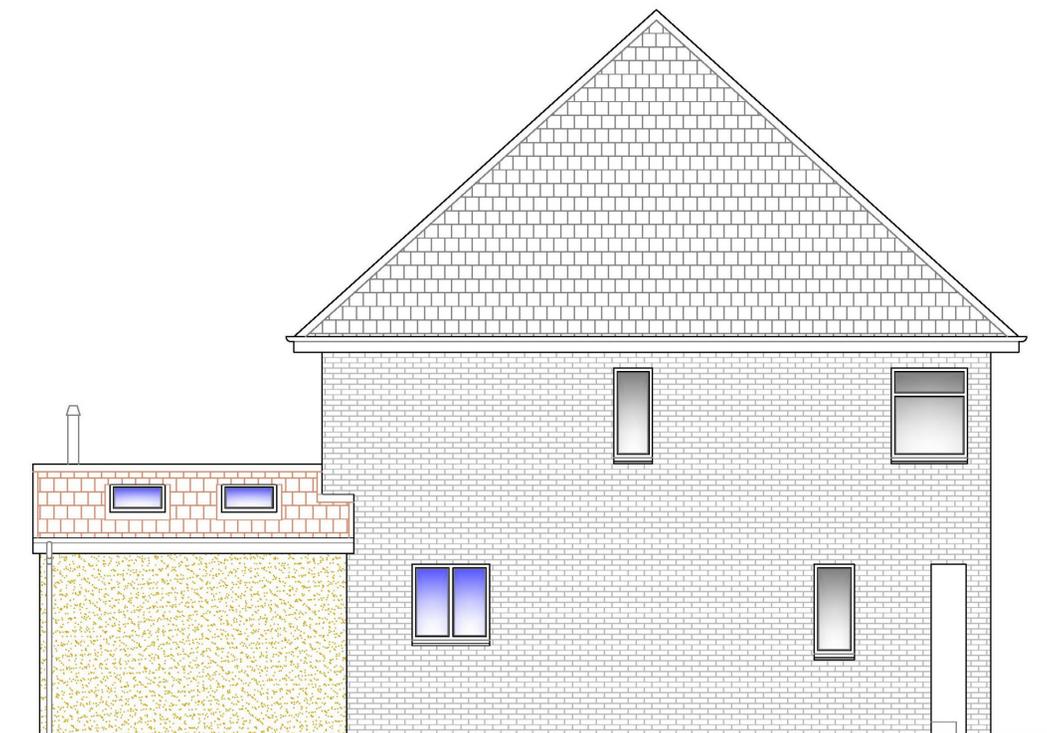
date:  
June 2019



proposed front elevation 1:50



proposed rear elevation 1:50



proposed south-side elevation 1:50

OBJECTIONS TO PLANNING APPLICATION

DC19/145

26/8/19.



Miss. M. CROFTENDEN  
4 WHITE AVE  
SILVERTON  
Q82 25h.

Dear Sir / Madam,

I am writing about a letter I received about a proposed extension at 148 Dumbuck RD - DC 19/145. I would like to know the dimensions of this build. How far from the back of the building out. length size, how many metres away from their garage and from my boundary.

Also I would like to bring up the issue of traffic. I speak on behalf of all the neighbours that this will effect as we have issue's with this neighbour when it comes to parking in our street of White Ave.

We have barely enough parking as it is for the residents and have dealt with the council and Sackie Gaillie on this issue.

We know that this neighbour will ensure that all work vehicles will take up space in our street.

So all we ask as residents that common courtesy is observed and that they can park at front of house, in his driveway or even across the back of driveway.

We understand there might be situations where this might not be possible but to try to observe the issue we have with parking in the street for the residents when they have full use of a driveway. Look forward to hearing back from you

Yours Sincerely

RE: DC19/145

PLANNING SERVICES  
RECEIVED

MRS LINDA WALKER

09 SEP 2019

146, DUMBUCK ROAD

DUMBARTON.

G82 3LZ.

For the attention of  
Jane Tennant

PASS TO  
REF NO

Date: 09.09.2019

Home Telephone: [REDACTED]

Mobile [REDACTED]

email [REDACTED]

Regarding planning application ref DC19/145 for single storey rear extension @ 148, DUMBUCK ROAD.

Dear Sir/Madam,

Regarding my neighbour Mr Martyn Kennedy's application of his extension, I hereby object to the placement of the bifolding doors/windows, facing onto my property. I feel this would be an invasion of my privacy. I have been informed by Mr. Kennedy, that he intends to remove the rear boundary fence, between both properties.

The fence is a 6 foot wooden fence, which was erected approximately 10 years ago. He has also informed me, that he has no intentions of replacing the fence. Therefore, the placement of the bifolding doors/windows in the proposed plans, I feel would have to be relocated to another wall/part of extension.

[REDACTED]

Also, if fence was damaged  
ie: by weather or age, then I feel it would  
be Mr. Kennedy's liability for any repairs/  
replacement of same or similar sized wooden  
fence, as Mr. Kennedy did remove the hedge  
that was between gardens, before he erected  
the fence, without my knowledge.

Yours sincerely,

[REDACTED]

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

DC19/145



# 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



2015

## Chapter 4 - Developing Sustainably

### 4.1 Introduction

**4.1.1** The location and design of development are major influences on moving towards a more sustainable future. The most sustainable locations for new development are normally within our existing urban area on previously developed land and close to the public transport network and existing infrastructure. Development can minimise the use of scarce resources, both in construction by using sustainable materials, and in operation by minimising the use of carbon-based energy and the creation of waste. Development can also be sustainable by being of a lasting and adaptable use and design, and by not impacting on the enjoyment or operation of adjacent land and buildings.

**4.1.2** Energy production and climate change are amongst the most common issues associated with sustainable development, and they are both relevant to West Dunbartonshire. The area has wind and water resources which may be suitable for energy production. It is also an area affected by flooding which is predicted to increase in severity and frequency as a result of climate change. Planning has a role to play in encouraging renewable energy production and in reducing the risk of flooding.

**4.1.3** This section sets a framework for addressing these issues.

### 4.2 Successful Places and Sustainable Design

**4.2.1** All types of development can contribute towards a more sustainable future by creating or contributing towards successful places through their location, layout and design.

**4.2.2** Policy DS1 sets out criteria to be considered when preparing and assessing development proposals. These relate to the six qualities of successful places. All development proposals will be assessed against the relevant criteria of this policy and it should be used as a guide to develop and improve proposals. Other policies of the Plan will also be relevant depending upon the location and type of development.



**Policy DS1**

4.2.3 All development will be expected to contribute towards creating successful places by having regard to the relevant criteria of the six qualities of a successful place:

<p style="text-align: center;"><b>Distinctive</b></p> <ul style="list-style-type: none"> <li>✓ reflects local architecture and urban form, reinstating historic street patterns where appropriate;</li> <li>✓ fits within the local landscape or streetscape, with regard to materials, design and layout;</li> <li>✓ contributes positively to our built heritage, aiding the interpretation of historic buildings, monuments and places;</li> <li>✓ makes the most of important views;</li> <li>✓ retains built or natural assets which make the local area distinct;</li> <li>✓ creates quality open spaces, using native species in landscaping.</li> </ul>	<p style="text-align: center;"><b>Resource efficient</b></p> <ul style="list-style-type: none"> <li>✓ reuses existing buildings and previously developed land;</li> <li>✓ minimises energy use and loss, including by taking advantage of natural sunlight and shelter;</li> <li>✓ incorporates low or zero carbon energy-generating technologies (see Appendix 1 for detail);</li> <li>✓ makes use of available sources of heat; uses building materials from local or sustainable sources;</li> <li>✓ higher density in town centres and areas with convenient access to good public transport services;</li> <li>✓ provides space for the separation and collection of waste.</li> </ul>	<p style="text-align: center;"><b>Safe and Pleasant</b></p> <ul style="list-style-type: none"> <li>✓ avoids unacceptable impacts on or from adjoining uses, including noise, smell, vibration, dust, air quality, invasion of privacy and overshadowing;</li> <li>✓ protects people, property and infrastructure from flooding;</li> <li>✓ enables natural surveillance of public spaces and does not create spaces which are unsafe or likely to encourage or facilitate crime;</li> <li>✓ incorporate appropriate lighting.</li> </ul>
<p style="text-align: center;"><b>Adaptable</b></p> <ul style="list-style-type: none"> <li>✓ in areas that are subject to change (e.g. town centres and industrial areas) new development is suitable for a range of uses;</li> <li>✓ new housing is designed to be suitable for a mix of occupants;</li> <li>✓ buildings or spaces likely to be become neglected or obsolete are avoided.</li> </ul>	<p style="text-align: center;"><b>Easy to get to / move around</b></p> <ul style="list-style-type: none"> <li>✓ provide good path links within the development, to the wider path network and public transport nodes;</li> <li>✓ place the movement of pedestrians and cyclists above motor vehicles;</li> </ul>	<p style="text-align: center;"><b>Welcoming</b></p> <ul style="list-style-type: none"> <li>✓ creates an attractive gateway to the development or the local area;</li> <li>✓ easy to find a way around, through simplicity of layout and/or signage;</li> <li>✓ creates an attractive and active street frontage;</li> <li>✓ accessible to all;</li> <li>✓ creates landmarks and incorporates street art and street furniture.</li> </ul>

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.

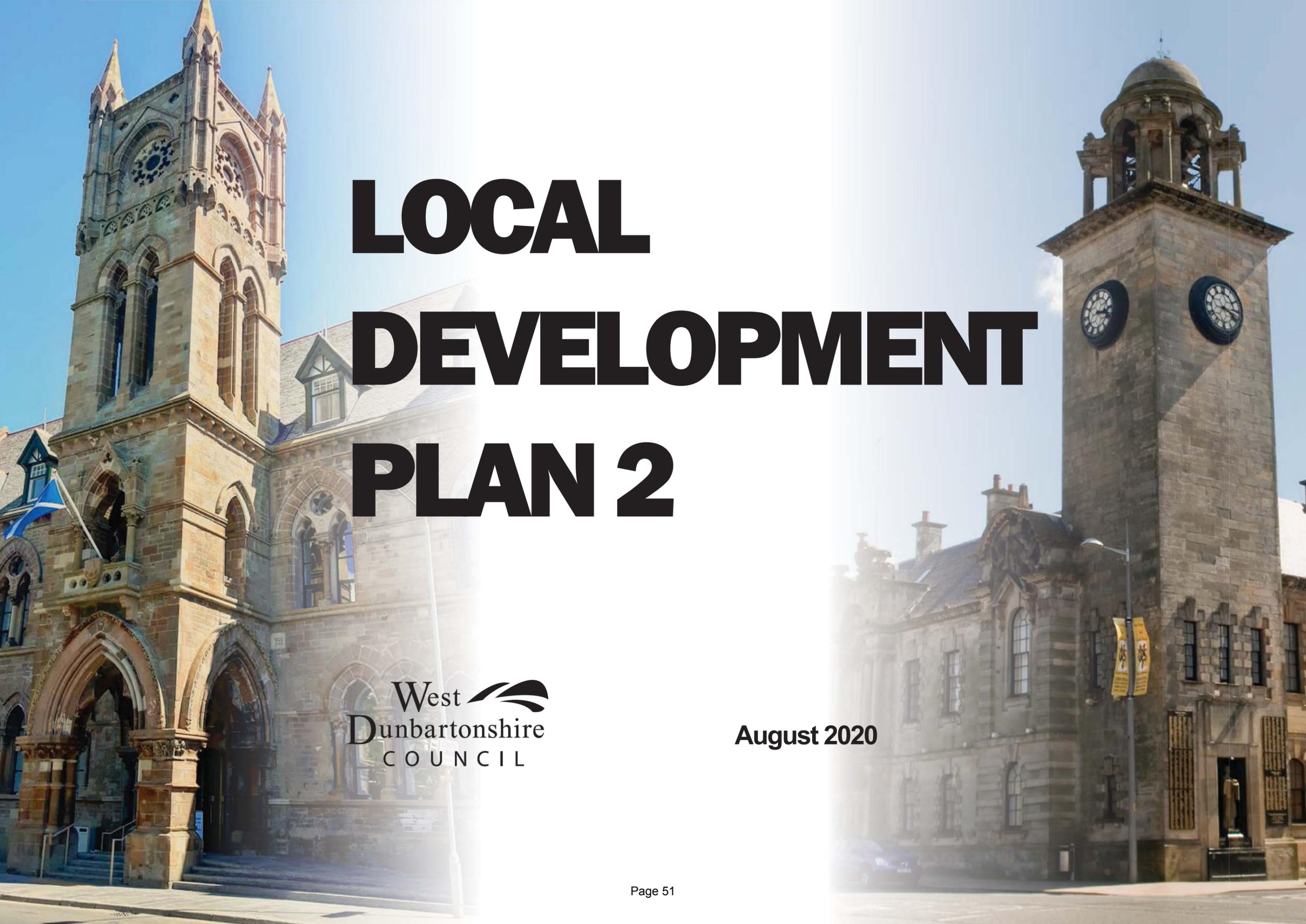
## 6.8 Community Facilities

**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

The background of the page is a photograph of the West Dunbartonshire Council building, a large, ornate stone structure with a prominent clock tower on the right side. The building features Gothic-style architecture with pointed arches and intricate stonework. The sky is clear and blue. The title text is overlaid on the left and center of the image.

# **LOCAL DEVELOPMENT PLAN 2**

West   
Dunbartonshire  
COUNCIL

**August 2020**

# Creating Places

**Local Development Plan 2 sets out a vision for West Dunbartonshire to be a great place to live, work and visit. This vision is for the creation of places that put the needs of the people that use them first. West Dunbartonshire has great places reflecting its history, industrial heritage and outstanding natural beauty.**

The Creating Places policies seek to ensure that all new development enhances and protects our great places and strengthens existing communities, as well as creating new and distinctive places which generate economic activity; encourage walking, cycling and healthy lifestyles; support sustainable patterns of movement and energy efficiency; and connect people to the historic and natural environment. By meeting these objectives new development will lead to vibrant and walkable places which enable our communities, in line with the Council's Strategic Priorities, to be Flourishing, Independent, Nurtured, Empowered and Safe.

Policy CP1: Creating Places sets out criteria which guide development proposals through the design process so as to achieve the six qualities of successful places as set out in Scottish Planning Policy: Distinctive, Safe and Pleasant, Welcoming, Adaptable, Resource Efficient and Easy to Move Around and Beyond. Further guidance on the stages of the design process set out in the criteria of Policy CP1 and the distinctive character of West Dunbartonshire will be provided in the Creating Places Supplementary Guidance.

Green infrastructure is an essential component of liveable, walkable and sustainable places. It includes parks, play areas, nature reserves and street trees, as well as rivers, ponds, sustainable drainage systems and other water features. Developers must consider green infrastructure first and as an integral part of designing places for people.

As this Plan is focused on raising the standards and quality of design within West Dunbartonshire, Policies CP1 and CP2 will apply to all development.

The implementation of the Creating Places policies will be supported through the activity of the Place and Design Panel; the preparation and adoption of site specific guidance as Supplementary Guidance; and the preparation of Supplementary Guidance on Creating Places as well as Green Network and Green Infrastructure. Policies CP3 and CP4 relate to the following topics:

- CP3: Masterplanning and Development Briefs
- CP4: Place and Design Panel

## Policy CP1

### Creating Places

New development shall take a design led approach to creating sustainable places which put the needs of people first and demonstrate the six qualities of successful places. All new development is required to:

- a) Demonstrate an understanding of the local context and contribute positively towards the **distinctive identity** of West Dunbartonshire; retaining, reinforcing and responding to established patterns of development, natural features and the historic environment.
- b) Ensure that **streets** are safe, comfortable and attractive for all users; creating an accessible, inclusive and walkable network of streets and paths which consider the role of streets as places for people first.
- c) **Green infrastructure** must be an integral part of the design process for development from the outset; in line with the requirements set out in Policy CP2.
- d) Ensure that the **layout and form** of the development, including the relationship between the buildings, streets and spaces, protect and enhance the amenity of existing communities, future occupiers and neighbouring development sites.
- e) Ensure that the design and construction of new **buildings and materials** used are of a high quality, sustainable and suited to the climate and location;
- f) Provide **sustainable design** which supports waste reduction targets and reduce carbon emissions in the development's construction and end use.

**All new development is also required to accord with the guidance set out within the Creating Places Supplementary Guidance.**

**Note: Until such times as the Creating Places Supplementary Guidance is adopted by the Council, the 'Residential Development: Principles for Good Design' Planning Guidance, which is non-statutory, should be referred to by landowners and/or developers.**

### 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

DC19/145

DC19/145 – 148 Dumbuck Road, Dumbarton

## CONDITIONS

Condition 1 with regards materials should remain unchanged.

### Condition 2

The existing 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 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? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

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)

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.

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.

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.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  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)

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)

Registered letter with drawings and photos dated 29th June 2020 sent to West Dunbartonshire Council Planning Local Review Body Council Offices

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

DC19/109

What date was the application submitted to the planning authority? \*

18/02/2019

What date was the decision issued by the planning authority? \*

07/04/2020

## 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: Mr James Boyce

Declaration Date: 10/07/2020

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

29<sup>th</sup> 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 7<sup>th</sup> 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 13<sup>th</sup> 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”



- 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.



- 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 11<sup>th</sup> 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](mailto: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](mailto: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: *	TILLICOULTRY
Fax Number:		Country: *	UK
		Postcode: *	FK13 6EP
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

Individual  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]

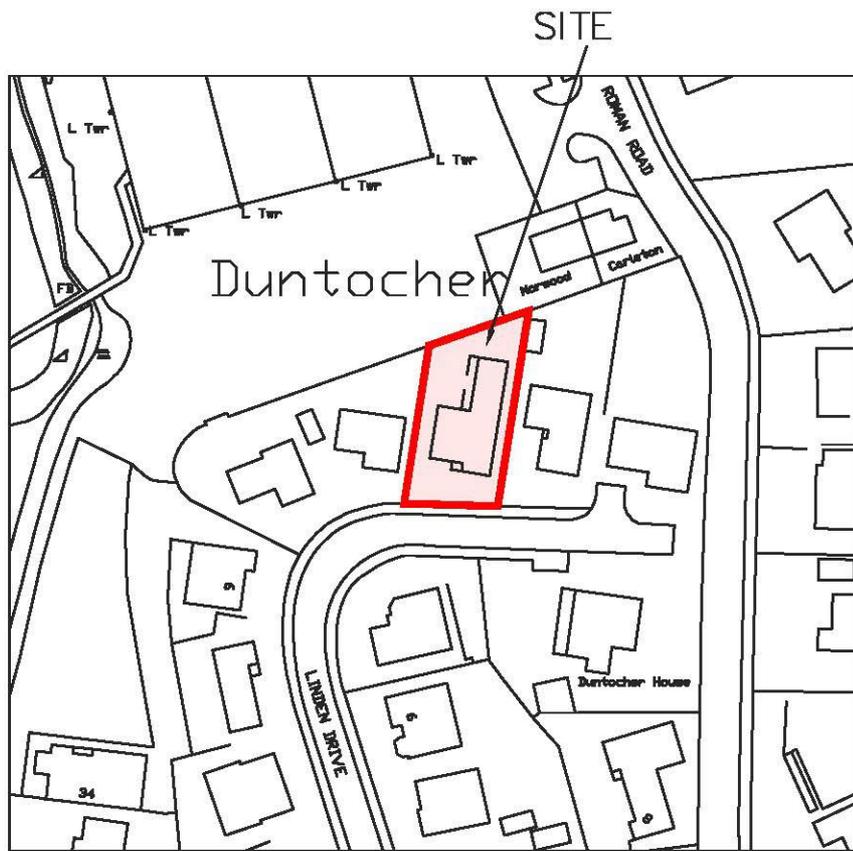
**PROJECT.**  
PROPOSED DOUBLE STOREY REAR  
EXTENSION AND INTERNAL  
ALTERATIONS AT  
15 LINDEN DRIVE  
CLYDEBANK G81 6BW

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

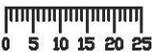
**DETAIL.**  
SITE LOCATION

**Drq.No.2176A**

**Scale.** 1: 1250



Indicative  
Only



SCALE IN METERS  
AT 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]

*DATED* .....26/02/2020.....

**PROJECT.**

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

**CLIENT.**

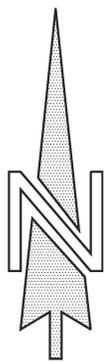
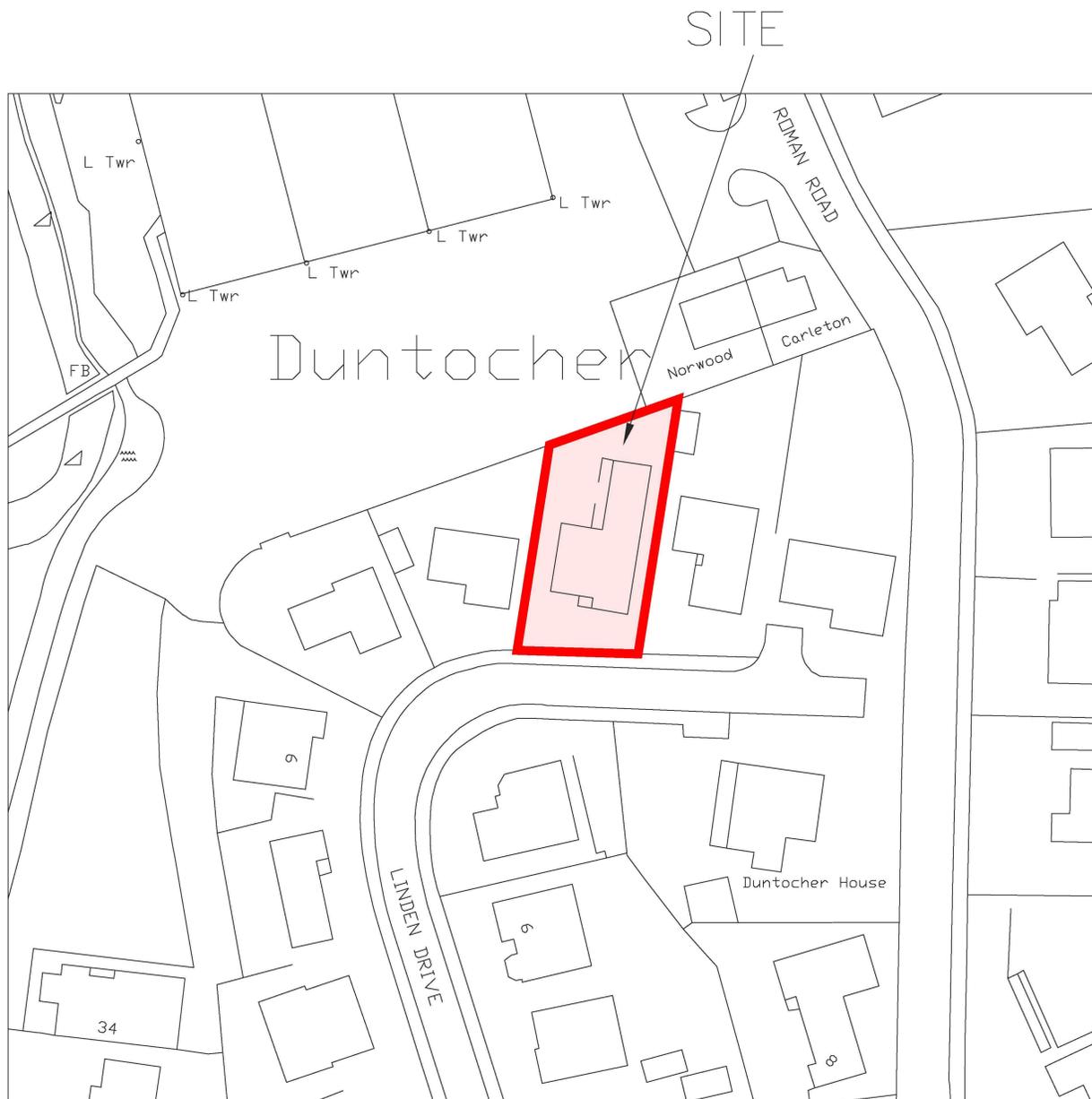
MR & MRS BOYCE  
15 LINDEN DRIVE  
CLYDEBANK G81 6BW

**DETAIL.**

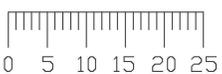
SITE LOCATION

*Drq.No.2176A REV 2*

*Scale.* 1: 1250



Indicative  
Only



SCALE IN METERS  
AT 1 : 1250

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



53-50  
53-50  
53-50  
53-50

+ 53-33  
53-21

+ 54-25  
53-94  
55'

+ 54-33  
54-20

2m wide  
VERGE to  
FORMED  
to 100%

+ 55-85  
55-43

24000 24116

17-338  
17500

6000

FOOTPATH CONTINUED  
END OF HAMMERHEAD.

2m WIDE SCRUB  
LEDGE FORMED

**PINELOAD DESIGNS.**  
 77 LINDEN DRIVE  
 CLYDEBANK GBR 68W  
 TEL: [REDACTED]

**PROJECT:**  
 PROPOSED SINGLE STOREY REAR /  
 SIDE EXTENSION AND INTERNAL  
 ALTERATIONS AT  
 15 LINDEN DRIVE  
 CLYDEBANK GBR 68W

**CLIENT:**  
 MR & MRS ROYCE  
 15 LINDEN DRIVE  
 CLYDEBANK GBR 68W

**DETAIL:**  
 FLOOR PLANS, ELEVATIONS AND  
 SITE LOCATION PLAN

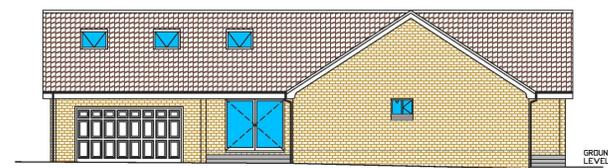
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**AMENDMENTS**

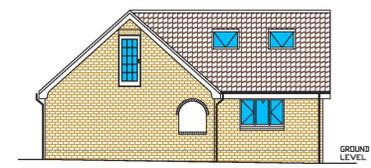
**GENERAL NOTES**  
 DO NOT SCALE FROM DRAWINGS IN  
 CASE OF REPRODUCTION ERRORS  
 ALL DRAWINGS USED FOR PLANNING &  
 BUILDING WARRANT APPLICATIONS SHALL  
 BE USED SOLELY FOR LOCAL AUTHORITY  
 APPROVALS AND COSTING PURPOSES  
 ONLY  
 ADEQUATE PROTECTION/SAFETY MEASURES  
 MUST BE CARRIED OUT DURING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

**THIS IS A TRUE COPY  
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 APPLICATION**

**SIGNED:** [REDACTED]  
**DATED:** 05/02/2022



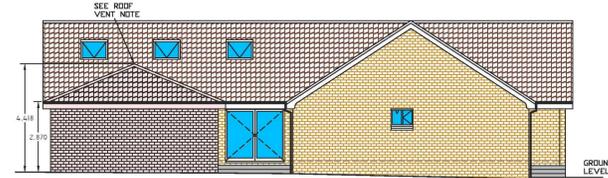
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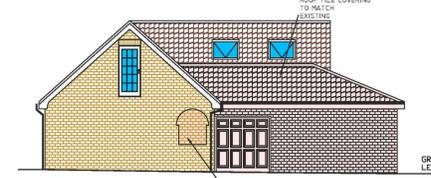
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EXISTING FRONT ELEVATION



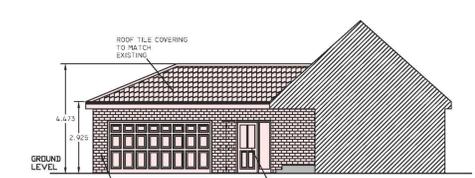
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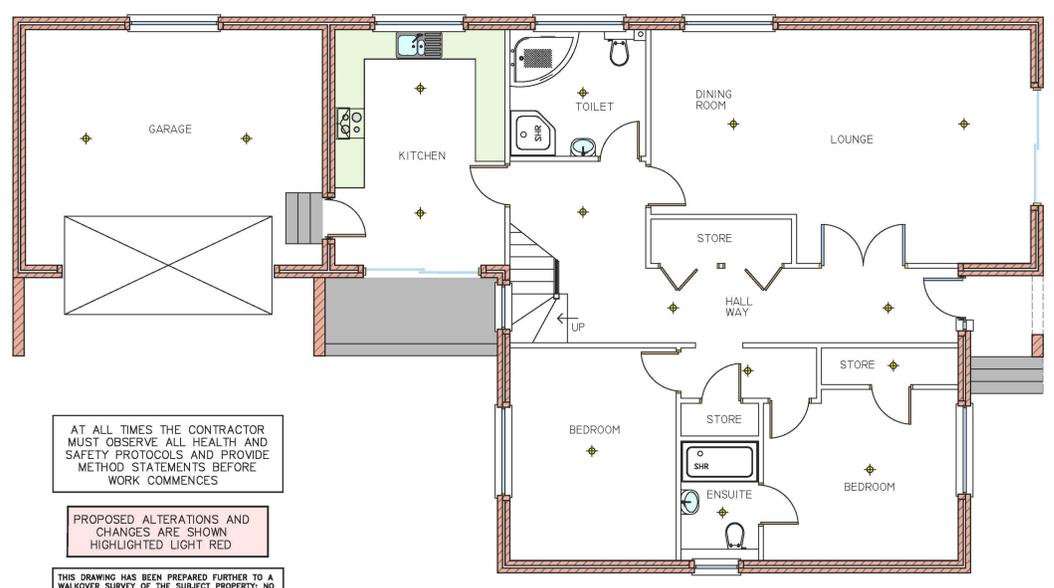
PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED INNER FRONT ELEVATION

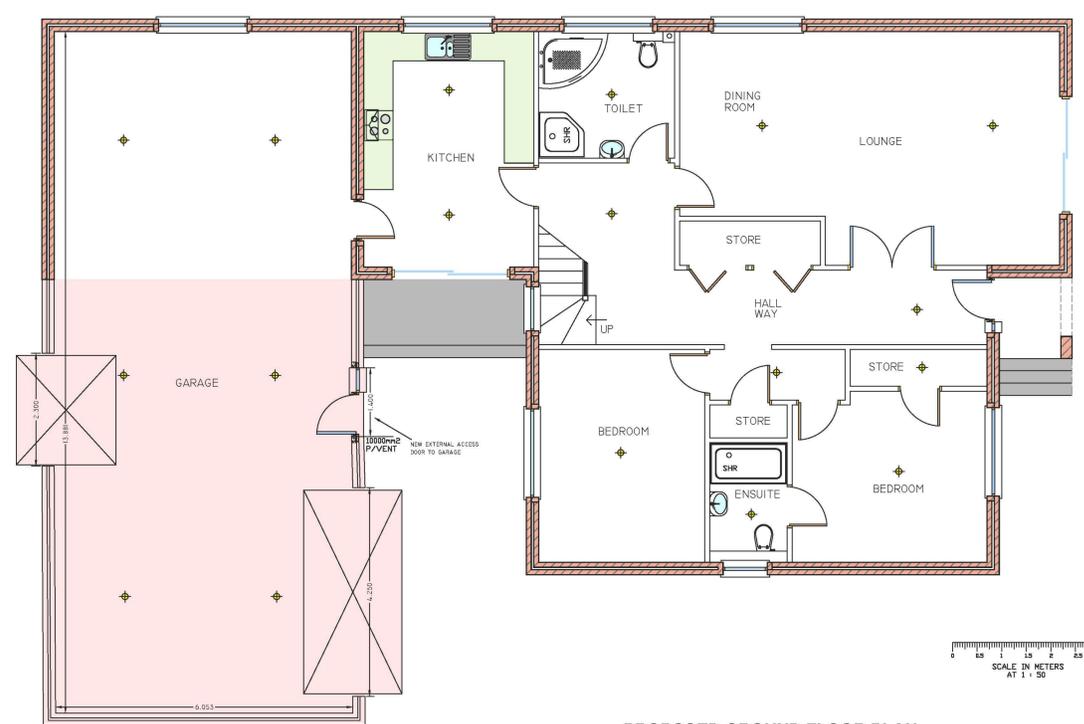


EXISTING GROUND FLOOR PLAN

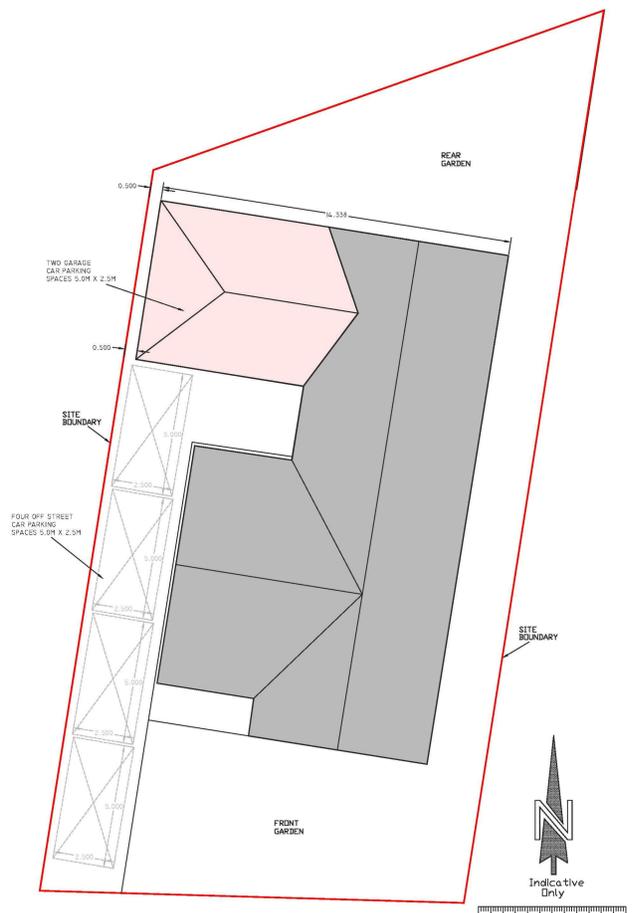
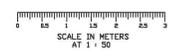
AT ALL TIMES THE CONTRACTOR  
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PROPOSED ALTERATIONS AND  
 CHANGES ARE SHOWN  
 HIGHLIGHTED LIGHT RED

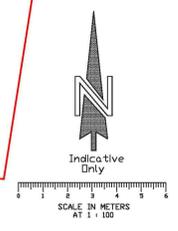
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 SHOWN ON THE DRAWING, THEN THE CONTRACTOR  
 SHOULD CONTACT PINELOAD DESIGNS IMMEDIATELY.



PROPOSED GROUND FLOOR PLAN



SITE BLOCK PLAN  
 SCALED AT 1 : 100



**PINELOAD DESIGNS.**  
 77 LINDEN DRIVE  
 CLYDEBANK GBR 68W  
 TEL: [REDACTED]

**PROJECT:**  
 PROPOSED SINGLE STOREY REAR /  
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 ALTERATIONS AT  
 15 LINDEN DRIVE  
 CLYDEBANK GBR 68W

**CLIENT:**  
 MR & MRS BOYCE  
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 CLYDEBANK GBR 68W

**DETAIL:**  
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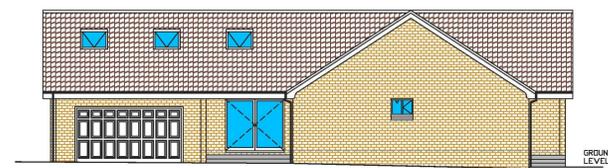
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**AMENDMENTS**

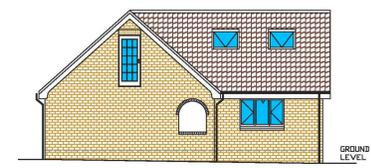
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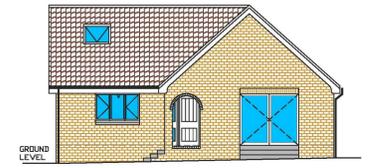
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**DATED:** 26/02/2022



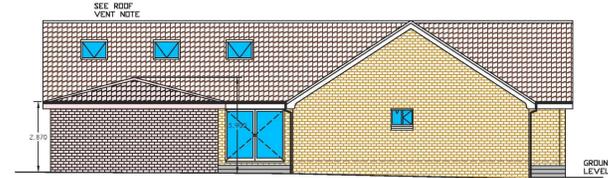
EXISTING LEFT GABLE ELEVATION



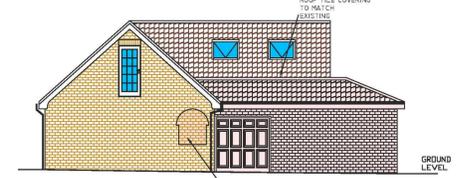
EXISTING REAR ELEVATION



EXISTING FRONT ELEVATION



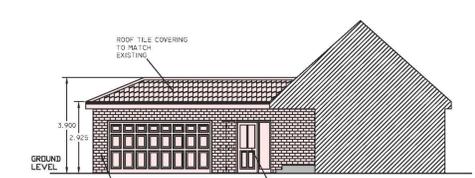
PROPOSED LEFT GABLE ELEVATION



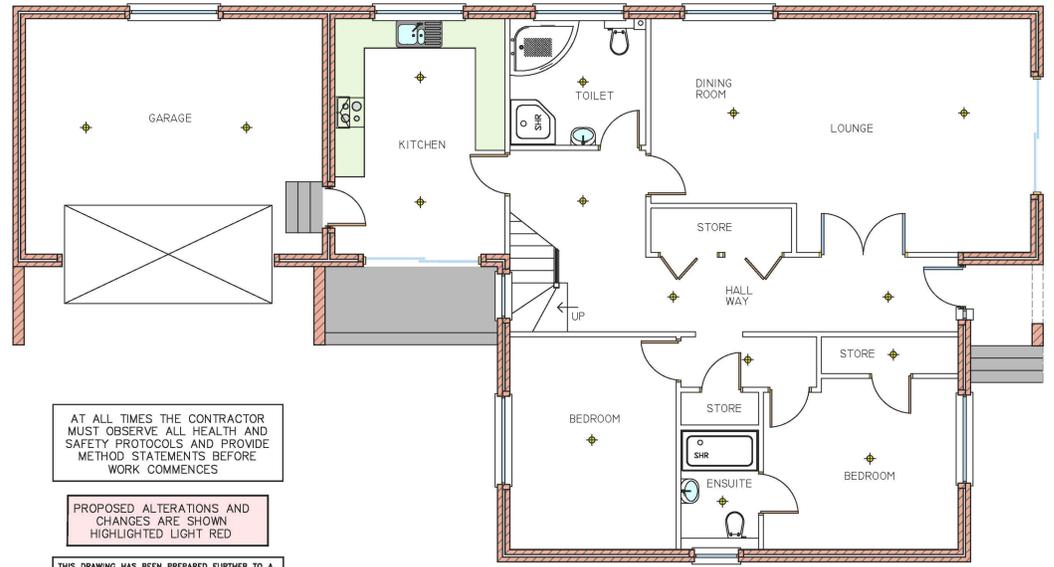
PROPOSED REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED INNER FRONT ELEVATION

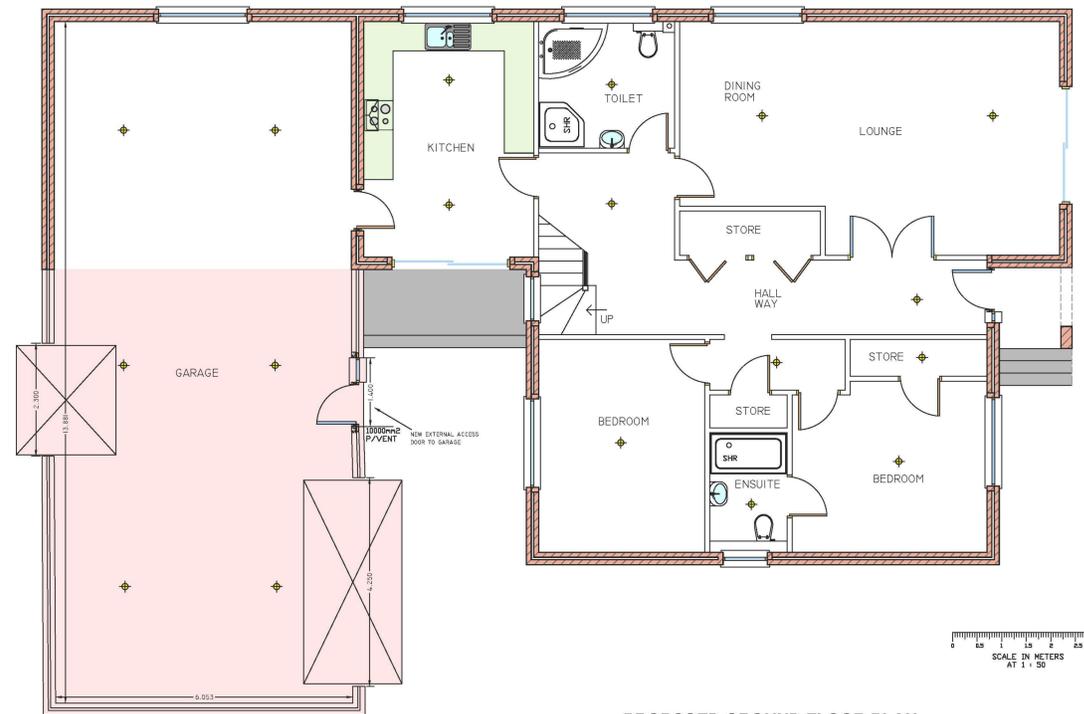


EXISTING GROUND FLOOR PLAN

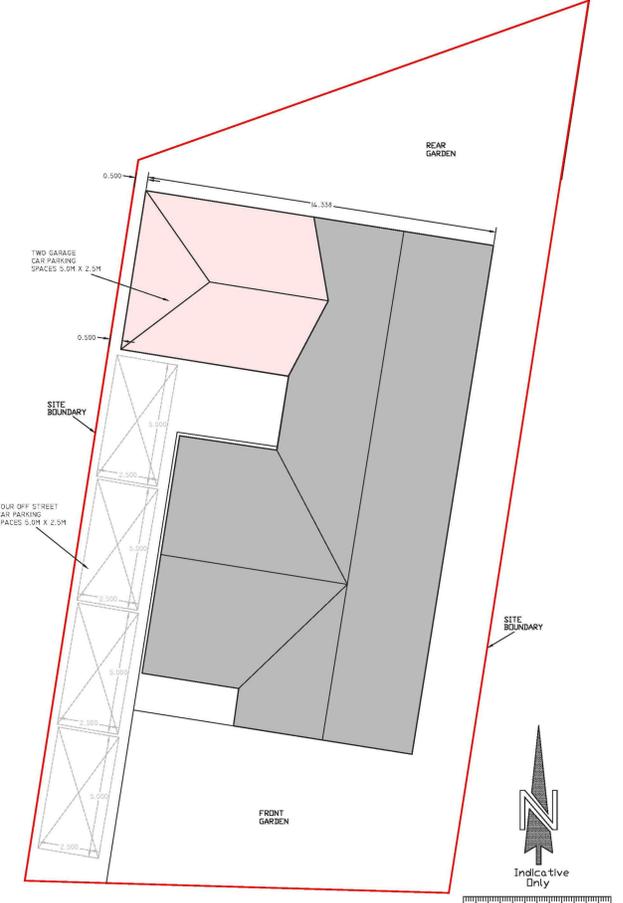
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PROPOSED GROUND FLOOR PLAN



SITE BLOCK PLAN  
 SCALED AT 1 : 100

Colin,

Thanks for the email and amended plans attached.

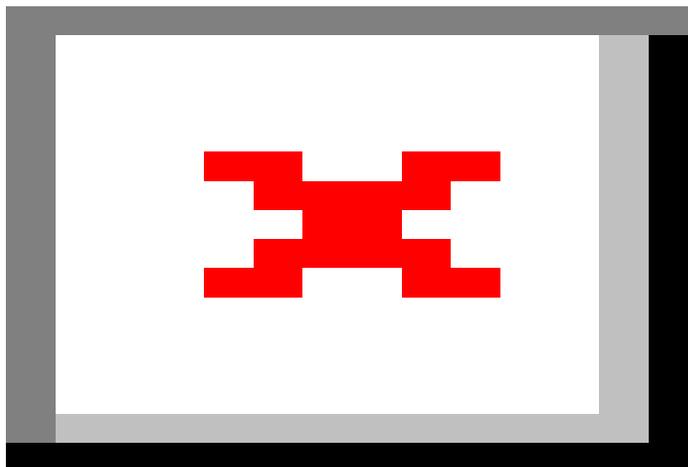
The attached plans do not address the concerns that Erin had raised.

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.

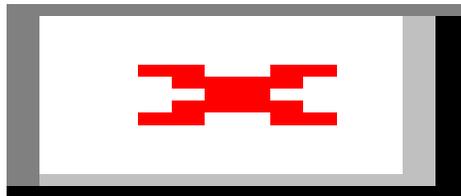
Please advise by return within 14 days of the date of this email.



Kind regards

**Helen**

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



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**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 proprietries to this site ( No. 13 and No. 17 ), both proprietries 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](mailto: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

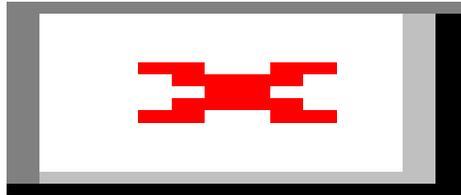
**Helen**

Helen Atkinson MRTPI

Lead Planning Officer

Planning & Building Standards

Tel: 01389 738558



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**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?

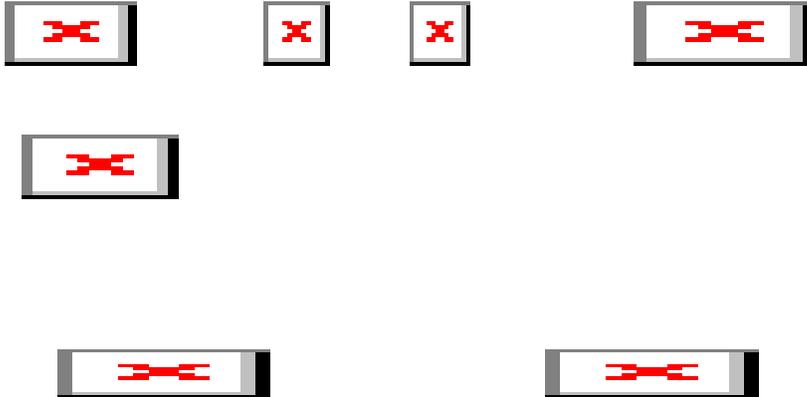
Kind regards

**Helen**

Helen Atkinson MRTPI  
Lead Planning Officer

Planning & Building Standards

Tel: 01389 738558



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

Helen, please see below.

E

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**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](mailto: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

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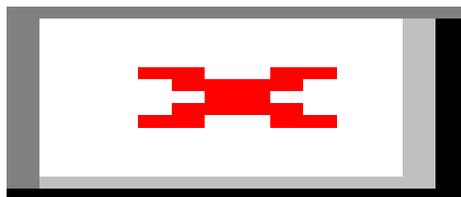
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Tel: 01389 738558



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

Mr Aitchison

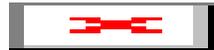
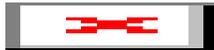
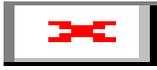
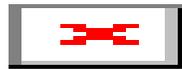
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Helen Atkinson MRTPI  
Lead Planning Officer  
Planning & Building Standards  
Tel: 01389 738558



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**To:** Helen Atkinson <[Helen.Atkinson@west-dunbarton.gov.uk](mailto:Helen.Atkinson@west-dunbarton.gov.uk)>  
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Helen, please see below.

E

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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

[REDACTED]

#### 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.

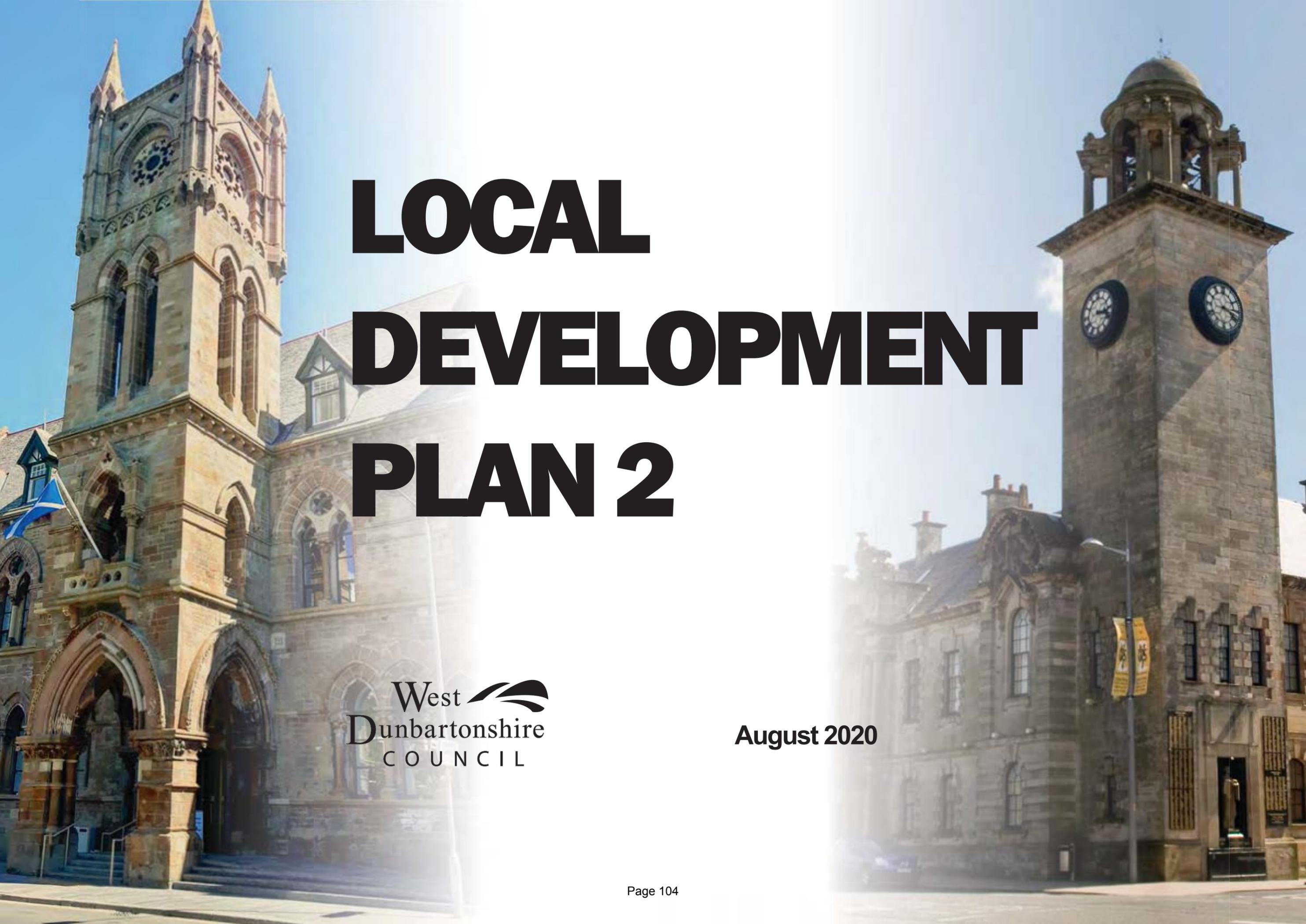
## 6.8 Community Facilities

**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="REDACTED"/>	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="REDACTED"/>		

## 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? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

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)

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.

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.

In my opinion decision made by Council is wrong and unfair. For explanation please see Supporting Documents section.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  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)

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.

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)

Cosmetics specification dryer specification Notice of review

## Application Details

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

Joanna Ignys  
46 Castlehill Road  
G82 5AS Dumbarton

Dumbarton, 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 application, 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

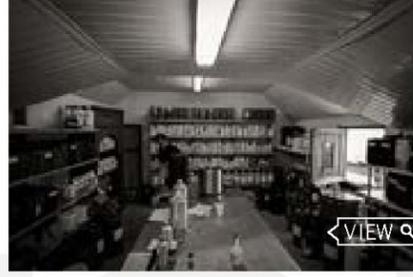
We discuss which product we want to make, what we want to achieve and of course, the ingredients we would like to use. Our renowned apothecary is recognized as one of the top 10 natural perfumers in world, so we spend time developing unique, divine fragrances that our customers know and love.



[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**<sup>®</sup>



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**

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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

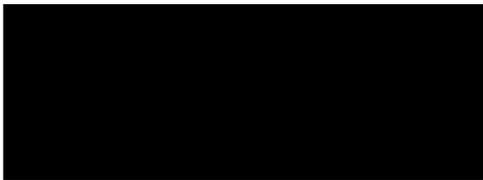
*WEST DUNBARTONSHIRE COUNCIL, AS PLANNING AUTHORITY, IN EXERCISE OF THEIR  
POWERS UNDER THE ABOVE-MENTIONED ACTS AND ORDERS, AND HAVING CONSIDERED  
YOUR PROPOSED DEVELOPMENT, THE PLAN(S) DOCQUETTED AS RELATIVE THERETO AND  
THE PARTICULARS GIVEN IN THE ABOVE APPLICATION, HEREBY:-*

**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](mailto: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="REDACTED"/>	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="REDACTED"/>		

## 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"/>
----------	-------------------------------------	---------	-------------------------------------

## 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?

3

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)? \*

3

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?? \*  
(e.g. SUDS arrangements) \*

Yes  No

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. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

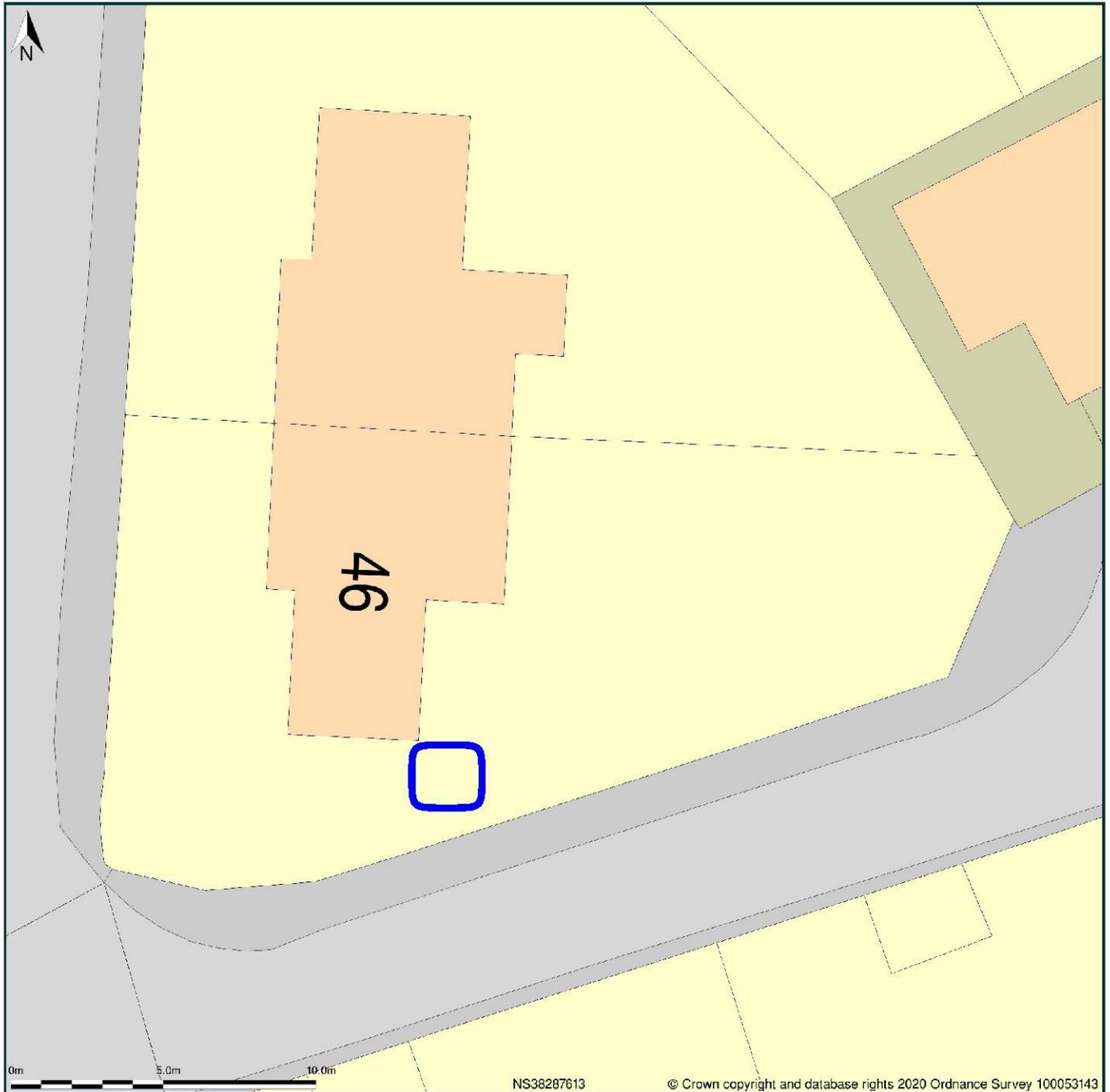


Site Plan shows area bounded by: 238203.53, 676064.46 238403.53, 676264.46 (at a scale of 1:1250), OSGridRef: NS38307616. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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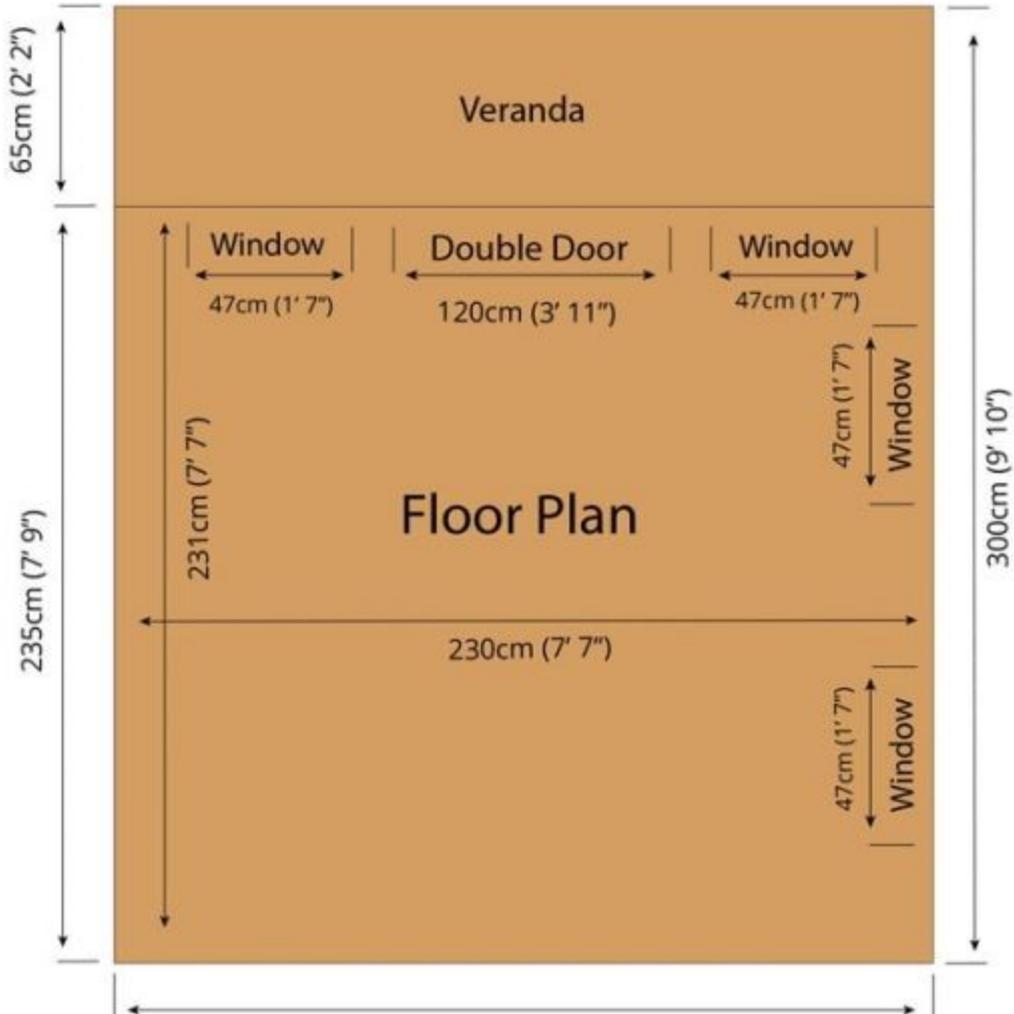
46. Castlehill Road, Dumbarton, West Dunbartonshire, G82 5AS

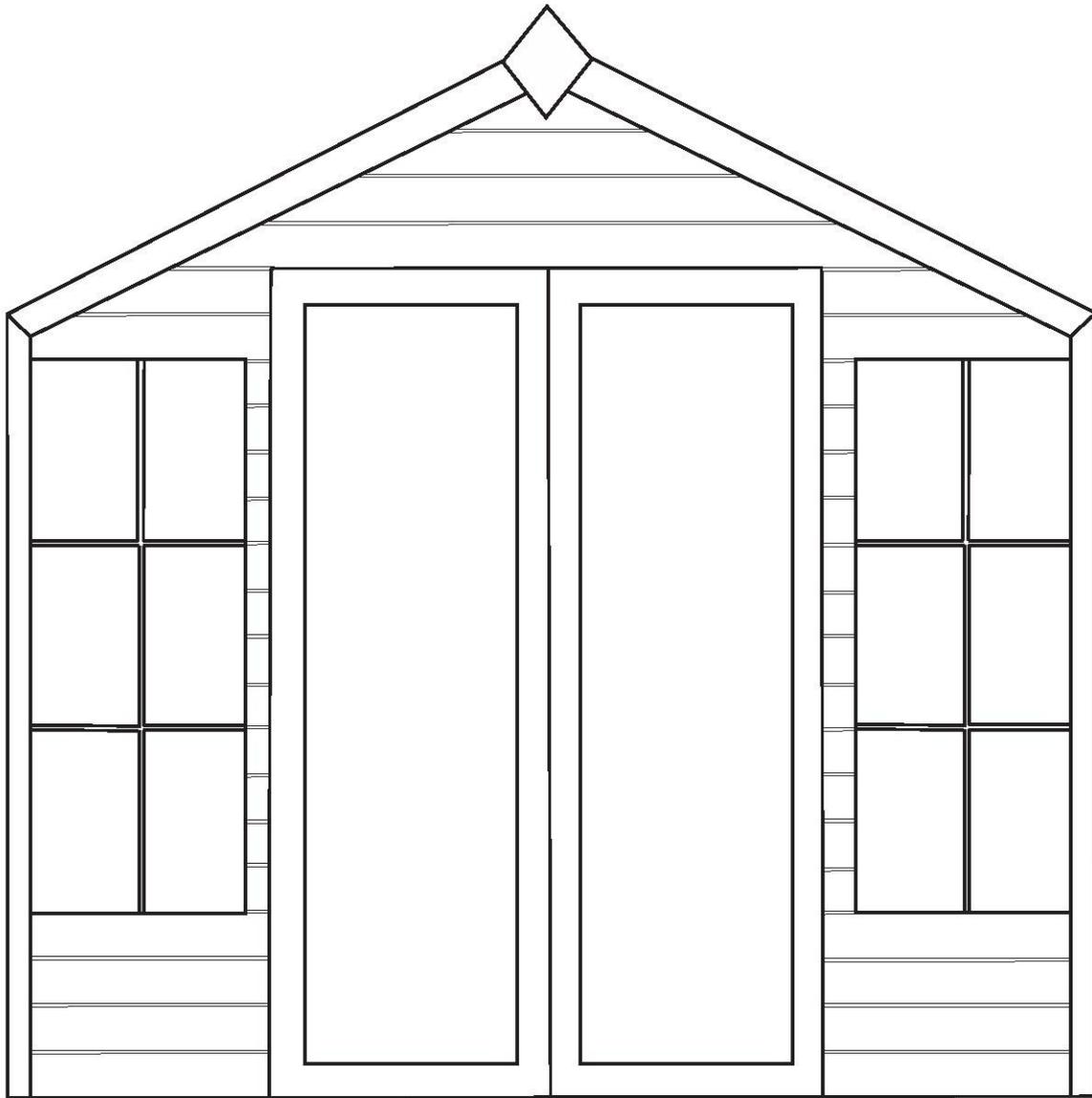


Block Plan shows area bounded by: 238262.61, 676117.27 238298.61, 676153.27 (at a scale of 1:200), OSGridRef: NS38287613. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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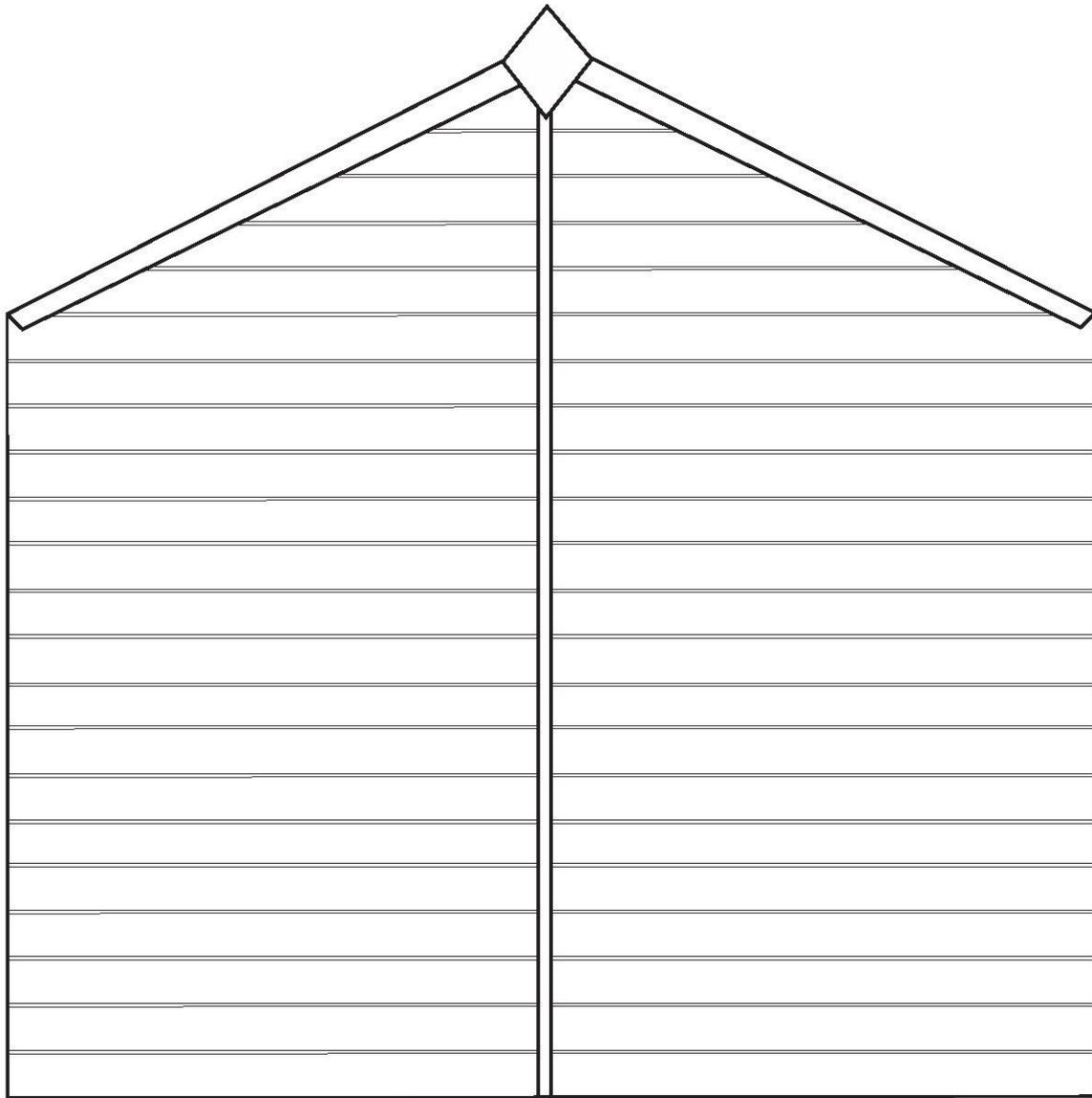
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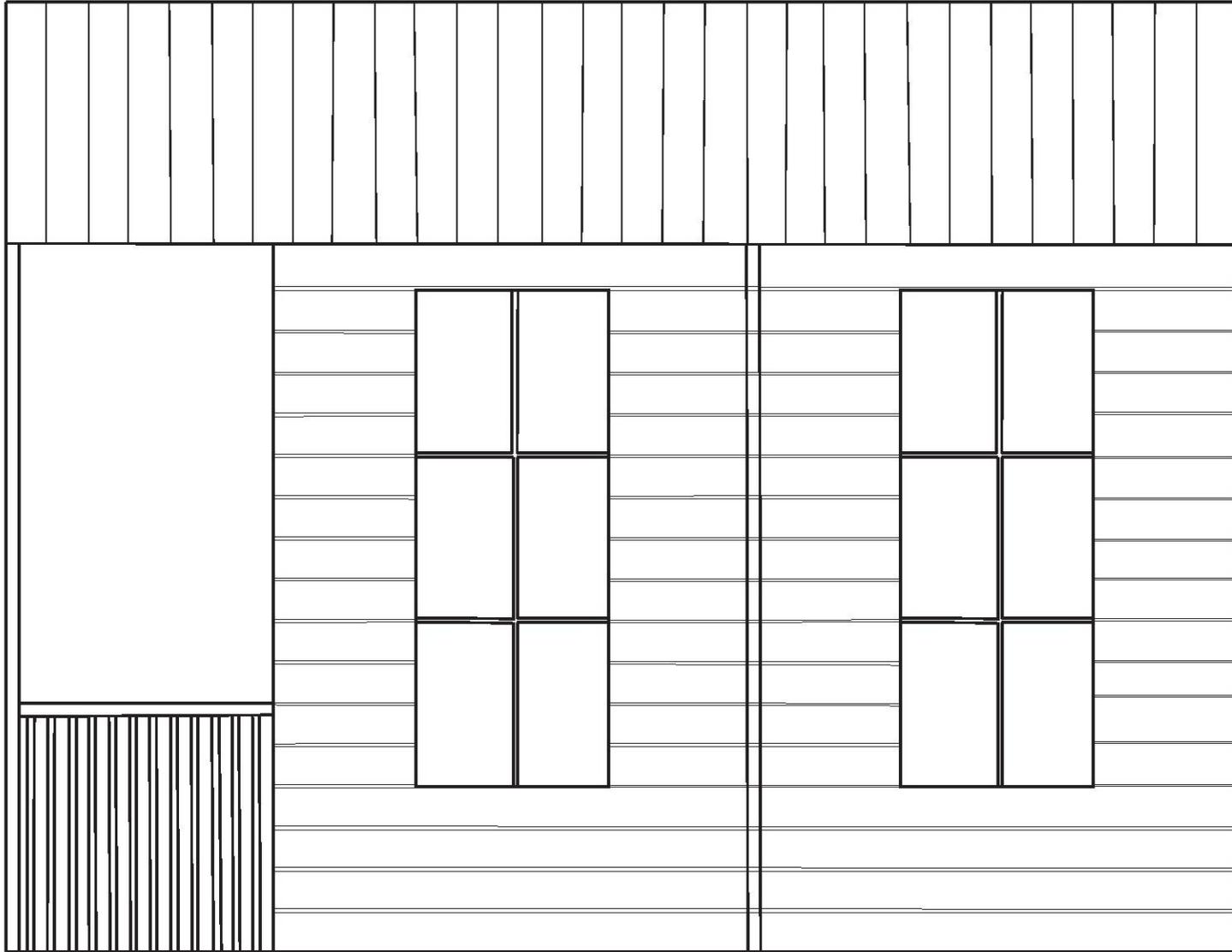
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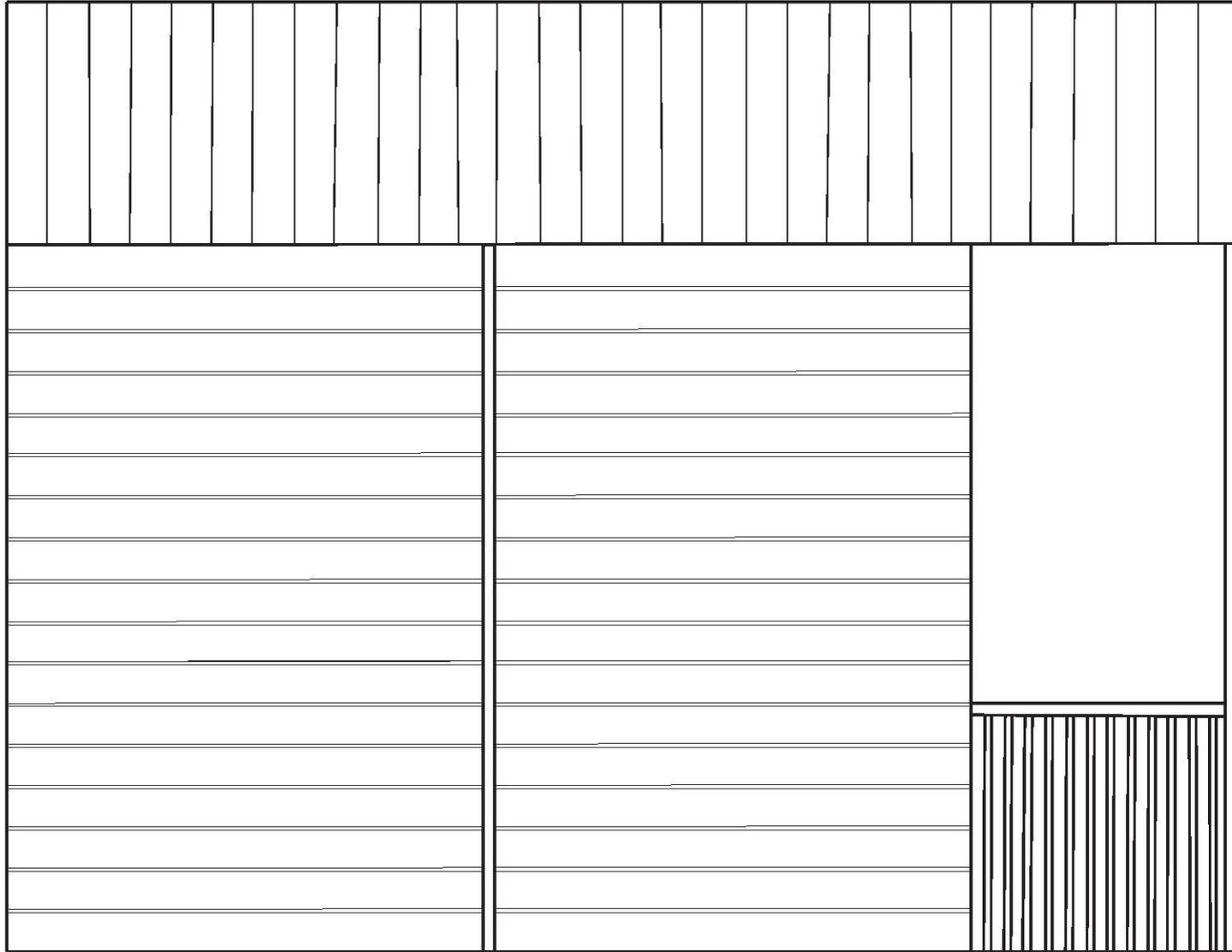
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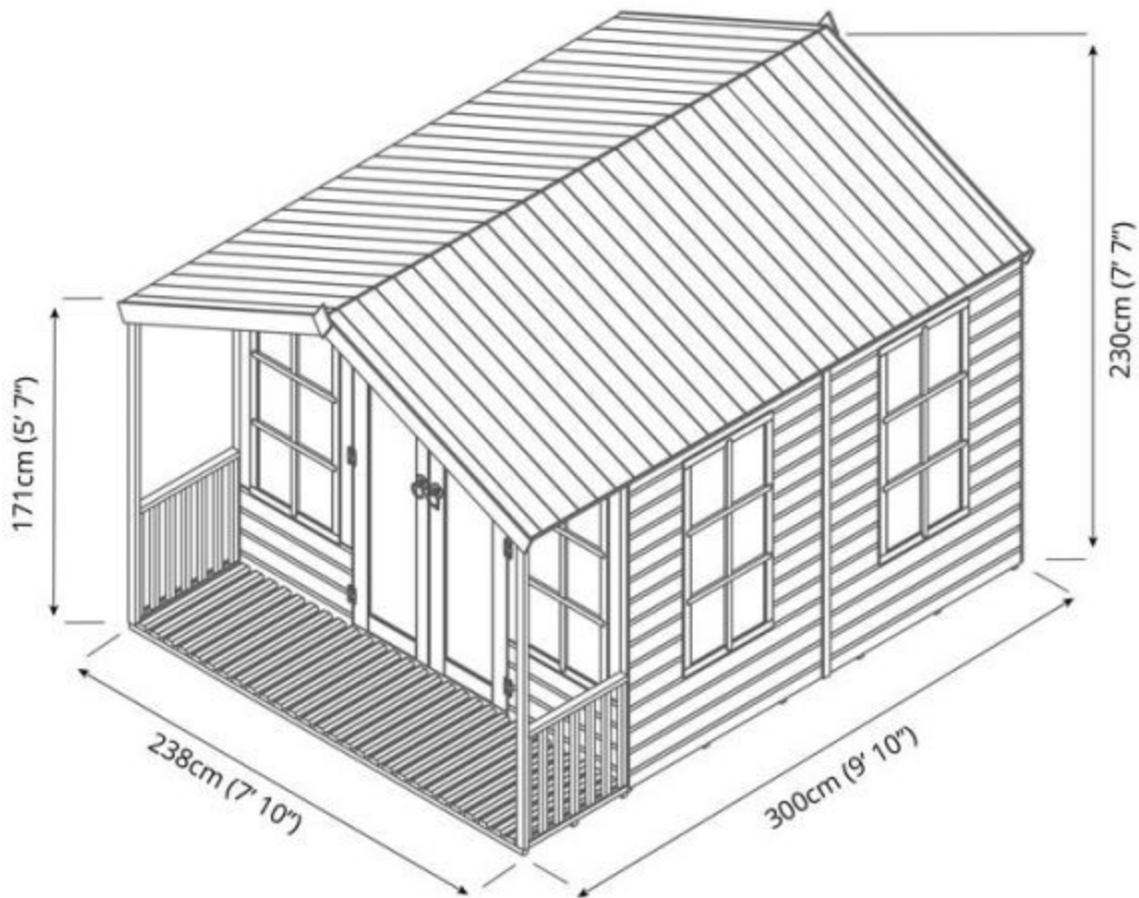
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GROUND FLOOR



1ST FLOOR



Page 145





FOR SALE  
To view call  
01389  
731730

46

46

Joanna Ignys  
46 Castlehill Road  
G82 5AS Dumbarton

Dumbarton, 08.06.2020

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.

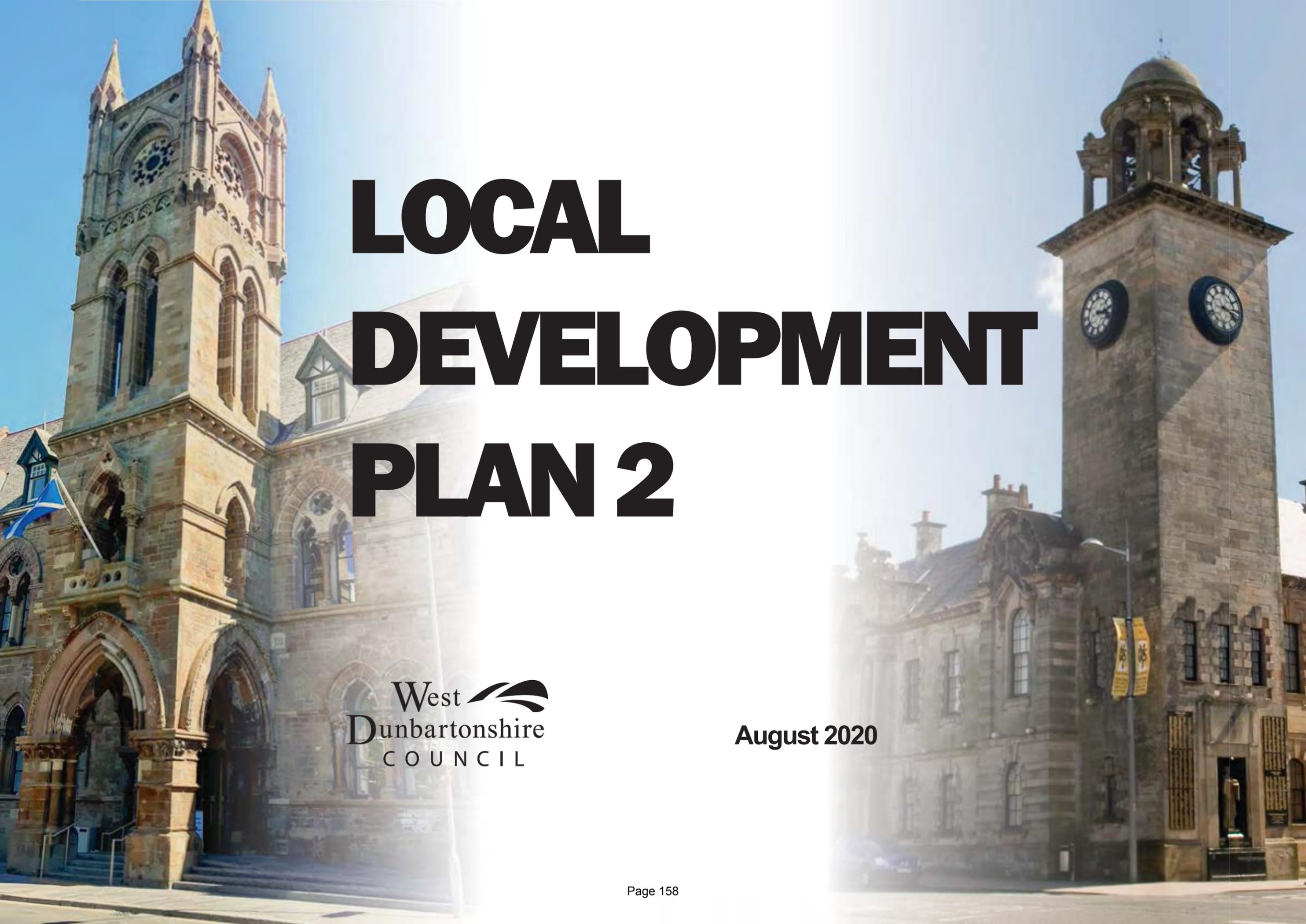
## 6.8 Community Facilities

**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 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

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.