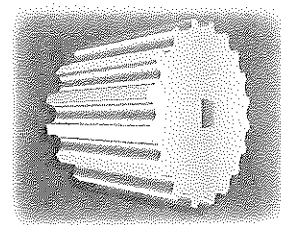


APPLICATION FOR REVIEW:

DC11/209/FUL

Our Ref: 2011.08.10 (Planning04)

13 December 2011



West Dunbartonshire Council
Planning Local Review Body
Council Offices
Garshake Road
Dumbarton.
G82 3PU

PLANNING SERVICE RECEIVED	
19 DEC 2011	
PASS TO	
REF. NO.	

THE
HAY LOUGH DAVIS
PARTNERSHIP

Dear Sirs

**Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

I refer to the recent Refusal of Planning Permission in respect of the Planning application for the above project. The application reference was DC11/209 and the Decision Notice was dated 18th November 2011.

As this decision will have an adverse impact upon the planned economic development of the business we have been instructed to seek a Review of this decision and to this end a Review Application form, a copy of the Refusal Notice and a Statement explaining the thoughts of the applicant vis-à-vis the Reasons for Refusal are now enclosed.

I trust you will find everything to be in order and I will look forward to hearing your findings in due course.

Yours sincerely

Robert A. Hay

Enc. Review Application form, Statement and copy of the Refusal Notice.

Cc Client

Partners
Robert A. Hay BA Hons. MRTPI.
James B. Lough MRICS, MAPS.
Richard W.S. Davis RIAS.

Glenfield House
69 Glasgow Road
Dumbarton G82 1RE
Telephone: 01389 733033
Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk

PLANNING SERVICES RECEIVED		
19 DEC 2011		
PASS TO		
REF. No.		

Notice of Review

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 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name	LOMOND CAR CENTRE
Address	48 STIRLING ROAD DUMBARTON.
Postcode	G82 2PT.
Contact Telephone 1	
Contact Telephone 2	
Fax No	
E-mail*	

Agent (if any)

Name	ROBERT HAY
Address	HAY · LOUGH · DAVIS GLENFIELD HOUSE 69 GLASGOW ROAD DUMBARTON.
Postcode	G82 1RE.
Contact Telephone 1	01389 - 733033
Contact Telephone 2	
Fax No	01389 - 733133
E-mail*	bob@hayloughdavis.co.uk

Mark this box to confirm all contact should be
through this representative: ☒

Yes ☒ No ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority	WEST DUMBARTONSHIRE COUNCIL
Planning authority's application reference number	DC 11 / 209
Site address	THE FORMER PINE TREES LOUNGE BAR SITE, STIRLING ROAD, DUMBARTON.
Description of proposed development	CHANGE OF USE OF VACANT GROUND TO PERMIT THE DISPLAY AND SALE OF COMMERCIAL VEHICLES AND ASSOCIATED WORKS INCLUDING THE ERECTION OF A VALET BUILDING.
Date of application	20/9/2011
Date of decision (if any)	18/11/2011

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. 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) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

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.

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.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☐
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, 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 are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

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.

A SEPARATE STATEMENT HAS BEEN PREPARED EXPLAINING
THE REASONS BEHIND THE REQUEST FOR A REVIEW OF
THE RECENT PLANNING DECISION REF. DC 11/209.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

N/A.

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 and intend to rely on in support of your review.

1. STATEMENT.
2. COPY OF REFUSAL NOTICE.
3. REVIEW APPLICATION FORM.

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.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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

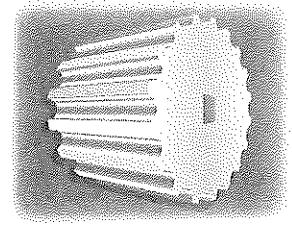
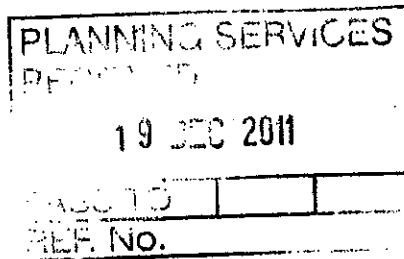
I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Robert A. Hay (H.L.D.)

Date

13/12/2011.



THE
HAY LOUGH DAVIS
PARTNERSHIP

REQUEST FOR REVIEW OF REFUSAL OF PLANNING PERMISSION

REF. DC11/209

Proposed change of use of vacant site to allow the sale and display of
commercial vehicles (including the erection of a valet building)

The Former Pinetrees Lounge site, Glenpath, Dumbarton.

Lomond Car Centre

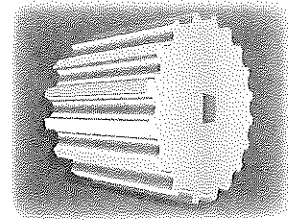
December 2011

Partners
Robert A. Hay BA Hons, MRTPI.
James B. Lough MRICS, MAPS.
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Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk

REQUEST FOR REVIEW OF REFUSAL OF PLANNING PERMISSION

REF. DC11/209



THE
HAY LOUGH DAVIS
PARTNERSHIP

Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre

This Request for a Review of a recent Planning Decision relates to Planning application ref. DC11 / 209 on behalf of Lomond Car Centre for the above project.

Contrary to the Decision Notice it is believed that the proposed development does in fact accord with West Dunbartonshire Council Planning Policies for re-development of a brownfield site within a built-up area and also with Scottish Government aims to generate investment and economic development and as such it should have been approved. Furthermore the Reasons for Refusal stated on the Decision Notice are incorrect, vague and do not stand up to scrutiny.

THE APPLICANT & PROPOSED OPERATOR.

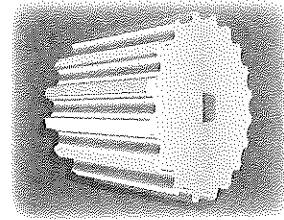
Firstly, and simply for clarification, it should be noted whilst the site was purchased earlier this year by Mr Campbell Gillies under the auspices of his company Jensyn Motor Company Ltd it is not his intention to run the proposed business, merely to secure the Planning Permission and then lease the site to Lomond Car Centre.

As previously indicated during the processing of the application, Mr Gillies spends six months per year in Australia and regards this site as an investment / pension. However in order to ensure the local authority are, and in due course remain, comfortable with the way the site is operated, and there is no adverse impact upon neighbours, he has indicated his willingness to accept the imposition of agreed Conditions and to ensure compliance these would become part of the lease agreement. If a temporary period of Consent, say 5 years, is deemed acceptable this would also become the basis of the lease.

THE APPLICATION SITE.

The application site is in two parts located within the town of Dumbarton at the junctions of the A82, Barnhill Road and Glenpath.

The front and more prominent section is a fairly level but partially overgrown site adjacent to the A82 extending to 845 sq.m. It formerly accommodated The Pinetrees Lounge & Bar, the footprint of which virtually filled the entire site, and it is this part that would be used as an extension to the Lomond Car Sales business situated on the opposite / southern side of the A82. It is envisaged the business



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will expand its range of vehicles to focus upon, and separate out, the display of commercial vans, 4x4's and motorhomes – but no larger commercial vehicles. A valet building would also be introduced towards the rear / western boundary. Vehicular and pedestrian access into the display area will continue to be taken from the public road in Glenpath at the rear of the site via the existing graded crossover that will be widened.

The second and larger part of the application site is an existing car park on the opposite / north-eastern side of Glenpath extending to 1073 sq.m. This was formerly the private car park of the Lounge, it is also accessed by a private driveway from the public road in Glenpath, but for the last few years it has been used informally for the parking of cars, vans and 4x4's. It's appearance has also become somewhat neglected in terms of maintenance and the proposal is to extend its capacity and formalise its use for staff and visitor parking and also use it for the receipt of new vehicles for display / sold vehicles awaiting collection.

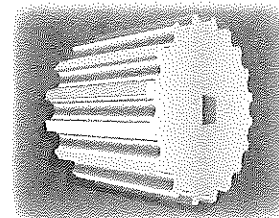
The site has lain vacant for many years since the public house was demolished and although Planning Permission for a residential development of 16 flats was granted in the last few years no developer was found to take it forward. The site was marketed earlier this year and eventually it was purchased by Mr Campbell Gillies with the proposed development in mind, with the fallback of perhaps returning to a residential development at a later date.

REASON FOR REFUSAL No.1.

The first Reason offers two parts, the first indicating that the proposed development would be contrary to the terms of Local Plan Policies GD1 and H5 by adversely impact upon the amenity and character of the surrounding residential area by spreading commercial activity to both sides of the main road. The second part refers to the impact of introducing commercial traffic onto residential roads.

With regard to the first part of the Reason, these two Local Plan policies are inter-related in that they seek to ensure any new developments in existing built-up areas do not adversely impact upon the surrounding properties whether by additional traffic generation, inappropriate design, loss of daylighting or aspect / outlook, impact upon historic landscapes, habitats or watercourses, etc. Some of these criteria are discussed and justified as appropriate later in this Statement however no detail has been given in the Reasons for Refusal to indicate in which respects the proposal fails to accord with any of these considerations.

No concerns were raised during the processing of the application over landscaping issues, the scale or appearance of the proposed valet building (as revised) or the likely impact in terms of loss of privacy / daylighting / outlook - although after early discussion with the Case Officer and the immediate neighbour (on behalf of other neighbours) an amended design was submitted showing a reduced scale of



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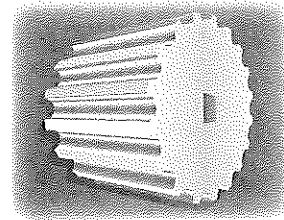
building with better external materials intended to minimise its height and visual impact. Whilst still by necessity of a commercial rather than domestic scale the revised design and appearance of building means it should now sit more comfortably within the cluster of surrounding buildings. These aspects have not been specified in the Decision Notice and as such it is assumed these criteria are not areas of concern.

The *main road* that is referred to in Reason No.1 is the A82 trunk road which traverses through Dumbarton and has quite a few commercial premises on both sides. Examples such as the two petrol filling stations and Little Chef restaurant in Milton on opposite sides of the roadway, the Arnold Clark car sales opposite the restaurant and children's play facility, the Milton Inn / Dumbuck B&B Guesthouse, the Lindsay's Garage at Dumbuck, the bonded warehouses opposite the Dumbuck Quarry site, The Abbotsford Hotel and Lomond Car Sales opposite the site of the former Pine Trees Lounge Bar (the Appeal site), a series of B&B guesthouses on both sides of the road, and further to the west a car and van rental business beyond the police headquarters and council offices. Thereafter the new Lomondgate development encourages a mix of commercial developments capitalising on the site's proximity to and visibility from the A82, as is the case with this application.

It is therefore evident that numerous precedents exist nearby of commercial businesses on both sides of the A82 trunk road and most of these have residential properties in close proximity. Although presently vacant, the Appeal site has also accommodated a licensed bar and lounge for many years with the adjacent houses having been situated alongside it for decades. As such it is incorrect to suggest that the proposed commercial use of the Appeal site, *by spreading the existing car sales to both sides of the main road*, would be out of character with these other examples along this stretch of the A82 where there exists a long established mix of commercial and residential properties.

Still relating to this first part of the Reason for Refusal No.1, and with specific regard to the reference to a likely *adverse impact upon the character and amenity of nearby houses*, during the processing of the application it was clarified in response to queries from Isabel Fellowes in the WDC Environmental Health Section the types of vehicles that would be displayed and the very limited works that would be undertaken within the proposed valet building (see copy enclosure). These latter aspects were confirmed as being the cleaning and polishing of vehicles solely for sale on the premises (perhaps 2 or 3 per day) and to the exclusion of any mechanical repairs etc. It was also clarified that no other businesses or individuals would be able to use the valet centre.

Upon receipt of this information a Revised Consultation was returned dated 27 October'11 indicating that the Director of Environmental Health was comfortable



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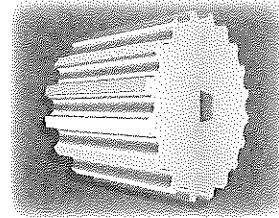
with the proposal on this basis i.e. subject to the inclusion of a Condition governing the agreed hours of operation. The Consultation states "no objections subject to the inclusion of a Condition" and from this it can be assumed the Director determined that the proposal would have no or minimal impact upon the amenity of the neighbouring residential properties.

Taking these aspects into consideration it is the Appellant's view that, like the first aspect, this part of the Reason for Refusal again does not stand up to scrutiny and indeed it fails to acknowledge the Consultation Response of the Director of Environmental Health Services. There is clearly a mixed character on both sides of the A82 trunk road through this part of the district with numerous similar examples whereby commercial businesses sit alongside residential properties without an adverse impact upon, or cause for complaint from, the householders.

Also within Reason for Refusal No.1 is the second element, being reference to the proposal being likely to have an unacceptable impact on the neighbouring houses by *introducing commercial traffic and activity on adjacent residential streets*. However, having previously been a licensed premises, which must have had regular deliveries from the Glenpath roadway by vehicles significantly larger than are now proposed, and being adjacent to a delivery company with a number of commercial vehicles, the vicinity already had and still has commercial vehicles operating within it. Nevertheless once operational the likely turnaround of new vehicles being brought to the proposed display site, and those being removed after sale, is likely to be very low, probably in the region of one or two per day. There is not a rapid turnover in vehicle sales, perhaps 20-25 in a month equating to approximately one sale one per day.

Aside from this, during the processing of the application a site meeting was held with Mr John Walker of WDC Roads Section in late October to consider the likely impact of the proposed business in terms of road access and safety. After discussing and clarifying certain matters regarding access into the display area, the use of non-collapsible bollards around the perimeter, off-street car parking in the existing car park to the rear for staff and visitors, he was comfortable with the proposal and it is understood he returned by e-mail a revised Consultation Response to this effect.

In more detail it was agreed the presence of double yellow lines already prohibits the parking or stopping of vehicles at or near the Barnhill Road and Glenpath junctions and therefore all existing on-street car parking in Glenpath will remain unaffected by the new business. The perimeter of the site would have fixed rather than collapsible bollards and therefore the only way of entering and leaving the front display site will be via the existing but widened ramped access off Glenpath. This access would only be used by vehicles for sale and these will be driven in and out by staff of the business.



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Staff cars, vehicles being delivered or collected, and visiting members of the public will be directed to use the private rear car park (via the existing driveway) and John Walker requested that signage be erected to this effect. From experience of other such small vehicle display facilities, including the existing Lomond Car Sales opposite, it was agreed that there are likely to be very few visitors to the display area at any one time amounting to a low total per day. The width of the private access (at 4500mm) and the proposed car parking provision is in accordance with, and indeed exceeds, WDC requirements and the footpath links between the rear car park and the front display area are also deemed to be appropriate.

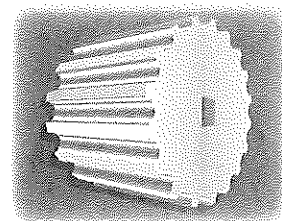
In effect the Planning Section appear to have disregarded the Consultation from the Area Roads Engineer. The proposal accords with WDC Roads requirements in all respects, the Roads Engineer holds no objections and therefore, contrary to the indication within the Reason for Refusal, the proposed business should not adversely affect neighbouring residential streets from a traffic movement perspective.

REASON FOR REFUSAL No.2.

The second Reason for Refusal indicates that by allowing the current application it would *prejudice the successful redevelopment of the site for residential purposes*. This site is listed within the Local Plan 2010 in the Schedule for Private Housing Opportunities reflecting the Planning Permission that was granted a few years ago for 16 flats.

However, when negotiating the site purchase the applicant / appellant was advised that it was as a result of the recession in the housing market that the previous owners had been unable to pursue such a development and had therefore marketed the site. Apparently they had difficulties in securing funding and also securing a developer willing to take the project forward. With little or no change expected in the economy over the next few years, and the new flattened housing market in particular, it is highly unlikely the site will be developed for residential purposes in the foreseeable future.

Furthermore, the Local Plan 2010 indicates that a surplus of potential development sites have been identified throughout Dumbarton and the Vale of Leven, in excess of 2240. Some sites are currently under construction but most are lying dormant and depreciating in value. To remove, or even temporarily remove, 16 units from over 2000 possible units is hardly likely to adversely impact upon the overall aim of Housing Policy H1. Therefore whilst in principle it is perhaps beneficial to have as many residential opportunities as possible available throughout the district for future development, in this instance, and at this point in time, the Appeal site's 16 possible flats is not a major factor out of 2443 potential units.



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It is therefore somewhat misleading to suggest that by allowing the appeal site to be used for an alternative use it would *prejudice its future development for new housing*. It may be in the site owner's interests to revert back to a residential development at some point in the future once the housing market regenerates itself but at the moment it is not a justifiable development route to follow. Rather it is clearly preferable to re-use the site in the meantime to satisfy a known local need, in effect allowing an expansion of an existing and successful local business, which in turn will also create investment, it will tidy up an otherwise overgrown and neglected site and it will generate new employment. The site's location near to the existing business, and on the main traffic route through Dumbarton, are assets for the proposal and as such there is sound justification for its purchase and re-use as proposed.

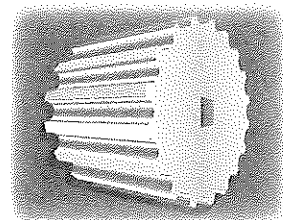
If for example the Local Review Body, as was suggested to the Planning Department during the processing of the application, deems the granting of Planning Permission for a temporary period of five years to be appropriate this would be regarded by the applicant as a reasonable compromise. It would allow the site to be used in a positive manner in the meantime whilst also allowing a review of the land use in due course. Should the proposed business not perform as hoped, or the housing market does recover as is hoped, the situation can be reconsidered in a different light.

However, reverting back to the second Reason for Refusal it is clearly inaccurate to suggest that the proposed use of such a small site would prejudice the successful development of any future residential development, especially as this is unlikely to occur in the foreseeable future.

OVERALL PLANNING ASSESSMENT.

In terms of the Planning Assessment of the application we would repeat a previous submission that the site sits immediately adjacent to the A82 Trunk Road and alongside a mix of commercial, b&b guesthouses and residential properties and for many years accommodated a public house / lounge bar (The Pinetrees Lounge). There is therefore a longstanding history of commercial use on this site and in the vicinity of it. Furthermore the proposed use will have a lesser impact in terms of public movements and late night hours of operation than the public house and the hotel opposite.

The intention is to cater locally for a known demand for used commercial vehicles (i.e. vans, motorhomes, 4x4's and pick-ups but specifically not HGV's etc), as there is no such supplier within the West Dunbartonshire area. Any business currently looking for almost new or second-hand vans, i.e. other than brand new, has to travel outwith the district.



THE
HAY LOUGH DAVIS
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The applicant would also highlight that there have been no known complaints in terms of noise, disturbance or vandalism with regard to the Lomond Car Sales premises opposite the application site, which sits immediately alongside residential properties. Likewise other car sales businesses in the area, being Kenmure Car Sales in Glenpath, Lindsay's Garage at Dumbuck and David Graham Car Sales in Alexandria are also all immediately adjacent to private residential properties without any cause for complaint. These other examples set a clear precedent for the current proposal, being an extension of an existing and established business, and show that vehicle sales is not contentious within either a residential area or in this case a mixed use area.

CONCLUSION.

Taking all of these aspects into consideration it is evident that in terms of Roads and Environmental Health criteria the proposed use is acceptable in this location. Furthermore in general Planning terms it should also be deemed acceptable.

It may not offer the most glamorous of visual impacts but nevertheless the vehicle sales will address a perceived shortfall in local provision, it will enhance an existing business, it will create new employment opportunities, it will bring back into productive use a site that has lain vacant for many years and it will immediately improve its overgrown appearance. Furthermore, as the Consultees confirm, in conjunction with restricted operating hours and clarification of the valet operations it should have less impact upon the amenity of neighbouring residential and business properties than might be the case with other potential commercial uses.

As has been shown above the Reasons for Refusal do not have justification under the stated Planning Policies and therefore they do constitute sound reasons for resisting the proposed development. The development clearly accords with Scottish Government and local authority aims for assisting existing businesses to not only maintain their position but to also expand and at the same time the development, even if only for a five year period, will benefit the local area in terms of bringing this vacant site back into productive use. It will have no adverse traffic or environmental issues and will not adversely impact upon the neighbouring houses and businesses.

As such it is believed the proposal offers a number of positive elements that justify the granting of Planning Permission. If this is for an initial 5 year period a further review would be possible by which time the residential market may have re-activated to the point where it returns as a feasible option. At the moment, however, residential use is not a feasible alternative and therefore it should not be used as a reason for resisting the proposed development.

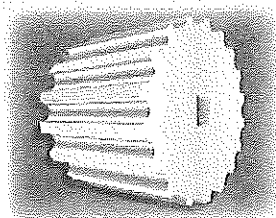
REVIEW CORRESPONDENCE

DC11/209/FUL

Our Ref: 2011.08.10 (Planning05)

Your ref: DC11 / 209

11 January 2012



THE
HAY LOUGH DAVIS
PARTNERSHIP

West Dunbartonshire Council
Planning Local Review Body
Council Offices
Garshake Road
Dumbarton. G82 3PU

LEGAL & ADMIN

13 JAN 2012

Fao Mr Craig Stewart

RECEIVED

Dear Sirs

**Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

I refer to our recent correspondence regarding the current Planning Review application and with particular regard to the comments submitted by Mr & Mrs Connolly I would now offer responses on behalf of the applicant.

Firstly, and as explained in the Statement, it is essential to acknowledge and accept that since no banks or lenders will entertain applications for funding for speculative residential developments there is little or no likelihood of residential development taking place on this site in the foreseeable future. The sale of the ground by the previous owners confirms this to be the case.

Secondly, the objector queries the financial wisdom of the proposed development. Whilst the financial implications of the investment v returns is not really a Planning matter our client would confirm that by transferring the display of small commercial vans, motorhomes and 4x4's to the application site as proposed, in effect creating a specialist display facility, it will free up display spaces for cars within the existing Lomond Car Centre on the opposite site. This creation of a separate specialist facility is the business aim of Lomond Car Centre as prospective tenants of the site and one that the applicant is confident can be successful. However, if after five years or so this proves not to be the case the fallback position of a residential development may have returned as a viable option.

Thirdly, and with regard to road safety, it is our understanding that the Trunk Roads Authority are considering an option of replacing the existing pedestrian lights by traffic lights in order to control and assist vehicle and pedestrian movements from Barnhill Road onto and across the A82. If this option is indeed taken forward it will enhance overall road safety at this locus. The proposed vehicle sales area will not impact upon this in any way and, as the Area Roads

Partners

Robert A. Hay BA Hons, MRTPI.
James B. Lough MRICS, MAPS.
Richard W.S. Davis RIAS.

Glenfield House

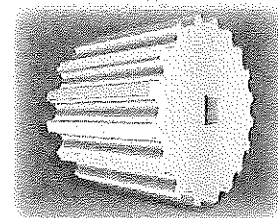
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Facsimile: 01389 733133

Email: general@hayloughdavis.co.uk



THE
HAY LOUGH DAVE
PARTNERSHIP

Engineer's Consultation Response confirmed, the existing road network in the locality is fine for the proposed use.

With regard to the valet building the objector has perhaps not understood the previous submissions in that it is anticipated 2-3 vans per day will be valeted, some prior to being placed on display. However if they do not sell quickly they may require a second smaller valet after a week or so. This aside, it is anticipated there could be approx 1 van sale per day, which would be reflected in the delivery of replacement vehicles i.e. 20-25 vehicles per month.

As another separate matter, the reference to the local delivery company was in respect of Knight Errand which is operated from the property immediately next to the application site and takes entrance from Glenpath.

Finally, the references to *national* housing shortages are noted and accepted but within West Dunbartonshire it is believed there is more than adequate availability of land for new residential development and, as mentioned above, this particular site is highly unlikely to be developed for newbuild housing in the foreseeable future.

As such it is believed the proposal will, in a period of recession, make use of what has been a long-standing vacant site, it will assist an established local company to expand its operations and will also allow it to take on more staff.

I trust the foregoing comments on behalf of the applicant will be clear and we will look forward to hearing the Review Panel's findings in due course.

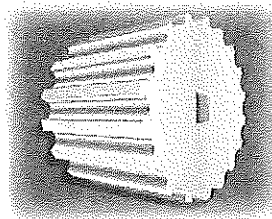
Yours sincerely

Robert A. Hay

Cc Client
Mr & Mrs Connolly, Glenavon, Stirling Road, Dumbarton.

Our ref: 2011.08.10 (Planning06)
Your ref: DC11 / 209

12 January 2012



THE
HAY LOUGH DAVIS
PARTNERSHIP

West Dunbartonshire Council
Planning Local Review Body
Council Offices
Garshake Road
Dumbarton. G82 3PU

LEGAL & ADMIN

17 JAN 2012

Fao Mr Craig Stewart

RECEIVED

Dear Sirs

**Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

I refer to our most recent e-mail correspondence regarding the current Planning Review application and with particular regard to the comments submitted by Mr P Murphy I would now offer the undernoted responses on behalf of the applicant.

Firstly, in an effort to promote new and existing industrial businesses and employment opportunities, whilst also protecting existing retailers, it has been the policy of West Dunbartonshire Council over many years to resist retail businesses, particularly vehicle sales, from entering into industrial estates. As such this is not an option that is available to the applicant. Furthermore any such option would not benefit from proximity to their existing sales outlet and the visual prominence it enjoys.

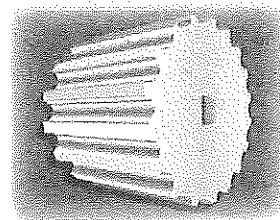
Secondly, I am sure everyone familiar with the area would agree with Mr Murphy that the junction of Barnhill Road and the A82 is not ideal with delays arising at certain times of the day, especially when vehicles endeavour to turn westwards onto the A82 from the Barnhill and Glenpath estates. As Mr Murphy says, it is our understanding that the Trunk Roads Authority are considering an option of replacing the existing pedestrian lights by traffic lights in order to control and assist vehicle and pedestrian movements from Barnhill Road onto and across the A82. If this option is indeed taken forward it will enhance overall road safety at this locus.

However, we would also stand by our previous comments whereby we believe the proposed vehicle sales area will not impact upon this situation in any significant way as it is unlikely to generate a great deal of traffic at any one time, and certainly not at the current peak times of early morning and late afternoon. Indeed over a full day there will only be a limited number of visitors with a sales rate of one vehicle per day being anticipated. As the Area Roads Engineer's Consultation

Partners

Robert A. Hay BA Hons, MRTPI
James B. Lough MRICS, MAPS
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69 Glasgow Road
Dumbarton G82 1RE
Telephone: 01389 733033
Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk



THE
HAY LOUGH DAVIS
PARTNERSHIP

Response confirmed, the existing road network in the locality is considered to be fine for the proposed use.

This aside, and taking on board Mr Murphy's preference for a residential development, it should also be borne in mind that the previous Planning Permission granted consent for 16 residential flats. Without knowing the exact number shown on the Planning Permission drawings, this number of flats would probably have an on-site parking provision for 16-20 vehicles plus some visitor parking bays, perhaps generating say 36-40 extra vehicle movements in and out of the road junction per day. The proposed van sales facility will therefore most likely generate *less* vehicle movements than has previously been deemed acceptable under the Planning Permission for the residential development, and will therefore have a *lesser* impact upon the road junction.

I trust the foregoing comments on behalf of the applicant will be clear and we will look forward to hearing the Review Panel's findings in due course.

Yours sincerely

Robert A. Hay

Cc Client
Mr Murphy, 2 Glenpath Cottage, Strowanswell Road, Dumbarton.

Thomas & Maureen Connolly

Glenavon Stirling Road

Dumbarton G82 2PJ

Reference Planning Application DC11/209

Applicant Lomond Car Sales

Site: Former Pine Trees Public House Stirling Road Dumbarton

In response to Mr Bob Hays comments for a review of refusal of planning permission, I do not agree that it will have an adverse impact upon the planned economic development of the business. The details of the proposed plans and business use were very vague and the council reasons for refusal were correct. Generating sustainable economic development is more important than the current proposal which I do not believe to be compatible with the surrounding area or a good financial business proposal.

With reference to Mr B hays comments of refusal 1 he offers examples of other business that operate of the A82 trunk road. All of the business mentioned are integrated properly and are not within close proximity of as many residential properties except for the applicants business of Lomond Car Sales. He also mentioned operation of Delivery Company at street known as Glenpath this is in accurate and there is no registered delivery company on that street. Mr Hay also mentions past use of the land being a public house and how the business was operated. The current area has changed since then with the main change being volume of traffic passing on the A82 trunk road.

The A82 at this area is very constraint and residents of the area including myself have been highlighting ongoing problems with our local MP Jackie Baillie to which I have attended meeting with herself and one of the heads of Transport Scotland who are responsible for upgrading and maintenance of this road. After site walk over representative from Transport Scotland was in agreement with issues being raised and has instructed Amney Roads to carry out speed surveys and deal with other issues being raised such as maintenance of services noise and air pollution. The findings of local authority roads engineer refers to immediate access to site from Barnhill but does not take account of the A82 trunk road. It must also be noted that the bus stop within a few metres of this site is local bus pick up point for school kids and therefore added health and safety issues of running this type of business.

It is stated the valet side of business will be for cars held by Lomond Car Sales the figures supplied referring to how many cars being sold and currently holding stock do not equate to how many cars per day to receive a valet i.e 2 to 3 per day (40 to 60 per month) with car sales being 20 to 25 per month. How is this possible unless there will be different business use from what is stated in application.

With reference to Mr B Hays response to refusal number 2 he states a surplus of potential development for residential purposes within the local area this is contrary to fact that there is a shortage of housing nationally (ref: CIOB & RICS) and that the rental market has increased some 25 to 30%. There are many contributing factors effecting the construction and private sale of housing government policy having the most impact on this.

Finally having read through and commented on Mr B Hays representation for appealing refusal I do not agree with his comments and therefore would like objection upheld

Regards

Thomas & Maureen Connolly
January 2012

Mr P Murphy
2 Glenpath Cottage
Strowanswell Road
Dumbarton
G82 2QN

30/12/2011

Ref: DC11/209

Dear Mr Stewart

I would like to make further reservations regarding the planning application DC11/209

With regards to Hay Lough Davis reply they mention that the former car park for the pine trees lounge "has been used informally for the parking of cars, vans and 4x4's." Most of these vehicles are non other than their client's vehicles, I do not see the relevance of them mentioning this.

Reason for Refusal No2:

The site is allocated under WDC Local Plan 2010 as under the Housing Policy H1.

We cannot have companies flouting the rules to suit themselves even for temporary measures, It is an H1 site and should remain so.

Conclusion:

In their conclusion, Hay Lough Davis state "The development clearly accords with Scottish Government and local authority aims for assisting existing businesses to not only maintain their position but to also expand"

Regards to this, there is a 4x4 centre or there used to be, based in Drumchapel, located within a small industrial estate with plenty of provision for access and egress, WDC has several industrial estates for which I am sure would suffice for this application.

With Regards to the Bonded ware houses, there is no access nor egress to the A82 so why mention this, it is irrelevant. Most other industries mentioned sited on the A82 have their own access and egress and are not overburdened as is the case of Barnhill road and Glenpath, some of these industries also have the added benefit of being near to the Bowling Roundabout and are therefore not subjected to making the difficult manoeuvre of turning Right onto the A82 as is the case here at Barnhill Road and Strowanswell Road, which is actually the subject of an ongoing survey, initialised by Jackie Baillie MP, it is an accident black spot and been the subject by local residents of change, for many years.

Hay Lough Davis do not say what their client intends to do about or how to alleviate the congestion within this area, they just skim around the point making it seem as though there will be very limited vehicle movement, any extra vehicle movement in this area is added congestion and I want to know what is in their proposal to alleviate this congestion. Turning Right on to the A82 as an example, one can be waiting for 6 minutes to exit the junction, with the addition of customer parking and vehicles for sale movements would add to this already absurd time, its becoming a health and safety matter, this is my main reasons for the proposal not to be granted and that the client seeks new premises located in either Strathleven, Broadmeadow or other WDC industrial estate.

Regards

Mr P. Murphy



SUGGESTED CONDITIONS:

DC11/209/FUL

DC11/209: Change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building.

Former Pine Trees Site, Stirling Road, Dumbarton

Proposed Conditions:

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.

Reason In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The developer shall 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.

Reason In accordance with the terms of Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design and shall thereafter be implemented as approved.

Reason To ensure that the drainage design is acceptable.

4. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.

Reason To ensure that the materials are appropriate to the character of the area and sympathetic to established finishing materials in the area.

5. Prior to the commencement of works, full details of the design and location of all walls and fences, including a permanent barrier along the boundary of the development site and the rear of the trunk road footway to be erected on site shall

be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

- | | |
|--------|---|
| Reason | To ensure that the boundary treatments are appropriate to the character of the area and sympathetic to established finishing materials in the area. In addition, to minimise the interference with the safety and free flow of traffic on the trunk road. |
| 6. | Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved. |
| Reason | In the interests of visual amenity and to ensure that the materials to be used are appropriate to the character of the area. |
| 7. | Prior to the commencement of works, full details of all lighting (including security lighting) to be erected or installed shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved. |
| Reason | In order to avoid disturbance to nearby residential properties and maintain the amenity of the area. |
| 8. | Valeting of vehicles shall only take place on site within the new building and between the hours of 09.00 and 17.00 Monday to Saturday and at no time on Sundays or Public Holidays. |
| Reason | To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise. |
| 9. | There shall be no means of direct vehicular access to the trunk road from the site. |
| Reason | To minimise interference with the safety and free flow of traffic on the trunk road. |
| 10. | Only commercial vehicles shall be displayed for sale on site and only in the areas identified on Drawing No. 01 Rev. C. |
| Reason | To ensure that there is no unnecessary increased pedestrian traffic between the sites on either side of the trunk road. |
| 11. | Prior to the commencement of development, details of a sign which directs customers to the car park shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved. |
| Reason | To maintain road safety and ensure that there is no unnecessary instances of roadside parking. |

12. Prior to the development hereby approved becoming operational, the car parking spaces shown on the approved drawings shall be constructed, surfaced and delineated on the site.

Reason To facilitate the orderly parking of vehicles on the site and to minimise the incidence of roadside parking which could be a danger to other road users.

RELEVANT POLICIES:

DC11/209/FUL

Development Control

4.3 The following policy relates to all new development and applies to the whole of the Plan area.

Policy GD 1 Development Control

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 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.

4.5 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 13.10 – 13.11.

4.6 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.

Private Housing Land Supply

6.26 West Dunbartonshire Council aims to ensure that within the Plan area there is an adequate supply and distribution of effective land to provide for a full range of private housing development. This aim also supports the strategic objectives of the Local Housing Strategy. In line with national and strategic policy, preference will be given to the re-use of previously developed land rather than greenfield sites in order to make the most efficient use of land and infrastructure, reduce the demand for travel and protect the Green Belt. The land supply has been assessed to ensure that it is able to provide a full range of housing sizes and types to meet the needs of all in the community.

Policy H 1 Private Housing Opportunities

The sites identified in Schedules H1 and H2 and shown on the Proposals Map represent the main opportunities for private sector housing development. Proposals for sites adjacent to the Inner Clyde SPA must satisfy the requirements of Policy E2A.

Reasoned Justification

6.27 The Development Plan must provide for a minimum of five years supply of land for housing at all times. Demand for private housing is assessed within context of the Structure Plan. The Local Plan must conform to the Structure Plan and provide sufficient effective land to meet the housing land requirement for at least five years from the date of adoption. The Local Plan should also identify further sites to meet requirements in the medium term. The Council must consider the need to provide a choice of housing types to meet the needs of all in the community.

6.28 The housing provision within the Plan, including the sites specified in Schedules H 1 and H 2, provides a surplus over projected demand in the discrete Dumbarton and the Vale of Leven Housing Market Area, both to 2011 and 2018. In the sub-market of Greater Glasgow North and West, within which Clydebank, Milton and Bowling fall, there is also a surplus of housing to both 2011 and 2018, which provides a significant contribution to mobile demand generated by the wider conurbation. New development opportunities, which are clearly identified in this Plan, together with existing sites, therefore provide an adequate supply of housing land both in the short and medium term. In addition, the character of the land supply is such that it can meet the requirements of different parts of the housing market, and shows a good distribution across the Local Plan area. The identification of these opportunities conforms to SPP 3 as well as meeting the objectives of the Local Plan and the Local Housing Strategy. Private developers are encouraged to provide a mix of housing types and sizes, including affordable housing, wherever possible.

Development within Existing Residential Areas

6.34 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.

Policy H5 Development within Existing Residential Areas

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

6.35 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.

6.36 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.

APPOINTED OFFICER'S DECISION:

DC11/209/FUL

COPY

Refusal of Planning Consent

WEST DUNBARTONSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT)
(SCOTLAND) ORDERS

Proposal **Change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building**

Site Former Pine Trees
Stirling Road
Dumbarton
West Dunbartonshire

Applicant Lomond Car Centre

Agent The Hay Lough Davis Partnership
Glenfield House
69 Glasgow Road
Dumbarton
G82 1RE

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 CONSENT FOR THE REASON(S) CONTAINED IN THE ACCOMPANYING PAPER(S) APART.

DATED THIS: 18th day of November 2011

EXECUTIVE DIRECTOR of HOUSING, ENVIRONMENTAL
AND ECONOMIC DEVELOPMENT
COUNCIL OFFICES,
CLYDEBANK G81 1TG

SIGNED ...
for WEST DUNBARTONSHIRE COUNCIL

1. The proposed development would be contrary to policies GD1 and H5 West Dunbartonshire Local Plan 2010, in that it would have an unacceptable impact on the amenity and character of the surrounding residential area by spreading a prominent commercial activity onto both sides of the main road and introducing commercial traffic and activity on adjacent residential streets.

2. The proposed development would be contrary to policy H1 of the West Dunbartonshire Local Plan 2010, as it would prejudice the successful redevelopment of the site for residential purposes.

FOR NOTING

Informatives

01. The plans referred to as part of this decision are Drawing No(s). 01 Rev. C & 02 Rev. B.

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
Garshake Road
Dumbarton G82 3PU**

Telephone 01389 737210

Review forms can be obtained on request from the above address or can be downloaded from the Council's website:

<http://www.west-dunbarton.gov.uk/building-and-planning/planning-permission/application-forms/appeals-and-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.

WEST DUNBARTONSHIRE COUNCIL
REPORT OF HANDLING (Delegated)

APP NO: DC11/209

CASE OFFICER: Mr Bernard Darroch

ADDRESS/SITE: Former Pine Trees, Stirling Road, Dumbarton, West
Dunbartonshire

PROPOSAL: Change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building

1.0 Site Description/Development Details

Planning permission is sought for the change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building. The site is located on Stirling Road, Dumbarton at the junction with Barnhill Road and was formerly occupied by the Pine Trees Public House and its car park (separated from the main site by Glenpath). The public house ceased trading a long time ago and has subsequently been demolished so that the area is now vacant. The car park area is still used informally for parking, although both areas are slightly unkempt and suffer from a lack of maintenance. The site fronts onto Stirling Road (A82) and is opposite the Abbotsford Hotel and Lomond Car Centre. On the remaining three sides are residential properties. Since the site has been cleared, it has been granted planning consent for residential development (DC06/372/FUL). Together, the two parts of the site extend to approximately 2000 square metres.

Permission is sought to develop the site as a commercial vehicle sales centre, predominantly selling small and medium sized vans. This activity currently takes place on the existing car sales business opposite, and it is proposed to separate the car and commercial vehicle elements of the business. On the southern part of the site, fronting Stirling Road, vehicles would be displayed for sale and there would be a new building to be used to valet the vehicles. The building would be located adjacent to the boundary and would extend to 10m by 6m over a single storey. It would have a flat roof and externally it would be finished with roller shutter doors at either end, timber boarding and wet dash render. The existing car park area to the north would be upgraded and used for the parking of up to 34 staff cars and other vehicles awaiting preparation/collection. In order to upgrade the car park area, a new 1.4m high retaining wall would be formed along part of Glenpath. Both areas would be resurfaced in tarmac. The valet building would not be available for use by the general public and would only be used by vehicles prior to being sold or put on display.

2.Consultations

West Dunbartonshire Council Roads, Environmental Health, Scottish Environment Protection Agency and Transport Scotland all have no objection to the proposal subject to conditions.

3.Application Publicity

Dated	Publication	Reason for advertisement
4 October 2011	Dumbarton and Vale Of Leven Reporter	Publicity for Applications

4.Representations

Representations were received from the following:

2 Glenpath Cottage, Strowanswell Road
Glenavon, Stirling Road
Highmains Cottage, 23 Stirling Road
3 Glenpath, Dumbarton
Stafford House, Stirling Road

There have been five letters of representation submitted in relation to this application. Four of the letters object to the proposal on the following grounds:

- The development will increase congestion at the existing junction onto the A82;
- The development will increase congestion on Glenpath;
- There is only a pavement along one side of Glenpath;
- The development will impact on the value of nearby residential properties;
- A business at this location would not be in keeping with the residential character of the area;
- The appearance of the proposed building is unacceptable;
- The business will lead to noise and disturbance at nearby residential properties;
- The vehicles that will be for sale will block light entering nearby residential properties;
- There will be disruption in the surrounding area as a consequence of customer visits; and
- The development will impact on road safety in the surrounding area.

There is one letter in support of the application although it does raise concerns over the impact of the development on parking in the surrounding streets.

5.Relevant Policy

West Dunbartonshire Local Plan

H1 - Private Housing Opportunities
H5 – Existing Residential Areas
GD1 - Development Control

The site is situated within an existing residential area and is specifically identified under Policy H1 as a Private Housing Opportunity with an indicative capacity of 16 units. Sites identified under this policy represent the main opportunities for private sector housing developments within the West Dunbartonshire Council area.

6. Appraisal

The site has been lying vacant for a number of years, and there is an existing planning permission (DC06/372/FUL) which allows the construction of a flatted development on the site. However, due to the recession the site has not been developed and has been sold by the previous applicant. The agent has advised that there is little demand for this type of development at this location and consequently there is little prospect of the site being developed for housing in the near future.

The preferred use for this site is for housing, but it is accepted that the economic situation means that such development may not be imminent, and under the circumstances suitable alternative or short-term uses may be explored. Policy H1 does not refer to applications for non-residential uses on residential opportunity sites, but the general development policy GD1 and the existing residential areas policy H5 are relevant. Policy H5 indicates that non-residential uses should be ancillary and complementary to the residential area and should not cause any loss of amenity.

Vehicle sales uses do sometimes exist within residential areas, and are not necessarily problematic in such locations. Such uses do not tend to create significant noise or disturbance, but problems can arise in relation to parking in surrounding streets if insufficient space is provided on-site. In this case adequate car parking would be available on the upper part of the site, and neither the Roads Service or the Trunk Roads Authority has raised objection. That said, the split nature of the site is such that visiting customers may not realise that off-street parking was available, and the development would also displace the existing informal parking onto the local streets. It therefore seems likely that there will be some increase in on-street parking, but it is considered that such impact is likely to be acceptable.

There are commercial uses opposite, comprising the existing car sales centre and a hotel, but the application site is separated from these uses by the busy main road and is surrounded by housing. Whilst the site was formerly a public house, that use has long since ceased and the proposal would therefore represent the reintroduction of commercial use to this side of the main road. It is

considered that this would change the character of the area, particularly as the vehicle sales would be on a prominent corner site and the use would now be taking place on either side of the road. The narrow residential streets such as Glenpath, would be subjected to traffic, including commercial vehicles, and whilst the Roads Service has not objected to this on road safety grounds it would nonetheless impact on the character of these streets.

Prior to the application, discussions took place about the temporary use of the land for vehicle storage, along the lines of the use proposed for the rear part of the site. Such use would not involve any significant number of visits by the public, and with some screening could probably be carried out in a manner which did not seriously impact upon the character of the area. However, the application includes vehicle sales from the site, which would have much more of an impact, and also a permanent building. Consideration has been given to a temporary permission, enabling use of the site in the short term until the housing market recovers, and the agent has suggested that the applicant would accept such a permission. However the display and sale of vehicles from the site is not considered acceptable even in the short term, and it is not considered appropriate to grant a temporary permission for a development incorporating a permanent building. The provision of a permanent building would prejudice the redevelopment of the site for housing at a future date.

7. Added Value

Revision made to the building design.

8. Recommendation

Refuse planning permission.

9. Reasons

01. The proposed development would be contrary to policies GD1 and H5 West Dunbartonshire Local Plan 2010, in that it would have an unacceptable impact on the amenity and character of the surrounding residential area by spreading a prominent commercial activity onto both sides of the main road and introducing commercial traffic and activity on adjacent residential streets.
02. The proposed development would be contrary to policy H1 of the West Dunbartonshire Local Plan 2010, as it would prejudice the successful redevelopment of the site for residential purposes.

FOR NOTING

Informatives

01. *The plans referred to as part of this decision are Drawing No(s). 01 Rev. C & 02 Rev. B.*

REPRESENTATIONS ON PLANNING APPLICATION:

DC11/209/FUL

Planning - PLNComment

Call date: 01/10/2011 19:25:17
User: 15311/0
Contact number:
Document Number: 1968385

Comment on Planning Application

About You

Please provide details about yourself

Forename

Surname

Address

Telephone Number

E-Mail Address

murphy

philip

2 glenpath cottage

strowanswell road

dumbarton

g82 2qn

01389 734931

philipmurphy4@sky.com

Details

Please provide details regarding this planning application

Case Type

Comments

FUL

I would like to know what the proposed development intends to do about the congestion regards to the entry and exit into and out of barnhill road from the A82? also the restricted access point onto the sites from Glenpath what plans are there to alleviate this already congested area? Commercial vehicles and associated works. is there to be repair and maintenance to be carried out?

Do you support the proposal

No

Planning - PLNComment

Call date: 11/10/2011 19:38:01
User: 15311/0
Contact number:
Document Number: 1975829

Comment on Planning Application

About You

Please provide details about yourself

Forename

Surname

Address

Telephone Number

E-Mail Address

Maureen & Thomas

Connolly

Glenavon

Stirling Road

Dumbarton

01389 730713

thomasconnolly@hotmail.co.uk

Details

Please provide details regarding this planning application

Case Type

Comments

FUL

i have concerns regarding the traffic flow within this already congested area, i would like to know who is responsible for maintaining the roads with the added traffic that this will attract, we only need to look at the mess that the road is in at the current site. This was primarily a residential area and not a commercial trading area. i feel that this type of business will have a detrimental effect on the property values of the neighbouring properties.

Do you support the proposal

No

Planning - PLNComment

Call date: 11/10/2011 20:17:06
User: 15311/0
Contact number:
Document Number: 1975830

Comment on Planning Application

About You

Please provide details about yourself

Forename

Surname

Address

Telephone Number

E-Mail Address

Louise

Murray

3 Glenpath Dumbarton G82 2PQ

07793 558 047

louisemurray14@hotmail.com

Details

Please provide details regarding this planning application

Case Type

Comments

FUL

In general we do support the property development to generate business for local economy etc, however, as a resident, home owner and council tax payer, have major concerns about the impact of this development on our domestic situation at Glenpath. Our concerns are not in relation to visual impact but our comments are provided in relation to the category "traffic,access or parking problems"

At present outside 1,2,3 and 4 Glenpath there is ample parking for 5 cars (all 4 houses currently utilise all 5 spaces) . The development of the proposed site, specifically the rear building/car park proposed, will displace approximately 10 cars, generally parked in this area. As a result of this displacement there is a potential detrimental impact on our ability to park outside or even near to our own property. The new development will mean there will be only 5 spaces for more than 15 cars, therefore causing potential access issues with people parking anywhere due to the reduction in available car parking bays. In addition, patrons of the new development, may inadvertently utilise these spaces, causing further access problems.

In addition, work is on-going by the Scottish Government to improve the safety of the junction at Barnhill road to the A82 Stirling Road, the potential displacement of these cars may add to congestion on Barnhill Road due to limited parking spaces.

We would request that these comments be taken into consideration.

Yes

Do you support the proposal

BD

PLANNING SERVICES RECEIVED	
14 OCT 2011	
PASS TO	
REF. No.	DC 11 / 209

Stafford House,
Stirling Road ,
Dumbarton,
Dunbartonshire,
G82 2PF

12 Oct 2011

ack LM 14/10/11

Dear Sir/Madam,

Ref DC11/209: Former Pine Trees Stirling Rd Dumbarton

I would like to note my objection to the above planning application for the following reasons:

- Amey are installing traffic lights at the bottom of Barnhill Rd to replace the existing pedestrian lights, which means that Strowanswell Rd and Glenpath may become a shortcut. This will cause more traffic on already congested roads. Traffic management needs to be a consideration.
- I'm already in contact with my local councillor regarding restricted access to my drive due to parked cars in Glenpath.
- My main concern is safety. Glenpath only has one pavement on the far side, which means I step out from my garden straight onto the road. This causes me serious concern when my grandchildren visit.
- Also, having a home which is situated on a trunk road, compounded with a commercial business located at the end of the street, potentially could have a detrimental effect on the price of my property.
- I'd also like to get more detail on the "associated works, not including the valet building" as described in the document sent to me and some time to consider the impact.

I look forward to hearing from you in the near future.

Yours sincerely, (



Charlie Casey

Planning - PLNComment

Call date: 12/10/2011 12:29:34
User: 15311/0
Contact number:
Document Number: 1976618

Comment on Planning Application

About You

Please provide details about yourself

Forename

Surname

Address

Telephone Number

E-Mail Address

Alasdair
Henderson
Highmains Cottage
23 Stirling Rd
Dumbarton
G82 2PH
01389 602206
ah610@hotmail.co.uk

Details

Please provide details regarding this planning application

Case Type

Comments

FUL

I wish to make the following objections to the planning application DC11/209 - Former Pine trees car park.

I wish to object due to the following.....

• Character/Design of the area

The area in question, on the opposite side of the road from the Abbotsford Hotel and Lomond Auto Centre is a residential area consisting of a large number of homes – most with children. A business of this type in this location would not be in keeping with the character and design of the area.

• Character of the building

The proposed structure is a large, brick built construction with roller shutters at each gable end – which again is in complete contrast to the existing domestic structures in the area.

• Noise and disturbance

This is, I believe, a commercial car wash, which will generate a large noise level and disturbance to the domestic properties around the area of the proposed structure.

• Significant loss of light

The proposed use of the pine trees car park for use as a commercial vehicle sales display area will, without doubt greatly inhibit the light for those properties in the vicinity of the ground. Such vehicles can vary in size from an escort van to a full sized articulated vehicle and could completely block out the light for a number of homes adjacent to the car park.

• Loss of privacy

As with all vehicle sales areas, the potential number of visitors to the area to view vehicles is huge – especially out-with normal business opening hours. I live opposite the current Lomond Auto Centre and witness daily the number of visitors the plot receives to view vehicles out of hours – it is almost busier when it is closed than when it is open. My objection here is that, even with limited opening hours, the disruption to the local area at all times of the day and night will be greatly increased.

• Traffic generation and road safety car parking

This area – especially when turning from Stirling Road onto Barnhill Road is already very busy with the road narrowing as you progress up towards Glen Path. There is insufficient space to allow an influx of commercial vehicles to use this space and to park whilst waiting to use the proposed vehicle valet facility. In addition to this the road safety for local children, vulnerable adults and senior citizens would be greatly reduced. I must object most strongly on this point. This is a residential area with lots of children and the impact that the movement of large commercial vehicles in this area could be disastrous.

• Summary

I object most strongly to this application on the grounds that it is out of keeping with the local area, would greatly reduce the privacy of the local residents and would cause an increased danger to local residents and children due to the movement of large commercial vehicles in a tight residential road.

No

Do you support the proposal

CONSULTATION RESPONSES

DC11/209/FUL

Transport Scotland

Trunk Road and Bus Operations (TRBO)
Network Operations - Development Management



Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2008 S.I. 2008 No 432 (S.25)

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To West Dunbartonshire Council West Dunbartonshire Council	Council Reference:-	DC11/209
	TS TRBO Reference:-	SW/282/2011

Application made by Lomond Car Centre per The Hay Lough Davis Partnership, Glenfield House, 69 Glasgow Road, Dumbarton, G82 1RE and received by Transport Scotland on 28 September 2011 for planning permission for change of use of vacant ground to permit the display and sale of commercial vehicles and associated works including the erection of a valet building located at Former Pine Trees, Stirling Road, Dumbarton, West Dunbartonshire affecting the A82 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission ☐
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☒

In issuing planning permission the applicant should be informed that the consent does not carry with it the right to carry out works within the trunk road boundary (see overleaf for details of any works to be carried out within the trunk road boundary) and that permission must be granted by Transport Scotland, Trunk Road and Bus Operations. To obtain permission contact the Route Manager through the general contact number below. The Operating Company have responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Route Manager (A82) 0141 272 7100 Network South, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	AMEY
Address:-	Bargeddie Office, Langmuir Way, Bargeddie, Glasgow, G69 7RW
Telephone Number:-	0141 7816900
e-mail address:-	swcentralofficeinbox@amey.co.uk

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.



CONDITIONS to be attached to any permission the council may give:-

1	There shall be no means of direct vehicular access to the trunk road.
2	A Permanent barrier shall be erected along the boundary of the development site and the rear of the trunk road footway.
3	Only goods vehicles may be displayed in this area. Private vehicles will not be permitted.

REASON(S) for Conditions (numbered as above):-

1 & 2	To minimise interference with the safety and free flow of the traffic on the trunk road.
3	To ensure that there is no unnecessary increased pedestrian traffic between the sites on either side of the trunk road.

NOTES

Contact should be made with the Operating Company to liaise on works adjacent to the trunk road footway and to ensure that pedestrian safety is not reduced.

Transport Scotland Response Date:-

06-Oct-2011

Transport Scotland Contact:-

Fred Abercrombie

Transport Scotland Contact Details:-

Trunk Road and Bus Operations, Network Operations - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number: 0141 272 7382

e-mail: development_management@transportscotland.gsi.gov.uk

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

Our ref: PCS/116287
Your ref: [REDACTED]
If telephoning ask for:
Nicki Dunn

30 September 2011

Bernard Darroch
West Dunbartonshire Council
Development Management
Council Offices
Clydebank
G81 1TG

By email only to: development.management@west-dunbarton.gov.uk

Dear Sir

**Town and Country Planning (Scotland) Acts
Change of use of vacant ground to permit the display and sale of commercial vehicles
and associated works including the erection of a valet building
Former Pine Trees, Stirling Road, Dumbarton, West Dunbartonshire**

Thank you for your consultation which SEPA received on 30 September 2011.

To assist with streamlining the planning process, we now focus our site specific advice in development management where we can add best value in terms of enabling good development and protecting Scotland's environment. We have therefore provided standing advice applicable to this type of small-scale local development which is available at www.sepa.org.uk/planning.aspx.

Advice for the planning authority

If you are seeking comment on some site specific issue, such as flood risk, which is not adequately addressed by our standing advice, we would welcome the opportunity to be re-consulted. The reason for consultation should be clearly indicated in the body of the email or letter. To assist, we have developed a checklist for planning authorities to use when consulting with us on planning applications.

Guidance on How and when to consult SEPA and our Standing advice for small scale local development is available on our website.

Advice for the applicant

Further details of regulatory requirements and good practice advice can also be found on our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office. Contact details for each office can be found on our website by clicking on the relevant area on the contacts map.

If you have any queries relating to this letter, please contact our local planning office by emailing planning.ek@sepa.org.uk.

Yours faithfully

Nicki Dunn
Planning Officer
SEPA Planning Service



Chairman
David Sigsworth

Chief Executive
Dr Campbell Gemmell

East Kilbride Office
Redwood Crescent, Peel Park, East Kilbride G74 5PP
tel 01355 574200 fax 01355 574688
www.sepa.org.uk



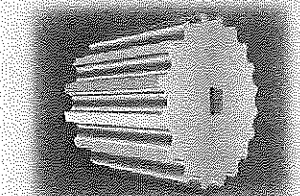
**PLANNING APPLICATION CORRESPONDENCE
(INCL. ROADS AND ENVIRONMENTAL HEALTH)**

DC11/209/FUL

Our Ref: 2011.08.10 (Planning02)

6 October 2011

2



THE
HAY LOUGH DAVIS
PARTNERSHIP

West Dunbartonshire Council
(Planning Section)
Council Offices
Rosebery Place
Clydebank.
G81 1TG

Fao Mr Bernard Darroch
Pl.Ref. DC11/209

PLANNING SERVICES RECEIVED <i>supp info</i>	
-7 OCT 2011	
PASS TO	
REF. No.	DC11/209

Dear Bernard

**Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

I refer to our recent submission of a Planning application on behalf of Mr Campbell Gillies of Lomond Car Centre for the above project.

Since then we have been involved in discussions with Mr Don Forsyth who lives immediately adjacent to the site and who in turn has been speaking with other neighbours. A number of questions and concerns were raised by Mr Forsyth and these have been put to Mr Gillies who has indicated a willingness to co-operate with the neighbours insofar as he can. We did consider relocating the valet building to the upper site but the sloping gradients limits the options and none were advantageous in comparison to the proposed siting on the lower plot.

As a result of these meetings and discussions can we now present revised drawings of the proposed valet building for substitution into the application file. These have been copied to Mr Forsyth for circulation to his neighbours.

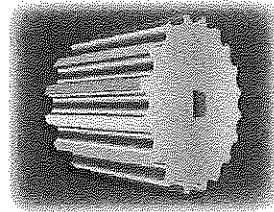
You will see that in order to reduce its visual impact the length, width and height of the building have all been reduced whilst at the same time the method of construction has been changed to a rendered blockwork finish with stained timber cladding to the sides and rear. In all respects it is believed these changes will allow the building to have a reduced impact on the street-scene and whilst by necessity of a commercial scale it will be more in keeping with the residential properties nearby.

With regard to questions raised by WDC departments and the neighbours regarding the usage of the valet building, and indeed the overall site, we can also offer / confirm the undernoted points:-

Architecture • Town Planning • Building Control • Project Management • Project Safety

Partners
Robert A. Hay BA Hons, MRTPI
James B. Lough MAICS, MAPS
Richard W.S. Davis RIAS.

Glenfield House
69 Glasgow Road
Dumbarton G82 1RE
Telephone: 01389 733033
Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk



THE
HAY LOUGH DAVIS
PARTNERSHIP

- that there will only be light goods vehicles and no HGV's on the site,
- that the operating hours will probably be 8-30am to 6-00pm, 7 days a week,
- at the suggestion of Mr Forsyth, that the Valet building will only be used between 9-00am and 5-00pm,
- that the building will only be used for washing & polishing of vehicles to the exclusion of mechanical repairs etc,
- there will not be a ramp or pit within the Valet building,
- that there will be no security fencing such as barbed wire etc
- any security lighting will be positioned and angled in order to minimise any impact upon the immediate neighbours,
- the rear car park will be used by staff and visitors' cars and sale vehicles being newly delivered or ready for collection,

It is hoped that this new design will be less contentious in the eyes of the neighbours and that verification of the other matters of concern will also be welcomed. Likewise I trust WDC Planning Department will be more comfortable with the revised detailing and the confirmation regarding usage and that any particular matters can be governed by Conditions.

As always, if you have any questions or would wish to meet on site please do not hesitate to give me a call and I will look forward to hearing from you again soon.

Yours sincerely

Robert A. Hay

Enc. Drawing No.'s 01 Rev.C and 02 Rev.B (three copies of each)

Cc Client

Memorandum



To: Bernard Darroch, Planning
From: Isabel Fellowes, Environmental Health Officer
c.c.
Contact: Isabel Fellowes Ext. 8248
Subject: **DC11/209** – Use of site as valeting facility, Stirling Rd, Dumbarton
Your Ref: Our Ref: IF/AF Date: 27 October 2011

I refer to the above application and to the additional information provided by the agent concerning the use of the valet building.

I am concerned that noise from the use of the valet building may cause nuisance to nearby residents.

My understanding is that the applicant proposes that:

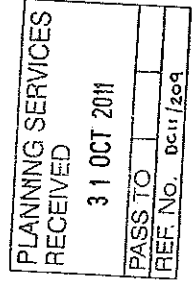
1. The valet building will only be in use between 09:00 and 17:00.
2. The valet building will only be used by the applicant in connection with his business and will not be open to members of the public or other businesses.
3. No vehicle repair or maintenance will be carried out on the site.
4. All valeting will be carried out within the building and it is anticipated that only 2-3 vehicles per day will be valeted.

I therefore have no objection to this application provided the following condition is applied to consent and the use of the valet centre does not deviate from that described above.

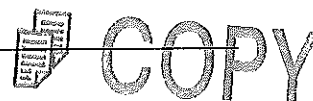
1. No valeting of vehicles shall take place outwith the hours of 09:00 and 17:00 Monday – Saturday with no valeting on Sundays or public holidays.
To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise.

Should the use of the valeting centre change in any way from the information provided a noise impact assessment may be required. Any change to the current proposed use of the site therefore should be brought to the attention of the Planning Authority.

Isabel Fellowes
Environmental Health Officer



Bob Hay

 COPY

From: "Bob Hay" <bob@hayloughdavis.co.uk>
To: "Bernard Darroch" <Bernard.Darroch@west-dunbarton.gov.uk>
Sent: 25 October 2011 11:25
Subject: Re: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Good morning Bernard,

In response to Isabel's questions I have sought more information from our client.

It transpires the vans will be steam-cleaned then polished with the interiors being hoovered and polished - all inside the proposed building. In terms of equipment there will be an electric steam cleaner, two hoovers and hand-held polishing equipment and a selection of polishes etc. Our client does not anticipate a huge sales turnover in vehicles per day and this valeting tends to take a few hours per vehicle so in reality only 2-3 vehicles will be valeted in any one day.

I can also confirm that the valet building will only be used by our client and that it will not be open to the public or other businesses so its impact upon neighbours should be minimal. Furthermore as previously indicated there will be no on-site mechanical repairs or servicing.

I hope the foregoing is sufficient to indicate the low-key nature of the proposed valeting building.

Regards,

Bob

----- Original Message -----

From: Bernard Darroch
To: 'Bob Hay'
Sent: Monday, October 17, 2011 10:12 AM
Subject: FW: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Bob,

See Isabel's comments below.

Can you provide some further details as requested (it may be useful to mention any machinery/equipment that will be used).

Thanks

Bernard

From: Isabel Fellowes
Sent: 17 October 2011 09:28
To: Bernard Darroch
Subject: RE: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Bernie

Can they provide info on how many cars per day will go through the valet unit? If it's to be used constantly during the hours of 9 til 5 then I'll be looking for a noise impact assessment.... Do you think they can be a bit more specific regarding the anticipated use of the valet facility?

Isabel

I. Fellowes

Environmental Health Officer
Legal, Admin and Regulatory Services
Council Offices
Rosebery Place
Clydebank
G81 1TG
Tel: 01389 738292
Fax: 01389 738974

From: Bernard Darroch
Sent: 13 October 2011 11:49
To: Isabel Fellowes
Subject: FW: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Izzy,

Bob has come back with further information regarding the above proposal and confirmed the following:

1. The valet building will only be used for the washing and polishing of vehicles relating to the business (ie. not open to the general public);
2. There will be no mechanical repairs etc in the valet building and there will not be a pit or ramp; and
3. The site will generally be open from 08.30 – 18.00 daily with valet building being used between 09.00 – 17.00.

If you need any further information in order to respond, let me know.

Cheers

Bernie

From: Bernard Darroch
Sent: 03 October 2011 17:02
To: 'Bob Hay'
Subject: FW: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Bob,

I have received some feedback from Environmental Health (see below) regarding this application. Could you provide the information as requested. In addition, I note that the application relates to commercial vehicle sales, can you confirm the exact types of vehicle that will be available to purchase.

Thanks

Bernard

From: Isabel Fellowes
Sent: 03 October 2011 16:01
To: Bernard Darroch
Subject: DC11/209 - Former Pine Trees, Stirling Road, Dumbarton

Hi Bernie

Re the above can we please clarify the exact nature of the use of the proposed valet centre? I have concerns re the potential for noise complaints and would appreciate further info.

Is it to be accessible by the public or is it to be for the cars on sale only? If restricted

to valeting of sale cars only how often and for how long will it be in use per day?

Thanks

Isabel

I. Fellowes

Environmental Health Officer

Legal, Admin and Regulatory Services

Council Offices

Rosebery Place

Clydebank

G81 1TG

Tel: 01389 738292

Fax: 01389 738974

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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.

Subject: General Correspondence DC11/209

From: Bob Hay [mailto:bob@hayloughdavis.co.uk]
Sent: 17 October 2011 14:18
To: Bernard Darroch
Cc: Campbell Gillies
Subject: Re: DC11/209 - LOMOND CAR CENTRE, COMMERCIAL VEHICLES

Hi Bernard,

I have spoken with John Walker but he is off this week so we are getting together next week to view the site and assess his requests, etc. I'll keep you updated thereafter.

Bob

----- Original Message -----

From: Bernard Darroch
To: 'Bob Hay'
Sent: Wednesday, October 12, 2011 11:00 AM
Subject: FW: DC11/209 - LOMOND CAR CENTRE, COMMERCIAL VEHICLES

Bob,

As I said yesterday, I will speak to Keith next week about what recommendation should be made concerning this application. However, below are the comments from Roads which whilst not objecting to the proposal, do require some alterations to be made. Could you look over the points raised by Roads and submit amended plans.

If you have any questions let me know.

Cheers

Bernard

From: John Walker (Roads)
Sent: 12 October 2011 10:35
To: Bernard Darroch
Subject: DC11/209 - LOMOND CAR CENTRE, COMMERCIAL VEHICLES

Hi Bernard

It is desirable for the showroom to have a separate pedestrian entrance from vehicular traffic to reduce potential conflict. The pedestrian entrance should be a minimum width of 2 metres and the vehicular access should be a minimum of 4.5 metres. If this is not possible, an absolute minimum width of 5.5 metres should be used for a shared use entrance / exit. An observation was made that the bollards around the perimeter of the facility will be retractable, however, on no account should vehicles be picked up, dropped off, parked or displayed using any section of public road including footway.

The vehicular access to the parking area opposite the facility should be increased to a minimum width of 4.5 metres and have a separate pedestrian entrance to improve the proposed convoluted pedestrian

route from the parking area to the showroom. The current arrangement would encourage visitors to park on the street rather than use the car park.

- A suggested revision could be to construct a pedestrian ramp to the car park opposite pedestrian entrance to showroom, and delineate a footway in the car park running parallel to Glenpath along the width of the car park. Both the ramp and the footway should have a minimum width of 2 metres and the ramp should have a maximum gradient of 8% with a 3% crossfall.
- An alternative to the ramp is to provide stairs at this location, provided that provision can be made within the showroom / valeting area for disabled customers. The stairs should be between 1m and 1.2m wide, 250 – 300mm deep and 130-150mm high. The stairs should also have a crossfall of 3%.

As the current proposal has a substantial over-provision of parking spaces, there would be no objection to a reduction in parking spaces to facilitate either of these measures.

No water from any section of the proposed development should be shed onto the public road.

A Road Opening Permit will be required for works within the public road (including footways) - Section 56 of the Roads (Scotland) Act 1984 applies.

Regards

John Walker
Assistant Engineering Officer
West Dunbartonshire Council
01389 737285

By post and e-mail

West Dunbartonshire Council
(Planning Section)
Council Offices
Rosebery Place
Clydebank.
G81 1TG

Fao Keith Bathgate / Bernard Darroch
PL.Ref. DC11/209

Dear Keith and Bernard

**Proposed change of use of vacant site to allow the sale and display of
commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

I refer to the recent submission of a Planning application on behalf of Lomond Car Centre for the above project and to our subsequent tel conversations and e-mails and on behalf of our client I would wish to take the opportunity to offer updated comments.

Firstly, and simply for clarification, whilst the site has been bought by Mr Campbell Gillies under the auspices of his company Jensyn Motor Company Ltd it is not his intention to run the proposed business, merely to secure the Planning Permission and then lease the site to Lomond Car Centre. This differs from my original understanding as outlined in the Design & Access Statement but the merits of the proposal remain the same. Mr Gillies spends six months per year in Australia and regards this site as an investment / pension. However in order to ensure the local authority are, and in due course remain, comfortable with the way the site is operated, and there is no adverse impact upon neighbours, he is perfectly willing to accept the imposition of agreed Conditions and these will become part of the lease agreement.

CONSULTATION RESPONSES.

Secondly, as you know I met with Mr John Walker of WDC Roads Section yesterday morning and after clarifying certain matters I believe he is now comfortable with the proposal and he will be writing to you to this effect. The presence of double yellow lines already prohibits the parking or stopping of vehicles at or near the Barnhill Road and Glenpath junctions and therefore all existing on-street car parking in Glenpath will remain unaffected by the new business. The perimeter of the site will have fixed rather than collapsible bollards

and the only way of entering and leaving the front display site will be via the existing but widened ramped access off Glenpath. This access will only be used by

vehicles for sale and these will be driven in and out by staff of the business. Staff cars, vehicles being delivered or collected, and visiting members of the public will be directed to use the private rear car park (via the existing driveway) and John Walker has asked that signage be erected to this effect. The width of the private access (at 4500mm) and the car parking provision is in accordance with, and indeed exceeds, WDC requirements and the footpath links between the rear car park and the front display area are also deemed to be appropriate. In effect the proposal appears to accord with WDC Roads requirements in all respects and therefore should not adversely affect neighbouring properties.

In response to the queries from Isabel Fellowes in the Environmental Health Section I have also confirmed the very limited works that will be undertaken within the valet building, being the cleaning and polishing of vehicles solely for sale on the premises (perhaps 2 or 3 per day) and to the exclusion of any mechanical repairs etc. No other businesses or individuals will be able to use the valet centre and hopefully she will also now be comfortable with the proposal and its minimal impact upon neighbouring properties.

It is therefore my understanding that under such circumstances there are no technical reasons for resisting the application and therefore a subjective judgement has to be taken in terms of the proposed use of the site relative to the Development Plan zoning and the likely impact upon the neighbouring properties.

PLANNING ASSESSMENT.

In this regard we would repeat that the site sits immediately adjacent to the A82 Trunk Road and alongside a mix of commercial, b&b guesthouses and residential properties and for many years accommodated a public house / lounge bar (The Pinetrees Lounge). There is therefore a longstanding history of commercial use on this site and in the vicinity of it. Furthermore the proposed use will have a lesser impact in terms of public movements and late night hours of operation than the public house and the hotel opposite.

The intention is to cater locally for a known demand for used commercial vehicles (i.e. vans and pick-ups and specifically not HGV's etc) as there is no such supplier within the West Dunbartonshire area. Any business currently looking for almost new / second hand vans, i.e. other than brand new, has to travel outwith the district.

The applicant would also highlight that there have been no known complaints in terms of noise, disturbance or vandalism with regard to the Lomond Car Sales premises opposite the application site, which sits immediately alongside residential properties. Likewise the other car sales businesses in the area, being

Kenmure Car Sales in Glenpath, Lindsay's Garage at Dumbuck and Woodyard Car Sales in Alexandria are also all immediately adjacent to private residential properties without any cause for complaint. These other examples set a clear precedent for the current proposal, being an extension of an existing and established business, and show that vehicle sales is not contentious within either a residential area or in this case a mixed use area.

Finally, in response to the comments from neighbours the style, height and overall scale of the proposed valet building have been reduced and whilst still by necessity of a commercial rather than domestic scale the revised design and appearance of building means it should now sit more comfortably within the cluster of surrounding buildings.

CONCLUSION.

Taking all of these aspects into consideration it is evident that in terms of Planning, Roads and Environmental Health criteria the proposed use is acceptable in this location. It may not offer the most glamorous of visual impacts but nevertheless the vehicle sales will address a perceived shortfall in local provision, it enhance an existing business, it will create new employment opportunities, it will bring back into productive use a site that has lain vacant for many years and it will immediately improve its overgrown appearance. Furthermore it should have less impact upon the amenity of neighbouring residential and business properties than might be the case with other potential commercial uses.

It is hoped the foregoing comments will accord with your own thinking and that you will be able to offer a favourable recommendation on the Planning application. However if this is not the case, or you need further clarification of any points, please do not hesitate to let me know as I have been instructed to confirm that the applicant has invested a great deal in this site and will be taking the matter to Appeal if a Refusal is issued.

As always, if you have any questions or would wish to meet on site, please do not hesitate to give me a call and I will look forward to hearing from you again soon.

Yours sincerely

Robert A. Hay

Cc Client

Subject: DC11/209 General Correspondence
From: Bob Hay [mailto:bob@hayloughdavis.co.uk]
Sent: 27 October 2011 14:11
To: John Walker (Roads)
Cc: Bernard Darroch
Subject: Re: The former Pintrees site, Dumbarton - Lomond Car Centre

Thanks John, I'm glad everything read okay and your assistance is greatly appreciated.

Bob

----- Original Message -----

From: John Walker (Roads)
To: 'Bob Hay'
Sent: Thursday, October 27, 2011 2:02 PM
Subject: RE: The former Pintrees site, Dumbarton - Lomond Car Centre

Hi Bob

Sorry, I was out the office all this morning and had to do other things this afternoon.

I am in agreement to all references in the attached letter to our meeting yesterday. I will therefore email Bernard Darroch to advise him that my concerns have been addressed due to your proposal to widen the access to the premises, install fixed rather than removable bollards and erect a sign encouraging customers to use the parking facility.

I hope that this will sort out any problems.

Regards
John Walker

From: Bob Hay [mailto:bob@hayloughdavis.co.uk]
Sent: 27 October 2011 11:21
To: John Walker (Roads)
Subject: Fw: The former Pintrees site, Dumbarton - Lomond Car Centre

Good morning John.

Attached is a letter going to Bernard Darroch within which I make reference to our site meeting yesterday - hopefully everything I have said accords with your own thinking, I believe it does but if anything is unclear please do not hesitate to let me know.

Thanks again,

Bob

----- Original Message -----

From: Bob Hay
To: Bernard Darroch at WestDunbCo

From: John Walker (Roads)
Sent: 27 October 2011 15:26
To: Bernard Darroch
Subject: DC11/209 - LOMOND CAR CENTRE, COMMERCIAL VEHICLES
Roads Consultation Response

Hi Bernard

At the site meeting between Bob Hay and I on Wednesday 26 October, it was agreed that the following amendments could be made to the proposed plan:

- Bollards will be fixed rather than retractable to prevent the possibility of vehicles accessing the area via the footways of either Barnhill Road or A82.
- A sign will be erected directing customers to the car park rather than the facility itself. Due to the existing waiting restrictions, this measure in itself should remove the need to redesign the car park to discourage parking on the public road.
- It was agreed that the access to the facility will be widened to serve both pedestrian customers from the car park and staff bringing vehicles into and out of the display area and valet building.

Assuming that all of the above is carried out, and my original statement regarding a Road Opening Permit and ensuring water is not shed onto the public road, Roads have no objection to this proposal. I understand that Bob will also write to you to this effect. If you have any more queries, please get back to me.

Regards

John Walker
Assistant Engineering Officer
West Dunbartonshire Council
01389 737285

Bob Hay

From: "Bob Hay" <bob@hayloughdavis.co.uk>
To: "Bernard Darroch at WestDunbCo" <bernard.darroch@west-dunbarton.gov.uk>
Sent: 23 November 2011 11:57
Subject: The former Pinetrees site, Dumbarton - Lomond Car Centre

Good morning Bernard,

in your absence I spoke yesterday afternoon with Keith B. We discussed his uncertainties over the proposed use and we made mention of a 5 year temporary period of consent. This would be acceptable if an unlimited Permission is not an option. The question of whether or not our client would build the valet building would fall to him to decide - i.e. could the construction cost be justified or not?

Our client has already bought the site and as you know he has a tenant lined up so he will take the matter to Appeal if he has to. As also previously mentioned, personally I cannot see what sound reasons there are for refusing the application. It might not be your first choice in terms of land uses but I do not regard it as inappropriate given the other mixed uses in the locality.

Your thoughts will therefore be welcomed on how a positive outcome might be reached.

Best regards,

Bob

Robert Hay

The Hay Lough Davis Partnership
Glenfield House
69 Glasgow Road
Dumbarton
G82 1RE

E: bob@hayloughdavis.co.uk
T: 01389 733 033
F: 01389 733 133

PLANNING APPLICATION:

DC11/209/FUL

Our Ref: 2011.08.10 (Planning01)

19 September 2011

West Dunbartonshire Council
(Planning Section)
Council Offices
Rosebery Place
Clydebank.
G81 1TG

Fao Mr Keith Bathgate

Dear Keith

**Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

As you may be aware from previous contact with your Section, our company has been engaged by Mr Campbell Gillies of Lomond Car Centre to offer Planning guidance with regard to the above project and we have been working with them over the last few months.

The Planning application for the change of use and the new building etc has been submitted on-line via The Scottish Government's e-planning portal but for ease I have also now enclosed the fee cheque, the Access & Design Statement and two sets of the drawings.

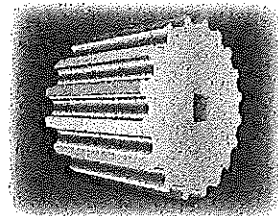
You will no doubt recall that this site, which was previously The Pinetrees Lounge and its car park but has lain vacant since then, has been the subject of a series of residential proposals over the last 5-10 years. These established the principle of a flatted development but with the recession no houses were built, the development was no longer viable and the site was put on the market. It was at this stage, after several months and after contacting your Section, that our client agreed its purchase.

Whilst it is acknowledged that a small-scale residential or tourist development might, in Planning terms, be the optimum use of the site the ongoing present economic recession is such that this is highly unlikely to occur in the foreseeable future. The site has lain vacant and overgrown for many years and being prominent from the A82 Trunk Road its redevelopment in the proposed manner should constitute an improvement in its appearance without being unduly imposing upon the neighbouring houses. As such we believe the proposed development is justifiable vis-à-vis Planning Policies.

THE
HAY LOUGH DAVIS
PARTNERSHIP

Partners
Robert A. Hay BA Hons, MRTP
James B. Lough MRICS, MAPS
Richard W.S. Davis RIAS

Glenfield House
69 Glasgow Road
Dumbarton G82 1RE
Telephone: 01389 733033
Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk



THE
HAY LOUGH DAVIS
PARTNERSHIP

We trust you will find the various enclosures to be in order and in due course will find the proposal to be acceptable when assessed against current Planning criteria. However if you have any questions, or would wish to meet on site, we will be pleased to do so and shall await a call to this effect.

We will therefore look forward to hearing from you again soon.

Yours sincerely



Robert A. Hay

Enc. Drawings x 2 – two sets
HLD Design & Access Statement
Client fee cheque - £957-00

Cc Client



Council Offices Rosebery Place Clydebank G81 1TG

Tel: 01389 738 575

Fax: 01389 738 584

Email: development.management@west-dunbarton.gov.uk

Planning Department

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000028444-001

The online ref number 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.

PLANNING SERVICES
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PASS TO
REF. NO.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- ☒ 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)

Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building).

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

Have the works already been started 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:	The Hay Lough Davis Partnership	You must enter a Building Name or Number, or both:*	
Ref. Number:		Building Name:	Glenfield House
First Name: *	Robert	Building Number:	69
Last Name: *	Hay	Address 1 (Street): *	Glasgow Road
Telephone Number: *	01389 - 733033	Address 2:	
Extension Number:		Town/City: *	Dumbarton
Mobile Number:		Country: *	UK
Fax Number:	01389 - 733133	Postcode: *	G82 1RE
Email Address: *	bob@hayloughdavis.co.uk		

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

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both:*	
Other Title:		Building Name:	
First Name:		Building Number:	48
Last Name:		Address 1 (Street): *	Stirling Road
Company/Organisation: *	Lomond Car Centre	Address 2:	
Telephone Number:		Town/City: *	Dumbarton
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	G83 2PJ
Fax Number:			
Email Address:			

Site Address Details

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

675181

Easting

241343

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

1918.50

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)

Vacant site, currently used in part as an informal car park. Previously the site accommodated The Pinetrees Lounge with the rear area being its car park.

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 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 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? *

18

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)? *

34

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, cycle 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)

Any waste products will be stored within the proposed valet building and disposed of in the appropriate manner.

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 principal 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): *

Not in a Use Class

Gross (proposed) floorspace (In square metres, sq.m) or number of new (additional) rooms (if class 7 or 8): *

80

If Class 1, please give details of internal floorspace:

Net trading space:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Valet building ancillary to the sale and display of commercial vehicles.

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 2008) *

☐ 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 B – Town and Country planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1 or Certificate Form B or Certificate C, but if this is a Minerals application, you will need Certificate Form D.

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

[illegible]

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1102 130 7

NAME STO

Rev C: Valet Building Excerpt reduced: JD: 06/10/11
Rev B: Valet Building Location Revised: JD: 15/09/11
Rev A: Valet Building Revised: JD: 07/09/11

HAYLOUGH DAVIS
J. M. C.
of A. C. T. N. E. R. S. M. I. C.

69 GLASGOW ROAD
DUMFRIES
GNC IRE

TEL 01389 733033
FAX 01389 733133

ALL SIZES TO BE CHECKED ON SITE

DATE	REF NO	DWG NO	REV	C
24/02/11	11.05.10	01		C

SITE PLAN 1:500

~~The Abbotsford Hotel~~

~~Lomond Car Centre~~

Surface Water drainage
connected to existing



R



EXTERNAL FINISHES:-

ROOF:-

WALLS:-

DOOR:-

ROOFLIGHTS:-

RAINWATER GOODS:-

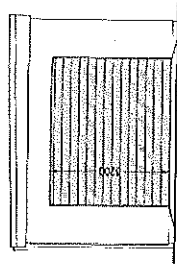
Corrugated metal sheeting.

Wet dash render and treated timber vertical boarding.

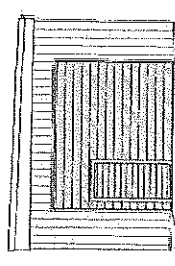
Electrically operated roller shutter door - plain galvanised finish.

Corrugated GRP rooflights.

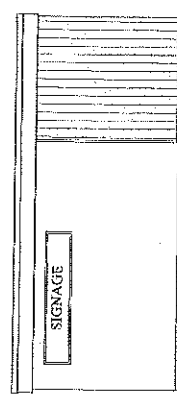
Upvc gutters and downpipes.



WEST



EAST



SOUTH

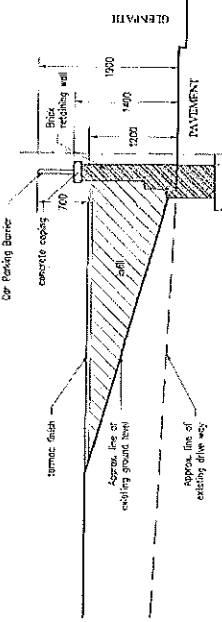


NORTH
LAWRENCE

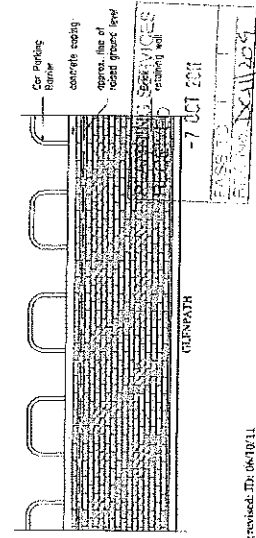
AMENDED DRAWINGS RECEIVED



RETAINING WALL 1-50



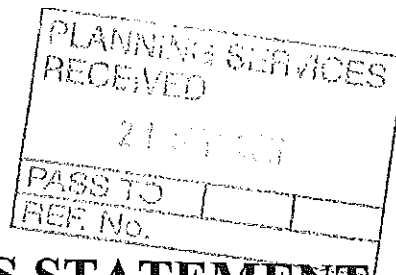
SECTION



ELEVATION

Rev B: Vais building revised: JD: 06/10/11
Rev A: Retaining Wall drawing added: JD: 15/09/11

[illegible]

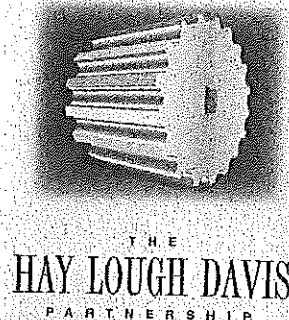
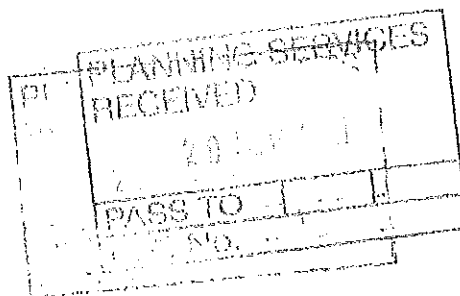


DESIGN & ACCESS STATEMENT

**Proposed change of use of vacant site to allow
the sale and display of commercial vehicles
(including the erection of a valet building)**

**The Former Pinetrees Lounge site,
Glenpath, Dumbarton.**

Lomond Car Centre



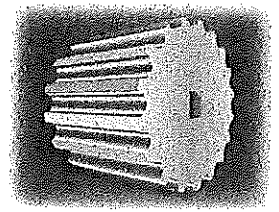
THE
HAY LOUGH DAVIS
PARTNERSHIP

September 2011

Architecture • Town Planning • Building Control • Project Management • Project Safety

Partners
Robert A. Hay BA Hons, MRTPI
James B. Lough MRICS, MAPS
Richard W.S. Davis RIAS

Glenfield House
69 Glasgow Road
Dumbarton G82 1RE
Telephone: 01389 733033
Facsimile: 01389 733133
Email: general@hayloughdavis.co.uk



THE
HAY LOUGH DAVIS
PARTNERSHIP

**Proposed change of use of vacant site to allow the sale and display
of commercial vehicles (including the erection of a valet building)
The Former Pinetrees Lounge site, Glenpath, Dumbarton.
Lomond Car Centre**

Following on from previous contact with West Dunbartonshire Council Planning Section, Mr Campbell Gillies of Lomond Car Centre engaged the services of Hay Lough Davis to offer Planning guidance with regard to the above project and we have been working with him over the last few months.

This Design & Access Statement has been prepared in support of the Planning application and endeavours to explain the background to the proposal and the client's aims in terms of the future use of the site, its appearance, etc.

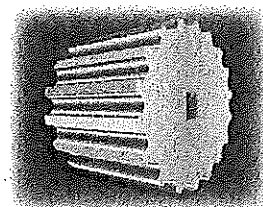
BACKGROUND.

The application site, which was previously The Pinetrees Lounge and its car park but has been lying vacant since the public house was demolished, has been the subject of a series of residential proposals over the last 5 years or so. These were eventually accepted by WDCo and as such established the principle of a flatted development but with the recession and declining house values nothing has been built, the development is no longer viable and the site was put on the market. It was at this stage, after several months of advertising and after contacting the Planning Section for preliminary advice, that our client agreed its purchase.

PROPOSED DEVELOPMENT.

As the owner and operator of the car sales business on the southern side of the A82, in effect directly opposite the application site, Lomond Car Centre envisage the application site as accommodating an extension to their existing business. Its prominent location immediately adjacent to the A82 Trunk Road will give it the same commercial visibility that their existing premises enjoys but with the added advantage of an ancillary car parking area to the rear.

It is envisaged that the front part of the site, where the former building previously sat, will be levelled, re-surfaced in tarmac and used for the sale and display of commercial vehicles. The site will remain open with the exception of a new building that will be erected towards the western boundary, alongside the rear garden fence of the adjacent property, to provide a secure valet and storage facility. In effect a large garage, this building will be of a fairly economic design and construction in that it will have profiled metal sheeting for the walls and roof. It will have roller shutter doors at either end to allow vehicles to enter, undergo valeting and thereafter leave by the opposite gable end into the centre of the site.



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By being for commercial vehicles a lintel height of 3.6m is desirable which, with a 15 degree roof pitch, results in a ridge height of 5.4m.

Vehicular access into the site will be restricted to the existing ramp at the rear of the site i.e. from Glenpath, which will give ready access to the valet building while the site frontages will be defined and secured by low retractable barriers as used at their existing premises.

The ground to the rear, which has been used formally and informally for car parking for the last few decades, will continue as a private car park for staff, visitors and vehicles that are arriving or are ready for collection, all to serve the adjacent vehicle display area. The vehicular entrance, over which the three houses to the north have a right of access, will remain as existing however to increase the capacity of the car park it is proposed to introduce a low retaining wall (in facing brick) alongside the public footpath with safety barriers above. A row of three staff parking bays will also be formed from the overgrown strip of land to the west of the driveway wherein there are underground services for the adjacent houses.

PLANNING CONSIDERATIONS.

Whilst it is acknowledged that a small-scale residential or tourist-related development might, in Planning terms, be the optimum use of the site vis-à-vis its location on the A82 and the immediately adjacent properties the present and ongoing economic recession is such that this is highly unlikely to occur in the foreseeable future.

Furthermore, the application site has in fact been a commercial property, a licensed premises, for many years and in the vicinity there are other commercial businesses including B&B guesthouses, a sizeable hotel and the applicant's car sales.

The site has lain vacant and overgrown for many years and being prominent from the A82 Trunk Road its redevelopment in the proposed manner should constitute an improvement in its appearance without being unduly imposing upon the neighbouring houses. As such it is believed the proposed development is of a scale and nature that is justifiable vis-à-vis Planning Policies, it meets the clients' requirements in terms of location and visibility for expanding what is a successful local business, it will safeguard existing and create new employment, it will enhance the security of neighbouring houses and it will regularise and improve the overall appearance of the site.

For these reasons it is believed the Council should give support to the Planning application and the proposed investment it will generate.

September 2011
