

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 7 February 2007 at 10.00 a.m.

**Present:** Councillors Denis Agnew, Dennis Brogan, Douglas McAllister, Linda McColl, Craig McLaughlin and Marie McNair.

**Attending:** Irving Hodgson, Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services); Nigel Ettles, Principal Solicitor; Pamela Clifford, Section Head – Development Management; Steve Marshall, Section Head – Forward Planning and Regeneration; Sean McDaid, Team Leader – Development Management; and Fiona Anderson, Administrative Assistant – Legal and Administrative Services.

**Apologies:** Apologies for absence were intimated on behalf of Provost Alistair Macdonald and Councillor Connie O’Sullivan.

### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Committee held on 6 December 2006 were submitted and approved as a correct record.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 5 December 2006, a copy of which forms Appendix 1 hereto, was submitted and noted.

### **PLANNING APPLICATIONS**

Reports were submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) in respect of the following planning applications.

New Applications

**(a) DC05/335 – Erection of residential development of 48 units, car parking and access road (full) at Beardmore Place, Clydebank**

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

The Convener, Councillor McAllister, invited Ms Iona Drummond an objector to the application, to address the Committee and she made her views on the application known.

The Convener then invited Ms Susan Dick, on behalf of local residents, objectors to the application, to address the Committee and she made their views on the application known.

The Convener, Councillor McAllister, also invited Ms Brenda Higgins, a Director with the Link Group, the applicant, to address the Committee and present her case.

The Convener then invited Ms Jane Donoghue of Anderson, Bell, Christie (architects for the applicant) to present her case in support of this application.

Having heard the Section Head – Development Management, in further explanation and in answer to Members' questions, Councillor McLaughlin, seconded by Councillor McAllister, moved:-

To accept the officer's recommendation that planning consent be approved subject to the conditions specified in the report, plus additional conditions requiring the applicant to provide play facilities and to provide access to the neighbouring site.

As an amendment, Councillor Brogan, seconded by Councillor Agnew, moved:-

That the application be continued to enable the applicant to give further consideration to the provision of play facilities and to allow further dialogue to take place with Scottish Water regarding the action required to reduce or eliminate the odour emanating from Dalmuir Sewage Works.

On a vote being taken, four Members voted for the amendment and two for the motion. The amendment was accordingly declared carried.

**(b) DC06/414/HOU – Erection of two storey side extension to dwellinghouse and erection of front porch at 12 Barr Crescent, Hardgate, Clydebank**

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

The Convener, Councillor McAllister, invited Mr David Gallagher, an objector to the application, to address the Committee and he made his views on the application known.

The Section Head – Development Management advised the Committee that two of the objectors had submitted additional letters raising concerns regarding bin storage and fire safety but the Planning Department did not consider that these matters constituted material considerations.

The Convener then invited Mr David Findlay of S3 Architecture (architects for the applicant) to present his case in support of the application and he made his views known.

The Convener, Councillor McAllister, also invited the applicant, Mr Michael O'Neill, to address the Committee in support of the application and he made his views known.

Having heard the Section Head – Development Management, in further explanation and in answer to Members' questions, the Committee agreed:-

To reject the officer's recommendation that planning consent be approved and refuse the application on the grounds:-

- (a) that it would result in loss of amenity;
- (b) that it would set a precedent for similar applications in the same area; and
- (c) that it would result in overdevelopment of the site.

**(c) DC06/339/FUL – Operation of open air market on Wednesdays at Three Queens Square, Sylvania Way South, Clydebank**

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

The Section Head - Development Management advised the Committee that a letter had recently been received from Alexanders Butchers withdrawing their objection to the application.

The Convener, Councillor McAllister, invited Mr Bill Hunter, Manager of the Clyde Shopping Centre, an objector to the application to address the Committee and he made his views on the application known.

Having heard from the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) and the Section Head – Development Management, and after discussion the Committee agreed:-

- (1) that the application be granted for a period of ten years subject to the conditions specified in the report, details of which are contained in Appendix 2 hereto;
  - (2) that a condition be added regarding the provision of:-
    - (a) toilet facilities; and
    - (b) a bin store
  - (3) that Officers investigate with the Roads Department the feasibility of installing removable metal bollards.
- (d) DC06/393/COU – Change of use of industrial unit (class 5) to sports hall (class 11) at Unit 13, (1<sup>st</sup> Floor) Block 2, Vale of Leven Industrial Estate, Dumbarton**

After discussion and having heard Councillor McLaughlin and Councillor McAllister, the Committee agreed:-

- (1) that the application be granted subject to the conditions specified in the report, details of which are contained in Appendix 2 hereto; and
- (2) that Officers should be instructed not to approve any further applications for similar changes of use at Vale of Leven Industrial Estate, Dumbarton.

### **PROPOSED DEVELOPMENT AT GLASGOW HARBOUR, MEADOWSIDE QUAY, PARTICK, GLASGOW**

A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of a planning application and environmental statement for a mixed use development at Glasgow Harbour, Meadowside Quay, Glasgow and recommending this Council's response to Glasgow City Council.

Having heard the Section Head, Forward Planning and Regeneration in further explanation the Committee agreed:-

- (1) that the report sets out the Council's grounds of objection to the revised proposals at Glasgow Harbour; and
- (2) that a letter detailing the grounds of objection be submitted to Glasgow City Council in response to their request for comments on the application.

#### **STREET NAMING FOR NEW DEVELOPMENT AT STONEYFLATT ROAD, BELLSMYRE, DUMBARTON**

A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) concerning the allocation of new street names for a new housing development.

Having heard the Convener, Councillor McAllister, the Committee agreed the new streets be named Stoneyflatt Court and Stoneyflatt Gardens.

#### **ENFORCEMENT ACTION IN RESPECT OF SECTIONS 13 & 14 OF THE LAND REFORM (SCOTLAND) ACT 2003 AT MILTON BRAE/GREENLAND FARM, MILTON**

A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) advising of the duty of the Council to uphold access rights in relation to Sections 13 & 14 of the Land Reform (Scotland) Act 2003 and seeking the Committee's agreement to undertake necessary enforcement action at Greenland Farm, Milton.

Having heard the Convener, Councillor McAllister, the Committee agreed to hear representation from Councillor Black, the local Elected Member for the area in question, who made his views on the matter known.

Having heard the Section Head - Forward Planning and Regeneration in further explanation, the Committee agreed:-

- (a) to proceed vigorously with enforcement action against William Thompson and Son to uphold access rights at Greenland Farm, Milton; and
- (b) that a progress report should be submitted to the meeting of the Planning Committee in April 2007.

## **E-PLANNING EFFICIENT GOVERNMENT PROGRAMME**

A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) advising on progress with the Scottish Executive's e-planning efficient government programme and seeking authorisation for a temporary post of e-Planning Project Manager.

Having heard the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) in elaboration and in answer to Members' questions, the Committee agreed:-

- (1) to note the content of the report;
- (2) to approve the temporary appointment of an E-Planning Manager for a period of 2 years on a salary grade of AP5-P02 to P05;
- (3) that any extension of the two year period would require to be approved by the Committee;
- (4) to note that £40,000 funding is presently available to cover the year 2007/08; and
- (5) to commit a further £40,000 from the General Services Capital Budget of 2008/09 to meet the costs of this appointment.

## **APPEAL NOTIFICATIONS: DUNCLUTHA, PARKHALL ROAD, CLYDEBANK; AND 43 BRAEHEAD ROAD, CLYDEBANK**

A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of one new planning appeal and one appeal which has been determined.

Having heard the Section Head, Development Management in further explanation the Committee agreed to note:-

- (a) that an appeal against the refusal of planning permission for the erection of 16 flats at Dunclutha, Parkhall Road, Clydebank (DC06/143) had been submitted to the Scottish Ministers and is to be the subject of a local hearing; and

- (b) that an appeal against the refusal of planning permission under delegated powers for the erection of a one and a half storey side extension at 43 Braehead Road, Clydebank (DC06/110) had been dismissed by the Reporter who had agreed with the Council's decision to refuse planning permission based on the over-dominant presence and significant overshadowing the extension would cause to number 45 Braehead Road, and the associated loss of amenity which makes the proposal contrary to policy H5 of the adopted and emerging local plans.

The meeting closed at 11.37 a.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 5 DECEMBER 2006**

**Present:** Councillors Douglas McAllister, Denis Agnew, Linda McColl, Marie McNair and Connie O’Sullivan.

**Attending:** Alasdair Gregor, Planning and Development Manager; Pamela Clifford, Section Head – Development Management; Sean McDaid, Team Leader – Development Control; and Fiona Anderson, Administrative Assistant - Legal and Administrative Services.

**SITE VISITS**

Site visits were undertaken in connection with the undernoted planning applications:-

DC06/295 – Erection of 37 detached dwellinghouses with garages and formation of access road at the site of former Keil School, Helenslee Road, Dumbarton;

DC06/077 – Mixed use development comprising new adult centre, children’s therapy centre and residential development (outline) at Auchentoshan Estate, Clydebank;

DC06/143 – Erection of flatted development comprising 16 units with associated parking at the site of Dunclutha, Parkhall Road, Clydebank.



**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE  
PLANNING COMMITTEE ON 7 FEBRUARY 2007**

**DC06/414/HOU – Erection of two storey side extension to dwellinghouse and  
erection of front porch at 12 Barr Crescent, Hardgate, Clydebank**

**REFUSED for the following reason:-**

1. The proposed 2-storey extension would be contrary to Policy H5 of Clydebank Local Plan as it would have a detrimental impact on the character of the area and it would set an unacceptable precedent for other similar extensions in the area.

**DC06/339/FUL – Operation of open air market on Wednesdays at the site of  
Three Queens Square, Sylvania Way South, Clydebank**

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

1. The market shall trade only on Wednesdays within the area outlined in red on Drawing No. 89.2 and is not permitted to operate on any other day of the week without the prior written agreement of the Director of Housing, Regeneration and Environmental Services.
2. Within one month of the date of this permission, a management scheme showing servicing arrangements (including arrangements to ensure the safety of pedestrians when service vehicles are using the square), litter disposal, parking, access to toilet facilities shall be submitted for the written approval of the Director of Housing, Regeneration and Environmental Services. The approved management scheme shall be complied with at all times.
3. The planning permission hereby granted shall be for a temporary period of 10 years from the date of this decision and thereafter the land shall be restored to its former condition in accordance with a scheme to be agreed by the Planning Authority, at the expiration of this period unless a further permission is granted.
4. No stalls, goods, refuse or parked vehicles shall be positioned such as to prevent or otherwise impede pedestrian access through the site.

**DC06/393/COU – Change of use of industrial unit (class 5) to sports hall (class 11) at Unit 13, (1<sup>st</sup> Floor) Block 2, Vale of Leven Industrial Estate, Dumbarton**

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

1. The development hereby approved shall commence within a period of 5 years from the date of this consent.
2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (and any subsequent Order amending, revoking, or re-enacting that Order), the premises shall be used solely as an indoor football pitch and for no other purpose within Use Class 11 of the said Order. The express permission of the Director of Housing, Regeneration and Environmental Services shall be required in respect of any other use which falls within the same use class to the use hereby approved.