

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 1 December 2004 at 10.00 a.m.

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

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

Councillor Jack Duffy in the Chair

MINUTES OF PREVIOUS MEETING

4388 The Minutes of Meeting of the Committee held on 3 November 2004 were submitted and approved as a correct record.

NOTE OF VISITATIONS

4389 A Note of Visitations carried out on 1 November 2004, a copy of which forms Appendix 1 hereto, was submitted and noted.

PROCEDURAL MATTERS RELATING TO HEARINGS AND SITE VISITS

4390 With reference to the Minutes of Meeting of the Committee held on 3 November 2004 (Page 1202, paragraph 4096 refers), a further report was submitted by the Director of Development and Environmental Services on procedural matters in relation to hearings and site visits. It was noted that the version of the previous report appended to the current report was not the revised version of that report and had been issued in error. Accordingly, a copy of the revised report, which had been considered by the Committee on 3 November 2004, was circulated at the meeting.

4391 After discussion and having heard the Planning and Development Manager, Director of Development and Environmental Services and the Principal Solicitor in elaboration, the Committee agreed that the undernoted recommendations, contained in the report considered by the Committee on 3 November 2004, be approved:-

- (1) Once the date on which an application was going to the Planning Committee was clear, then applicants and objectors/supporters should be written to, asking if they wish to be heard (making clear that any such request would be considered by the Director in consultation with the Convener);
- (2) In order to ensure efficient management of Committee meetings, only parties responding by the deadline would be permitted to participate in a hearing; this might result in only one side being heard but both sides would have been offered the opportunity;
- (3) In cases where the Director, in consultation with the Convener, agreed to a hearing, then arrangements should automatically be made for a site visit before the Committee meeting (this would normally be held on the day before the Committee meeting);
- (4) A short leaflet would be prepared and provided to parties participating in hearings advising them of procedures so that parties could present with greater certainty and understanding of the process;
- (5) The standard letter which the Ombudsman asked to be reviewed would be replaced in line with the above;
- (6) In circumstances where there has been a hearing and the application was continued (for example for further information to be submitted) then Members who did not attend the hearing should not vote on that application if they attend the subsequent meeting;
- (7) No change is made in relation to voting where there had been a site visit;
- (8) Reasons for decisions contrary to the Development Plan or the Director's recommendation are provided and clearly minuted; and
- (9) These procedures be reviewed after a year in operation.

PLANNING APPLICATIONS

4392 Reports were submitted by the Director of Development and Environmental Services in respect of various planning applications as detailed below.

Continued Application

- (a) **DC02/372 – Erection of 12 flats, vehicular access and car parking at Cross Cottage / 1 – 3 William Street, Duntocher, Clydebank**

4393 Reference was made to the site visit undertaken in respect of this application.

4394 After discussion and having heard the Section Head, Planning and Building Control, it was agreed to continue consideration of the application to the next meeting of the Committee as comments on the details of the sightlines at the proposed development had still to be received from the Director of Housing and Technical Services.

New Applications

(b) DC01/081 – Formation of 2 house plots and rebuilding of Bowling Club (Outline) at Dumbuck Bowling Club, Glasgow Road, Dumbarton

4395 Having heard the Convener, Councillor Duffy, it was noted that a hearing would take place in relation to this application. The Planning and Development Manager then provided an update on the matter and advised that one of the objectors, Allied Distillers Ltd., had indicated that they were unable to attend the meeting and had requested that their written comments be heard instead. The Planning and Development Manager then read out the written comments from Allied Distillers Ltd. and the position was noted in this respect.

4396 The representative of Dumbuck Bowling Club, Mr McConnachie, was invited to address the Committee and spoke in support of the application. Thereafter, the applicant, Mr John Heath of Turnberry Homes, was also heard in support of the application. It was noted that there were no objectors present at the meeting.

4397 After discussion, the Committee indicated that they were minded to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto, and subject to the access road for the house plots being located behind the clubhouse. It was also agreed that authority be delegated to the Director of Development and Environmental Services to grant planning permission once a satisfactory lease and a legally binding undertaking to construct the shell of the clubhouse had been displayed to the Council.

(c) DC03/306 – Part change of use to café and hot food shop (Retrospective) at 133 Riddell Street, Clydebank

4398 The Committee agreed that the application be refused for the reason specified in the Director's report, details of which are contained in Appendix 2 hereto.

(d) DC04/046 – Change of use of unit from class 1 to class 2 (amendment to Condition 18 of DC01/001) at Unit 14, College Way, Dumbarton

4399 The Committee agreed that planning permission be granted subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto and subject also to no adverse letters of representation which raise new material considerations being received prior to the expiry of the statutory period.

(e) DC04/134 – Extension of opening hours to 12 midnight at 39 Glasgow Road, Hardgate, Clydebank

4400 The Committee agreed that planning permission be refused for the reason specified in the Director's report, details of which are contained in Appendix 2 hereto.

(f) DC04/204 – Conversion of lounge bar and disco into 3 flats at 9 Quay Street, Dumbarton

4401 After discussion and having heard the Section Head, Planning and Building Control, the Committee agreed that consideration of the application be continued to the next meeting of the Committee, in order that further information could be obtained on the flooding issues/risk at this location.

(g) DC04/277 – Erection of new College Campus at Cart Street, Clydebank

4402 After discussion and having heard the Director of Development and Environmental Services and the Planning and Development Manager in elaboration and in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

(h) DC04/320 – Erection of 1.8 metre boundary fence and additional car parking at 1-71 Boyle Street, Whitecrook, Clydebank

4403 Having heard the Section Head, Planning and Building Control in further explanation to the report, and after discussion, the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

**APPEAL DECISION – 15 TOWNEND ROAD,
DUMBARTON AND APPEAL NOTIFICATION – BONHILL
QUARRY, HILLBANK STREET, BONHILL**

- 4404 A report was submitted by the Director of Development and Environmental Services:-
- (1) informing of the dismissal of an appeal against the refusal of advertisement consent for the display of an illuminated wall mounted display panel at 15 Townend Road, Dumbarton; and
 - (2) advising that an appeal had been submitted against the Council's refusal of planning permission for the erection of 146 residential flats within a former quarry off Hillbank Street, Bonhill and would be dealt with by way of written submissions.
- 4405 The Committee agreed to note the position in respect of the above appeals.

The meeting closed at 10:58 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 1 NOVEMBER 2004

Present: Councillors Denis Agnew, Tony Devine*, Jack Duffy, Linda McColl and Duncan McDonald*.

(The above lists all Councillors who attended at least one site visit and includes one Member who is not in membership of the Planning Committee)

Attending: Alasdair Gregor, Planning and Development Manager.

Apologies: Provost Alistair Macdonald and Councillor Connie O'Sullivan.

* Councillors Tony Devine and Duncan McDonald were present for the site visit in relation to application DC04/109, Clydebank College only.

SITE VISITS

With reference to the Minutes of Meeting of the Planning Committee held on 6 October 2004, site visits were undertaken in connection with the undernoted planning applications:-

DC04/109 – Erection of residential development (outline) at Clydebank College, Kilbowie Road, Clydebank.

DC03/536 – Installation of air handling units (retrospective) at 232/234 Dumbarton Road, Old Kilpatrick.

DC04/075 – Erection of two storey rear extension at 86 Crosslet Road, Dumbarton.

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 1 DECEMBER 2004**

**DC01/081 – Formation of 2 house plots and rebuilding of Bowling Club
(Outline) at Dumbuck Bowling Club, Glasgow Road, Dumbarton
for Turnberry Homes per T. Lawrie and Partners**

Minded to GRANT permission subject to the following conditions:-

1. That the development to which this permission relates shall be begun not later than whichever is the latest of the following dates:-
 - i) the expiration of five years from the date of the grant of outline permission or
 - ii) the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

2. That in the case of any reserved matter, application for approval must be made before:-
 - i) the expiration of 3 years beginning from the date of the grant of outline planning permission or
 - ii) the expiration of 6 months from the date on which an earlier application for such approval was refused or
 - iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed whichever is the latest; provided that only one application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.

3. That any reserved matters submitted under the terms of condition 2 above shall include details of the siting, size, design and external appearance of the buildings, the means of access thereto and the proposed landscaping, including tree management and protection measures to be agreed in writing with the Director of Development and Environmental Services.

4. No dwelling shall be constructed within 20 metres of the nearest maturation warehouse.

**DC03/306 – Part change of use to café and hot food shop (Retrospective) at
133 Riddell Street, Clydebank for Helen Greig**

Permission REFUSED for the following reason:-

1. The proposed change of use of the shop to a hot food takeaway is contrary to Policies GD1 and CD5 of the Clydebank Local Plan, as it would have an adverse impact on the amenity of the area by virtue of traffic congestion and would be detrimental to road safety.

DC04/046 – Change of use of unit from class 1 to class 2 (amendment to Condition 18 of DC01/001 at Unit 14, College Way, Dumbarton for Vico Property Group per Cooper Cromar

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. Condition 18 of the planning decision reference DC01-001 shall be amended in the following terms:

“Notwithstanding the details shown in the approved plans, Unit 14 shall be for Class 2 use as per the Town and Country Planning (Use Classes) (Scotland) Order 1997.”

The relevant unit is highlighted in yellow on the approved plans.

DC04/134 – Extension of opening hours to 12 midnight at 39 Glasgow Road, Hardgate, Clydebank for Mr K.W. Cheung per Dearle & Henderson

Permission REFUSED for the following reason:-

1. The application is contrary to Policy CD5 of the Clydebank Local Plan in that the proposal would result in a detrimental impact on the amenity of the adjacent residential units through noise and disturbance.

DC04/277 – Erection of new College Campus at Cart Street, Clydebank for Clydebank College per Jenkins & Marr

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 the commencement of development, a detailed Green Travel Plan, identifying the measures to be implemented to encourage sustainable forms of travel to and from the new college, shall be submitted to and agreed in writing by the Director of Development and Environmental Services.
3. Prior to the commencement of development, a detailed traffic assessment showing the likely pattern of vehicular movements to and from the site, taking account of the anticipated number, route and time of trips, shall be submitted to the Director of Development and Environmental Services.

4. Prior to the college being first brought into use, the junction between Cart Street and Glasgow Road shall be upgraded, either by remodelling of the signalised junction or by the provision of a roundabout, to a specification to be agreed with the Director of Development and Environmental Services following submission of the aforementioned traffic assessment.
5. Notwithstanding the details shown on the approved plan, the internal layout of the car parking and servicing area is not approved. Full details of the parking and servicing layout, including the provision of pedestrian routes to the building, an entirely separate service area for large vehicles, secure covered bicycle storage, designated disabled and motorcycle spaces, and detailed landscaping plans for the planted areas in and around the car park shall be submitted for the agreement of the Director of Development and Environmental Services prior to the commencement of development.
6. The college shall not be brought into use until such time as all roads, footpaths and parking areas (clearly lined out as required) serving it have been completed to the satisfaction of the Director of Development and Environmental Services.
7. Notwithstanding the details shown on the approved plan, full details of all external building and roofing materials shall be submitted to and agreed in writing with the Director of Development and Environmental Services prior to the commencement of development.
8. The agreed planting scheme shall be fully installed not later than the end of the first planting season following occupation of the college, to the satisfaction of the Director of Development and Environmental Services.
9. Prior to development commencing, a method statement detailing measures to be taken to ensure that the flat and shallow-pitched roofs of the building are not used as breeding or roosting area by birds, in particular gulls.
10. That before work commences on site, full details of the schemes of lighting required during construction and for the completed project shall be submitted to the Director of Development and Environmental Services for approval, and such schemes shall specify that lighting is of flat glass, full cut off design with horizontal mountings, and ensure that there is no light spill above the horizontal. No subsequent alteration to any approved lighting scheme shall take place without the written approval of the Director of Development and Environmental Services.
11. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed with the West of Scotland Archaeology Service, and approved by the Director of Development and Environmental Services.

Thereafter, the developer shall ensure that the 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 Development and Environmental Services in agreement with the West of Scotland Archaeological Service.

12. Prior to the commencement of development full details of the intended means of foul drainage and surface water disposal, incorporating a suitable Sustainable Urban Drainage Scheme, shall be submitted to and agreed in writing by the Director of Development and Environmental Services. The agreed drainage measures shall be fully implemented in accordance with the agreed phasing scheme, and no building shall be brought into use until its foul and surface water drainage arrangements have been completed to the satisfaction of the Director of Development and Environmental Services.
13. Prior to any development commencing, a detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted for the written agreement of the Director of Development and Environmental Services. No work, other than investigative work, shall commence until such time as the remediation strategy has been approved and implemented to the satisfaction of the Director of Development and Environmental Services.
14. Any demolition or other materials used to raise the level of the development site shall be inert.
15. No construction works audible at the site boundary, or such other such places as may be agreed in writing with the Director of Development and Environmental Services, shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all outwith these hours or on Sundays or public holidays.
16. Prior to any piling works taking place, an assessment of the intended works, taking account of the guidance contained in BS6472: 1984 'Evaluation of Human Response to Vibration in Buildings', must be carried out by a suitably qualified person, and must be submitted to and approved in writing by the Director of Development and Environmental Services.
17. To minimise nuisance in the surrounding area from noise and vibrations, during all construction works the plant and machinery used shall be in accordance with the relevant Code of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) Order 2002.
18. Details of noise mitigation measures and details of steps proposed to minimise the creation of noise and dust shall be submitted to and agreed with the Director of Development and Environmental Services before any work commences on site.

19. No cranes or any other structure of any kind shall be erected to a height exceeding 50.25m Above Ordnance Datum at any time during the development of the site.

DC04/320 – Erection of 1.8 metre boundary fence and additional car parking at 1-71 Boyle Street, Whitecrook, Clydebank for Whitecrook Community Group per Mike Hyatt Landscape Designs

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. Exact details and specifications of all proposed external finishing materials shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. 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 Development and Environmental Services.
4. The car parking spaces shown on the submitted layout plan shall be constructed, surfaced and delineated on the site before being brought into use.