

LOCAL REVIEW BODY

At a Meeting of the Local Review Body held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Tuesday, 6 April 2010 at 2.00 p.m.

Present: Provost Denis Agnew, Councillors Jim Brown, Geoff Calvert, Douglas McAllister, Jonathan McColl and Willie McLaughlin.

Attending: Bernard Darroch, Planning Adviser; Nigel Ettles, Legal Adviser and Fiona Anderson, Committee Officer, Legal, Administrative and Regulatory Services.

Also Attending: Mr & Mrs Reilly, Applicant; and Mr John Wan, Objector.

Apologies: Apologies for absence were intimated on behalf of Councillors Casey, Finn, McNair and R. McColl.

APPOINTMENT OF CHAIR

The Legal Adviser advised that the Committee would be required to appoint a Chair from its Members and reminded Members of the decision taken at the meeting of the Planning Committee held on 6 April 2010 to confirm that the Chair appointed at the first meeting of the Local Review Body would thereafter continue as Chair for subsequent meetings of the Review Body.

Councillor J McColl, seconded by Councillor Brown, proposed that Provost Agnew should be Chair.

As an amendment, Councillor Calvert, seconded by Councillor McLaughlin, proposed Councillor McAllister should be Chair.

On a vote being taken, 3 Members voted for Provost Agnew and 3 Members voted for Councillor McAllister.

After discussion, Provost Agnew withdrew his nomination and accordingly Councillor McAllister was appointed as Chair of the Local Review Body.

Councillor McAllister in the Chair

DECLARATIONS OF INTEREST

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

WELCOME AND INTRODUCTION

Councillor McAllister welcomed everyone to the first meeting of the West Dunbartonshire Local Review Body and introduced the Elected Members and Officers present.

The Chair then explained how the meeting would proceed.

PROCEDURES FOR LOCAL REVIEW BODIES

The proposed Procedures for Local Review Bodies had been submitted to the meeting of the Planning Committee held on 6 April 2010, for approval.

Having heard the Legal Adviser, the Committee agreed to note that, at the meeting of the Planning Committee held on 6 April 2010, the Procedures for Local Review Bodies had been approved subject to a minor change.

REVIEW OF REFUSAL OF APPLICATION FOR PLANNING PERMISSION

Planning Application DC09/164/COU - Change of use of land to garden ground and erection of single garage at Dimora, Cochno Road, Clydebank.

The Planning Adviser advised the Committee that the matter brought before the Local Review Body related to a planning application submitted on behalf of Mr Brian Reilly which sought permission for the change of use of part of a lane and some waste ground to garden ground and for the erection of a single detached garage at a property known as Dimora on Cochno Road, Clydebank.

He stated that the site was located to the west of Cochno Road and was situated amid a residential area. To the north and east are residential properties whilst there is a small row of commercial properties to the south and waste ground to the west. The site is separated from the commercial properties to the south by a lane which is 5.7m at its widest point and 3.7m at its narrowest point.

The Planning Adviser outlined Policy H5: Development Within Existing Residential Areas of the West Dunbartonshire Local Plan 2010 which is the policy against which the proposed development is to be assessed.

The Committee was shown an electronic presentation of an aerial photograph showing the application site and surrounding area, together with various photographs showing the site and surrounding area and, in particular, the access lane from both the front and rear.

The Planning Adviser explained that the proposal was shown on Drawing No(s) 1, 2 & BR-001, copies of which were contained within the papers circulated to the Local Review Body. The drawings show that the proposal seeks to extend the garden by between 2.5-3m to the rear of the property and approximately 1.5m at the side. It is at the side (south west corner) that the proposed garage will be located. As a result of this work, the lane will be reduced to little more than 2m in width and would no longer be capable of being accessed by service vehicles.

The Planning Adviser confirmed that one objection had been submitted whilst the application was being processed which raised two main issues with the proposal: land ownership and access (vehicular). He advised that a similar letter raising the same issues had been also submitted to the Local Review Body.

The Planning Adviser advised Members that there were two main issues for the Local Review Body to consider:

- (a) The letter(s) of representation and their content; and
- (b) Whether the proposal complies with Policy H5 of the West Dunbartonshire Local Plan 2010.

The Planning Adviser was heard in further explanation of the reasons for refusal of the original application, with particular reference to refuse collection and access for the emergency services.

Having heard the Planning Adviser in further explanation and in answer to Members' questions and following discussion, the Local Review Body agreed:-

- (1) to note that the land ownership dispute was not a material consideration as regards determining the planning application;
- (2) to continue consideration of the matter until the next meeting to enable written submissions from the Fire and Rescue Service and the Waste Services Department of the Council on use of the lane in question to be requested;
- (3) to note that copies of the responses received would be circulated to Members of the Local Review Body prior to the date of the next meeting;
- (4) to note that the Fire and Rescue Service and the Waste Services Department would be asked to send copies of their responses direct to the applicant and objector;
- (5) to note that the applicant and objector would be given the opportunity to respond in writing, prior to the date of the next meeting, to the responses from the Fire and Rescue Service and the Waste Services Department; and
- (6) to note that a site visit should be arranged for Local Review Body Members only, not involving the applicant or objector.

The meeting closed at 2.30 p.m.