

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 3 August 2005 at 9.30 a.m.

Present: Provost Alistair Macdonald and Councillors Denis Agnew*, Douglas McAllister, Linda McColl* and Connie O'Sullivan.

Attending: Alasdair Gregor, Planning Services Manager; Nigel Ettles, Principal Solicitor and Shona Barton, Administrative Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Dennis Brogan and Duncan McDonald.

* Attended later in the meeting

Councillor Douglas McAllister in the Chair

MINUTES OF PREVIOUS MEETINGS

- 6513 The Minutes of Meeting of the Committee held on 1 June 2005 and the Minutes of the Special Meeting of the Committee held on 22 June 2005 were submitted and approved as correct records.

NOTES OF VISITATIONS

- 6514 Notes of Visitations carried out on 31 May 2005 and 20 June 2005, copies of which form Appendices 1 and 2 hereto, were submitted and noted.

PROVISION OF OUTDOOR RECREATIONAL FACILITIES WITH ASSOCIATED EQUIPMENT AND LANDSCAPING AT CENTRAL PARK, RENTON

- 6515 A report was submitted by the Director of Development and Environmental Services providing an update on the progress of the above planning application, which had previously been considered by the Committee.
- 6516 The Committee noted that this application had been continued from the meeting of the Planning Committee held on 2 March 2005 to enable the maintenance and management arrangements to be clarified.

6517 After discussion and having heard the Planning Services Manager in further explanation and in answer to Members' questions, the Committee agreed that planning permission be refused for the following reasons:-

- (1) the proposal would be contrary to policy DC1 of the Dumbarton District, District Wide Local Plan 1999, in that the proposed skate park and play area would be situated in such proximity to existing housing that it would be likely to give rise to problems of noise and disturbance to the detriment of the residential amenities of these houses; and
- (2) the proposal would be contrary to policy H5 of the Dumbarton District, District Wide Local Plan 1999, in that adequate arrangements for the long term management and maintenance of the proposed skate park, play and exercise equipment, and associated landscaping, have not been demonstrated. As such, problems of noise and disturbance, vandalism, litter and other antisocial behaviour, would be likely to occur, to the detriment of the residential amenities of the surrounding area.

NOTE: Councillor McColl entered the meeting during discussion of the above item but took no part in the deliberation and determination thereof. Councillor Agnew entered at this point in the meeting.

USE OF PLANNING CONDITION TO REMOVE PERMITTED DEVELOPMENT RIGHTS

6518 A report was submitted by the Director of Development and Environmental Services providing an update on the use of a planning condition attached to the residential development of the former M.O.D. site in Old Kilpatrick, and considering its effectiveness in control of development.

6519 The Committee noted that this matter had previously been considered at the Council meeting held on 27 October 2004 where it was agreed that a progress report would be submitted to Members after a period of 6 months.

6520 After discussion and having heard the Planning Services Manager in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) that the restrictive condition no longer be applied and that permitted development rights be restored to houseowners where previously removed; and
- (2) that no enforcement action be taken against those who have breached the condition in the past.

DUTIES UNDER THE LAND REFORM ACT (SCOTLAND) 2003 SECTION 11 EXEMPTION ORDERS

- 6521 A report was submitted by the Director of Development and Environmental Services seeking approval for the procedure to be followed when applying to the Council for an Exemption Order to Access Rights under the Land Reform (Scotland) Act 2003.
- 6522 After discussion and having heard the Planning Services Manager in further explanation and in answer to Members' questions, the Committee agreed to the implementation of the procedure for applying for an Exemption Order under Section 11 of the Land Reform (Scotland) Act 2003, as outlined in the report.

ARGYLL & BUTE LOCAL PLAN (FINALISED DRAFT) 2005

- 6523 A report was submitted by the Director of Development and Environmental Services advising of the publication of the Argyll & Bute Local Plan (Finalised Draft) 2005, and seeking homologation of the Council's response that was prepared and submitted to Argyll & Bute Council.
- 6524 The Committee agreed:-
- (1) to homologate the response that had been submitted to Argyll & Bute Council in respect of the Argyll & Bute Local Plan (Finalised Draft) 2005;
 - (2) to note that no objections had been lodged in relation to the Argyll & Bute Local Plan (Finalised Draft) 2005; and
 - (3) that authority be delegated to the Director of Development and Environmental Services to enter into dialogue with Argyll & Bute Council to ascertain the nature of the regeneration proposed for Helensburgh Waterfront and Helensburgh Town Centre in order to consider its impact on West Dunbartonshire.

ENFORCEMENT NOTICE APPEALS – 316 DUMBARTON ROAD, OLD KILPATRICK AND 232-234 DUMBARTON ROAD, OLD KILPATRICK

- 6525 A report was submitted by the Director of Development and Environmental Services informing of the submission of:-
- (a) an appeal against an enforcement notice served in relation to the refusal of retrospective planning permission for the change of use of land to a beer garden and play area at premises at 316 Dumbarton Road, Old Kilpatrick; and

- (b) an appeal against an enforcement notice served in relation to the refusal of an application for the relocation of unauthorised air handling units at premises at 232-234 Dumbarton Road, Old Kilpatrick.

6526 Having heard the Planning Services Manager in answer to Members' questions, the Committee agreed to note:-

- (1) the receipt of the two appeals as detailed above; and
- (2) that both appeals would be dealt with by way of written submissions.

The meeting closed at 9.45 a.m.

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NOTE OF VISITATION – 31 MAY 2005

- Present:** Councillor Linda McColl.
- Attending:** Alasdair Gregor, Planning Services Manager and Shona Barton, Administrative Assistant – Legal and Administrative Services.
- Apologies:** Provost Alistair Macdonald and Councillors Douglas McAllister and Duncan McDonald.

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application as a result of the introduction of revised Committee procedures:-

DC04/371 – Erection of 6 dwellinghouses with double garages and formation of access (outline) at Carleith, Duntocher.

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NOTE OF VISITATION – 20 JUNE 2005

- Present:** Councillors Douglas McAllister and Connie O’Sullivan.
- Attending:** Alasdair Gregor, Planning Services Manager and Craig Stewart, Administrative Assistant – Legal and Administrative Services.
- Apologies:** Apologies for absence were intimated on behalf of Provost Alistair Macdonald and Councillor Linda McColl.

SITE VISITS

Site visits were undertaken in connection with the undernoted planning applications as a result of the introduction of revised Committee procedures:-

DC04/297 – Erection of residential development of 24 units with associated access, parking, garaging and landscaping at Littlemill Distillery, Dumbarton Road, Bowling.

DC05/073 – Erection of 11.7 metre high monopole with 3 no. shrouded antennas and associated equipment housing at Dumbarton Road, Bowling; and

DC04/459 – Change of use and alteration of vacant retail unit to hot food takeaway and sub-division of supermarket to form class 1 retail unit with alteration to shopfronts at 258-260 Faifley Road, Faifley.