

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Council Offices, Rosebery Place, Clydebank on Wednesday, 10 December 2003 at 2.00 p.m.

Present: Provost Alistair Macdonald and Councillors Dennis Brogan, Jack Duffy, Connie O'Sullivan and Raymond Young.

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

Apologies: Apologies for absence were intimated on behalf of Councillors Denis Agnew, Linda McColl and Duncan McDonald.

Councillor Jack Duffy in the Chair

MINUTES OF PREVIOUS MEETING

1442 The Minutes of Meeting of the Committee held on 5 November 2003 were submitted and approved as a correct record.

NOTES OF VISITATIONS

1443 Notes of Visitations carried out on 3 and 25 November 2003, a copy of which forms Appendix 1 hereto, were submitted and noted.

PLANNING APPLICATIONS

1444 Reports were submitted by the Director of Economic, Planning and Environmental Services in respect of various planning applications as detailed below.

Continued Applications

(a) DC02/389 – Erection of 30 flats, roadworks and parking at Old Mill Road, Duntocher, Clydebank

1445 Reference was made to the site visit undertaken in respect of this application. The Committee agreed to grant planning permission subject to no adverse comments being received from the Scottish Environment Protection Agency and subject also to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

DECLARATION OF NON-FINANCIAL INTEREST

1446 As the Convener, Councillor Duffy, had declared a non-financial interest in the following Planning Application DC03/189, he left the room at this point in the proceedings. It was agreed that Provost Macdonald would be in the Chair for this item.

(b) DC03/189 – Erection of retaining wall, fencing and upfilling of garden ground (retrospective) at 41 Miller Street, Dumbarton

1447 Reference was made to the site visit undertaken in respect of this application. After discussion and having heard the Planning and Development Manager, the Committee agreed to grant retrospective planning permission.

1448 NOTE: At this point in the proceedings, the Convener, Councillor Duffy, re-entered the meeting and assumed the Chair.

New Applications

(c) DC02/215 – Amendment to conditions of CB88/152 and PE 00/100 to allow the sale of food and drink as primary use at Unit 8, Clyde Retail Park, Clydebank

1449 The Committee agreed:-

- (1) to grant the application subject to the conditions detailed in the Director's report, details of which are contained in Appendix 2 hereto; and
- (2) that the Section 75 agreement in respect of these premises be altered accordingly.

(d) DC03/110 – Change of use of store to licensed restaurant at 7 Stewart Street, Clydebank

1450 The Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

(e) DC03/134 – Storage of hazardous substances at Rothesay Dock, Clydebank

1451 After discussion, it was agreed that consideration of the application be continued to the next meeting of the Committee in order to enable a site visit to be undertaken.

(f) DC03/167 – Extension to retail unit with associated access, car parking, landscaping, lighting and fencing at Asda, St James Retail Park, Dumbarton

1452 After hearing the Planning and Development Manager, the Committee:-

- (1) indicated that they were minded to grant planning consent subject to the entering into of an appropriate Section 75 agreement;
- (2) agreed that the consent be subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto; and
- (3) agreed that the issuing of the consent, on the conclusion of the Section 75 agreement, be delegated to the Director of Economic, Planning and Environmental Services.

DECLARATION OF NON-FINANCIAL INTEREST

1453 The Convener, Councillor Duffy declared a non-financial interest in the following Planning Application DC03/185 and did not participate in the discussion or determination of the application.

(g) DC03/185 – Erection of dwellinghouse at 15 Helenslee Road, Dumbarton

1454 After discussion and having heard the Planning and Development Manager, the Committee agreed that the application be granted, contrary to the recommendation of the Director, subject to appropriate conditions to be specified by the Director.

NOTIFICATION OF APPEAL AGAINST ENFORCEMENT OF TEMPORARY APPARATUS AT BARNHILL ESTATE, MILTON BRAE, DUMBARTON

1455 A report was submitted by the Director of Economic, Planning and Environmental Services informing of an appeal which had recently been submitted to the Scottish Executive Inquiry Reporters Unit against the Council's service of an enforcement notice in relation to Temporary Telecommunications Apparatus at the above site.

1456 After hearing the Planning and Development Manager and following discussion, the Committee agreed to note that an appeal against the Enforcement Notice had been received and that the decision on the appeal would be reported to Members in due course.

CLYDEBANK RETAIL STRATEGY

- 1457 A report was submitted by the Director of Economic, Planning and Environmental Services recommending:-
- (a) that the content of the Clydebank Retail Strategy, as prepared by Clydebank Rebuilt Limited, be adopted as supplementary planning guidance by the Council to be used as a basis for determining planning applications in respect of significant retail issues within the Clydebank area; and
 - (b) that the Clydebank Retail Strategy should form the basis of the Council's strategy towards the development of further retail facilities in circumstances where the Council was a key partner or landowner.
- 1458 After discussion and having heard the Planning and Development Manager in elaboration, the Committee agreed:-
- (1) that the Clydebank Retail Strategy be adopted as supplementary planning guidance to be considered within the context of development plan policies when applications for significant retail development within the Clydebank area are being considered;
 - (2) that the Clydebank Retail Strategy form the basis of the Council's strategy as a land owner and partner in retail development within the Clydebank area over the next five to ten years; and
 - (3) in relation to a point raised by Provost Macdonald, that further discussion would be undertaken with the relevant transport authorities to ensure that Clydebank benefited from better transport infrastructure and links, in accordance with the recommendations contained in the Clydebank Retail Strategy.

STREET NAMING FOR NEW DEVELOPMENT OF CLYDESHORE ROAD, DUMBARTON

- 1459 A report was submitted by the Director of Economic, Planning and Environmental Services recommending that the name Methlan Park Gardens be adopted as a street name for a new development of 3 detached houses located within the northern grounds of Methlan Park, Dumbarton.
- 1460 The Committee agreed that the name "Methlan Park Gardens" be adopted.

**STREET NAMING FOR NEW DEVELOPMENT OFF BANK STREET,
ALEXANDRIA**

- 1461 A report was submitted by the Director of Economic, Planning and Environmental Services recommending that the name Ferryfield Gardens be adopted as a street name for a new housing development located within the grounds of Our Lady and St Mark's RC Church, Alexandria.
- 1462 The Committee agreed that the name "Ferryfield Gardens" be adopted.

SITE VISIT

- 1463 It was agreed that the site visit referred to in planning application DC03/134 would be undertaken in the morning of Tuesday, 6 January 2004.

The meeting closed at 2.25 p.m.

PLANNING COMMITTEE**NOTE OF VISITATIONS – 3 NOVEMBER 2003**

- Present:** Councillors Connie O’Sullivan and Raymond Young.
- Attending:** Ken Clark, Team Leader - Economic, Planning & Environmental Services and Craig Stewart, Administrative Assistant – Legal and Administrative Services.

SITE VISITS

With reference to the Minutes of Meeting of the Planning Committee held on 1 October 2003, site visits were undertaken in connection with the undernoted planning applications:-

- (1) DC03/164 – Erection of women’s refuge at Peters Avenue, Haldane.
- (2) DC02/281 – Erection of dwellinghouse at 40 Clydeshire Road, Dumbarton.

PLANNING COMMITTEE**NOTE OF VISITATIONS – 25 NOVEMBER 2003**

Present: Provost Alistair Macdonald and Councillors Jack Duffy, Duncan McDonald, Connie O’Sullivan, Raymond Young.

Attending: Alasdair Gregor, Planning and Development Manager and Craig Stewart, Administrative Assistant – Legal and Administrative Services.

SITE VISITS

With reference to the Minutes of Meeting of the Planning Committee held on 5 November 2003, site visits were undertaken in connection with the undernoted planning applications:-

- (1) DC02/389 – Erection of 30 flats, roadworks and parking at Old Mill Road, Duntocher, Clydebank.
- (2) DC03/189 – Erection of retaining wall, fencing and upfilling of garden ground (retrospective) at 41 Miller Street, Dumbarton.

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 10 DECEMBER 2003**

**DC02/389 – Erection of 30 flats, roadworks and parking at Old Mill Road,
Duntocher, Clydebank for Forthwood Ltd. per The Kerr Practice.**

Permission GRANTED subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Visibility splays of not less than 4.5 x 60 x 1.05 metres shall be provided in both directions at the junction of the new access with the existing road prior to the commencement of the development and thereafter maintained free from any obstructions exceeding a height of 1.05 metres above the adjacent road channel levels.
3. Prior to the occupation of the last dwellinghouse in the development all roads and footpaths within and serving the development shall be completed to their final specification and adoptable standard of the Roads Authority.
4. A plan of a revised re-alignment of the northern corner radii of the proposed access road shall be submitted to the Director of Economic, Planning and Environmental Services for his approval, prior to any works commencing on site.
5. That no consent is granted to the materials shown on the approved plans and that before work commences on site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Director of Economic, Planning and Environmental Services.
6. That details of design and construction of all fences and walls to be erected on the sites shall be submitted to the Director of Economic, Planning and Environmental Services and no work on the site shall be commenced until the permission of the Director of Economic, Planning and Environmental Services has been granted for these details and that the boundary treatments approved shall be completed within timescale to be agreed with the Director of Economic, Planning and Environmental Services.
7. That before any work commences on the site, a landscaping scheme for the site shall be submitted to and approved by the Director of Economic, Planning and Environmental Services and such a scheme shall include:
 - (a) details and specifications of all trees, shrubs, grass mix etc;
 - (b) details of all top-soiling or other treatment to the ground;

- (c) sections and other necessary details of any mounding or earthworks; and
- (d) proposals for the initial maintenance of the landscaped areas.

and no work shall be undertaken on the site until approval has been given to these details.

8. That before any of the units hereby approved are completed the landscaping scheme required in terms of condition 7 shall be completed to the satisfaction of the Director of Economic, Planning and Environmental Services and thereafter all of the landscaping shall be maintained and replaced where necessary to the satisfaction of the Director of Economic, Planning and Environmental Services.
9. Construction shall not begin until a plan to deal with the contamination on the site has been submitted to and approved in writing by the Director of Economic, Planning and Environmental Services.
10. On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the Director of Economic, Planning and Environmental Services for his approval, confirming that the works have been carried out in accordance with the approved remediation plan.
11. No works shall commence on site until a suitable scheme for drainage of surface water has been submitted and approved by the Director of Economic, Planning and Environmental Services.
12. The developer shall ensure that the method of working and the use of constructional plant shall not cause the noise level at adjacent residential dwellings or other noise sensitive properties to exceed the levels to be agreed in writing with the Director of Economic, Planning and Environmental Services prior to any development taking place on site.
13. During the construction period, all works and ancillary operations which are audible at the site boundary or at such other places to be approved by Director of Economic Planning and Environmental Services, shall be carried out only between the hours of 0800 and 1800 hours Monday to Saturday inclusive, and not at all on Sundays or Public Holidays.
14. To minimise nuisance in the surrounding area from noise and vibration, during all demolition and construction works, the plant and machinery used shall be in accordance with the relevant Codes of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) (Scotland) Order 2002 and all reasonably practicable steps shall taken to minimise the formation of dust in the atmosphere and in the surrounding area.

DC02/215 - Amendment to previous conditions of CB88/152 and PE 00/100 to allow the sale of food and drink as primary use at Unit 8, Clyde Retail Park, Clydebank for UBS Fritor Property Group per Drivers Jonas.

GRANT application subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. That the Council hereby approve the removal of planning restrictions relating to the sale of food and drink as principal use for this unit (Unit number 8 shown on the approved plans) as contained in condition 5 of the planning consent CB88/152 and condition 2 of planning consent PE 00/100, but that the restrictions relating to the sale of cars and petrol remain in place and no change shall be made to these restrictions without the consent of the Council as Planning Authority.
3. That a noise impact assessment shall be carried out and submitted to the Director of Economic, Planning and Environmental Services for his approval before the use commences and this assessment shall identify any required mitigation measures to reduce the potential of noise nuisance. The scheme of mitigation shall be fully implemented to the satisfaction of the Director of Economic, Planning and Environmental Services before the development is brought into use.

DC03/110 - Change of use of store to licensed restaurant at 7 Stewart Street, Clydebank for N & S Properties Ltd per Ronald J. Tasker.

Permission GRANTED subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Details of windows on the front elevation facing onto Stewart Street shall be submitted to the Director of Economic, Planning and Environmental Services for his approval, prior to any development commencing on site.
3. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services prior to any work commencing on the site.

4. All works and ancillary operations during the period of construction which are audible at the site boundary, or at such other place as may be agreed by the Director of Economic, Planning and Environmental Services, shall be carried out only between the hours of 08.00 and 18.00 Monday to Saturday inclusive and not at all on a Sunday or on a Public Holiday.
5. The premises will be used solely for the purpose of a licensed restaurant, as defined within Class 3 of the Town & Country Planning (Use Classes) (Scotland) Order 1997 and the development hereby approved does not include a hot-food take-away element.

N.B. The applicant is advised to contact Scottish Water directly to ascertain if the proposal has implications for water drainage, water supply and/or the public sewer system, prior to work commencing on site.

DC03/167 - Extension to retail unit with associated access, car parking, landscaping, lighting and fencing at Asda, St James Retail Park, Dumbarton for Union Property Corporation Ltd. Per Turley Associates.

Minded to GRANT permission subject to the entering into of an appropriate Section 75 agreement and subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services prior to any work commencing on the site.
3. No consent is hereby approved for the fencing details as submitted and prior to commencement of works, full details of the design and location of all fences and walls to be erected on the site shall be submitted for the consideration and written approval of the Director of Economic, Planning and Environmental Services.
4. All works required to realign the roundabout at the Retail Park Access shall be designed and constructed to the specification of the Council as Highway Authority and shall be fully completed to the specification of the Director of Economic, Planning and Environmental Services before the development is brought into use.

5. The works to the internal roads, car parking areas, landscaping and footpaths shall be completed to the satisfaction of the Director of Economic, Planning and Environmental Services before the development is brought into use.
6. The new floorspace hereby approved shall be for non-food retail sales only.