

## PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 5 May 2004 at 10.00 a.m.

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

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

\* Attended later in the meeting

**Councillor Jack Duffy in the Chair**

### MINUTES OF PREVIOUS MEETING

2592 The Minutes of Meeting of the Committee held on 7 April 2004 were submitted and approved as a correct record.

Note: Councillors Denis Agnew, Duncan McDonald and Connie O'Sullivan entered the meeting at this point.

### PLANNING APPLICATIONS

2593 Reports were submitted by the Director of Economic, Planning and Environmental Services in respect of various planning applications as detailed below.

#### Continued applications

#### **(a) DC03/249 – Outline permission for residential development at Beardmore Place, Clydebank**

2594 Reference was made to the site visit undertaken in respect of this application. The Convener, Councillor Duffy, explained the procedure which the Committee would follow when dealing with this application. The applicant's representatives Mr. John McDowell and Mr. Stuart Duncan were invited to address the Committee and spoke in support of the application. Ms. Susan Dick, an objector to the application, was then invited to address the Committee and made her views on the application known.

2595 After discussion, and having heard the Planning and Development Manager in further explanation and in answer to Members' questions, the Committee agreed that the application be continued until the next meeting of the Committee to allow the public consultation on the Clydebank Local Plan to be completed.

Note: Councillor Dennis Brogan entered the meeting during discussion of the above item

**(b) DC03/319 – Residential development of 25 flats, new access and car parking at Dunclutha, Parkhall Road, Clydebank**

2596 Reference was made to the site visit undertaken in respect of this application. The applicant's representatives, Mr. Ian Harper and Ms. Catriona McReynolds were invited to address the Committee and spoke in support of the application. Mr. John Prentice, representing the objectors to the application, was invited to come forward and was heard in support of the objections to the application.

2597 After discussion and having heard the Planning and Development Manager in further explanation and in answer to Members' questions, the Committee agreed that the application be refused, contrary to the recommendation of the Director, on the grounds that the scale of the proposed development would render the development contrary to the Clydebank District Local Plan and the Final Clydebank Local Plan and would have a detrimental effect on the amenity of the residents in the surrounding area.

## ADJOURNMENT

2598 At this point in the meeting the Committee agreed to a short adjournment to allow those persons present in the public gallery to leave, if they so wished. The meeting was adjourned at 10.48 a.m. and reconvened at 10.50 a.m. with the same Members present as listed in the sederunt.

### New applications

**(c) DC01/300 – Change of use of land to site residential caravan (renewal) at Cochnohill Farm, Cochno Road, Clydebank**

2599 Having heard the Planning and Development Manager in further explanation the Committee agreed to grant planning permission for a period of one year, subject to the condition specified in the Director's report, details of which are contained in the Appendix hereto.

**(d) DC03/345 – Erection of residential development of 115 units, access, roads and car parking at Main Street, Jamestown**

2600 Having heard the Planning and Development Manager in further explanation the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

**(e) DC03/450 – Change of use of part of dance studio to nail salon (retrospective) at 27b Kilbowie Road, Clydebank**

2601 Having heard the Planning and Development Manager in further explanation, the Committee agreed to grant planning permission subject to the condition specified in the Director's report, details of which are contained in the Appendix hereto.

**(f) DC03/458 – Erection of conservatory at 22 McGregor Drive, Dumbarton**

2602 Having heard the Planning and Development Manager in further explanation, the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

**PROPOSED WINDFARM, KILPATRICK HILLS**

2603 A report was submitted by the Director of Economic, Planning and Environmental Services reporting on a formal consultation on a proposed Windfarm in the Kilpatrick Hills and seeking agreement for a response to be forwarded to the Scottish Executive.

2604 The Planning and Development Manager explained that the Scottish Executive had asked for further information from the applicant following receipt of which a further consultation and re-advertisement would take place. Meantime, the Committee agreed that the Director of Economic, Planning and Environmental Services be authorised to lodge an objection with the Scottish Executive based on the following:-

- (i) the adverse impact on the environmental resources of the Kilpatrick Hills Regional Scenic Area;
- (ii) the visual impact of the proposal within the Kilpatrick Hills Regional Scenic Area and beyond;
- (iii) the adverse impact on the setting of the cultural heritage of the area;
- (iv) the unresolved issues relating to Glasgow Airport and related safety issues;
- (v) the very limited economic benefit to the area; and
- (vi) the expression of public opposition.

**PART 1 LAND REFORM (SCOTLAND) ACT 2003 – ACCESS RIGHTS  
CONSULTATION ON DRAFT GUIDANCE FOR LOCAL AUTHORITIES AND  
NATIONAL PARK AUTHORITIES**

2605 A report was submitted by the Director of Economic, Planning and Environmental Services informing of the consultation on the Draft Guidance and recommending the Council's formal response to the Scottish Executive.

2606 The Committee agreed:-

- (1) that the Director of Economic, Planning and Environmental Services be authorised to respond to the consultation on the basis outlined in the appendix to the report; and
- (2) to the continuation of preparatory work for the implementation of the new legislation on outdoor access, including working towards the establishment of an Access Forum for the area.

**ENFORCEMENT NOTICE APPEAL: LAND AT BARNHILL ESTATE,  
MILTON BRAE, DUMBARTON**

2607 A report was submitted by the Director of Economic, Planning and Environmental Services informing of the outcome of the Enforcement Notice appeal at land at Barnhill Estate, Milton Brae, Dumbarton.

2608 Having heard the Planning and Development Manager in further explanation the Committee agreed to note the outcome of the appeal.

**PLANNING APPEALS: 17-19 HIGH STREET, DUMBARTON AND  
148 MONTROSE STREET, CLYDEBANK**

2609 A report was submitted by the Director of Economic, Planning and Environmental Services informing of the submission of two appeals which have been lodged with the Scottish Ministers in relation to the above.

2610 The Committee agreed to note:-

- (1) that in respect of the application at 17 – 19 High Street, Dumbarton an appeal had been submitted to the Scottish Ministers and the appellant had asked that it be dealt with by way of written submissions; and
- (2) that in respect of the proposal at 148 Montrose Street, an appeal had been submitted and would be dealt with by way of written submissions.

**PLANNING APPEAL DECISION: 92 BARNHILL ROAD, DUMBARTON**

- 2611 A report was submitted by the Director of Economic, Planning and Environmental Services informing of an appeal which was recently decided by the Scottish Executive Inquiry Reporters Unit against the Council's refusal of planning permission for a 1½ storey extension at 92 Barnhill Road, Dumbarton.
- 2612 The Committee agreed to note that the appeal had been dismissed.

The meeting closed at 10.58 a.m.



**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE  
PLANNING COMMITTEE ON 5 MAY 2004**

**DC01/300 – Change of use of land to site residential caravan (renewal) at  
Cochnohill Farm, Cochno Road, Clydebank**

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

1. The caravan hereby approved is granted for a temporary period of one year from the date of this consent and within one month from the expiry of the consent the structure shall be removed from the site and the site left in a neat and tidy condition.

**DC03/345 – Erection of residential development of 115 units, access, roads  
and car parking**

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

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Prior to works commencing on site, full details, including phasing, of a surface water drainage scheme shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
3. Prior to the work starting on site, detailed plans shall be submitted which clearly illustrate in cross-section form, the existing and proposed ground levels, the finished floor levels of the proposed development and the extent of any under-building involved. The floor levels shall clearly relate to a Fixed Datum Point on the site which shall be clearly identified on the submitted plans.
4. Prior to commencement of development a scheme, for the provision of one equipped play area within the application site, shall be submitted to the Director of Economic, Planning and Environmental Services for their written approval and this shall include:-
  - (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area;
  - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
  - (c) details of the fences to be erected around the play area, and
  - (d) details of the phasing of these works.
5. Prior to the occupation of the last ten dwellinghouses within the development, all the works required for the provision of the equipped play area included in the scheme approved under the terms of condition No.4 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as a play area.

6. Prior to the commencement of any works on the site, a scheme for the management and maintenance of open spaces within the development shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
7. Prior to commencement of development, the developer shall submit a detailed survey of all trees and hedging on the site. This survey shall be displayed on a site layout plan and include an identification of the existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which over-hang onto the site shall also be included). Those trees which it is proposed to fell or remove shall be separately identified.
8. The existing trees and shrubs on site shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written consent of the Director of Economic, Planning and Environmental Services.
9. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Economic, Planning and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
  - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Economic, Planning and Environmental Services, and
  - (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Economic, Planning and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
10. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services prior to any work commencing on the site.
11. Prior to commencement of works, full details of the design and location of all fences and walls to be erected on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
12. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.



13. The garages, driveways and parking spaces shall be used solely for purposes incidental to the use of the dwellinghouses on the site and no commercial activity shall be carried out in, or from the garages, driveways and parking spaces.
14. That prior to the occupation of any house in this development all roads and footpaths within and serving the development shall be completed to the level of bottoming and bitmac base course, including the access bell mouth, visibility splay and all turning heads to the satisfaction of the Director of Economic, Planning and Environmental Services.
15. Prior to occupation of the last dwellinghouse in the development or within four weeks of the completion of the last dwelling, whichever is the sooner all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard of the Roads Authority.
16. No dwellinghouse shall be occupied until the vehicle parking spaces and turning areas have been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times. Visitor parking spaces in all areas shall be available for public use at all times in accordance with the approved plans.
17. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during the hours of operation to prevent mud being deposited on the public road.
18. Prior to work starting on site, full details of the design of the new roundabout, roads, lighting, all footpaths, pedestrian crossings, parking standards and provision and layout, designed in accordance with the Design Manual for Roads and Bridges and West Dunbartonshire Council's Guidelines for the development of roads, shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
19. Prior to work starting on site, full details of the design and construction of the new footpath along the length of the boundary on Main Street and connecting to the footpath at Auchencarroch Road, must be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
20. Construction works shall be limited to between 8.00am – 6.00pm Monday to Saturday only with no site preparation or construction works on a Sunday, all to the satisfaction of the Director of Economic, Planning and Environmental Services.
21. Prior to work starting on site, a method statement on the prevention of nuisance from dust during construction and dry weather conditions, shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
22. Prior to commencement of works, full details of the bin storage areas shall be submitted for the consideration and approval of the Director of Economic, Planning and Environmental Services

23. Prior to work starting on site, details of the construction methods and design of all dwellings, all according to the BRE document "Construction of New Buildings on Gas Contaminated Land", which must ensure that Methane Gas or any other gas emissions will not permeate through the ground or be allowed to build up within the dwellings, must be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
24. Prior to the construction work starting on site, all remedial works required with respect to ground contamination, must be carried out to the satisfaction of the Director of Economic, Planning and Environmental Services.
25. During construction, works must be carried out in accordance with BS5228: Part 4: Code of Practice for Noise Control, all to the satisfaction of the Director of Economic, Planning and Environmental Services.
26. No further work shall be carried out on site until a written scheme of archaeological investigation has been submitted for the consideration and approval of the Director of Economic Planning and Environmental Services. Thereafter the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Director of Economic, Planning and Environmental Services.
27. The development shall be constructed in accordance with the approved plans, especially with regard to the form and layout of the development and plot dimensions. Any deviation from the approved plans would require a further planning application to be submitted for the approval of the Director of Economic, Planning and Environmental Services.

**DC03/450 – Change of use of part of Dance Studio to Nail Salon (retrospective) at 27b Kilbowie Road, Clydebank**

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

1. The nail salon shall only operate between the hours of 10.00am and 6.00pm Tuesday to Saturday, additionally on a Thursday the nail salon may open until 8.00pm.

**DC03/458 – Erection of Conservatory at 22 McGregor Drive, Dumbarton**

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

1. The development hereby permitted shall commence within the period of 5 years from the date of this permission.
2. Exact details and specification of all proposed external finishing materials (including details of the external staircase) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services prior to any work commencing on site.
3. Notwithstanding the details shown on the approved plan and condition 2 above, the rear wall of the conservatory shall be extended to include the area shaded brown on the elevation plan.