

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 2 November 2005 at 10.00 a.m.

Present: Provost Alistair Macdonald and Councillors Denis Agnew, Douglas McAllister, Linda McColl, Duncan McDonald and Connie O'Sullivan.

Attending: Alasdair Gregor, Planning Services Manager; Jameson Bridgewater, Section Head - Development Control; Nigel Ettles, Principal Solicitor and Fiona Anderson, Administrative Assistant.

Councillor Douglas McAllister in the Chair

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Committee held on 5 October 2005 were submitted and approved as a correct record.

NOTE OF VISITATIONS

A Note of Visitations carried out on 4 October 2005, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

Reports were submitted by the Director of Development and Environmental Services in respect of the following planning applications.

New Applications

- (a) DC04/387 – Erection of residential development of 66 dwellinghouses and 82 flats at Bonhill Bridge, Bonhill.**

Reference was made to the site visit undertaken in respect of this application. It was noted that a representative from Turnberry Homes had asked to be heard and was in attendance, but that no objectors to the application had asked to be heard.

The Convener, Councillor McAllister, invited Mr. John Heath, Land and Development Director of Turnberry Homes, to address the Committee and he was heard in support of the application.

After discussion, the Committee agreed to grant planning permission subject to:-

- (1) The conditions as specified in the Director's report, details of which are contained in Appendix 2 hereto; and
- (2) A minor amendment being made to Condition 27 to take into account the re-use of the red-sandstone material in the present boundary wall on the site.

(b) DC05/114 – Erection of residential development of 30 units at Milton Mains Road, Clydebank.

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

The Convener advised the Committee that there were two objectors to this application in attendance who had requested to address the Committee.

The Committee heard representations from Mrs. Catherine Thomson and Mr. David Thorburn and both made their views on the application known. The Convener then invited Mr. John Heath, a representative of the applicant, to address the Committee and he was heard in support of the application.

After discussion and having heard the Section Head – Development Control, in further explanation, Provost Macdonald, seconded by Councillor Agnew moved:-

That the application be refused, contrary to the recommendation of the Director, on the grounds that the development, as currently proposed, would not be beneficial to the area as it would neither improve nor enhance the amenity of the area.

As an amendment, Councillor McAllister, seconded by Councillor O'Sullivan, moved:-

That the application be granted subject to the conditions specified in the Director's report.

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

Details of the conditions attached to this permission are contained in Appendix 2 hereto.

**PLANNING APPEAL: AIR HANDLING UNITS AT 232
TO 234 DUMBARTON ROAD, OLD KILPATRICK.**

A report was submitted by the Director of Development and Environmental Services informing of the outcome of:-

- (a) an enforcement notice appeal to the Scottish Executive Inquiry Reporters Unit challenging the requirements in the notice to completely remove the air handling units as being excessive and the 2 months timescale to do this as being inadequate; and
- (b) a deemed application appeal to enable the Inquiry Reporter to consider whether planning permission should be approved retrospectively.

The Committee agreed to note:-

- (1) that the Reporter considered that the air handling units have an incongruous industrial appearance and the volume, tonal characteristics and switching off/on of the units intrudes unpleasantly and insistently on the enjoyment and use which residents of the tenement can reasonably expect in their communal garden space;
- (2) that on the basis of this the Reporter did not consider the air handling units to be acceptable at this location and did not grant planning permission retrospectively;
- (3) that the Reporter considered that nothing but the complete removal of the air handling units and repair of any damage to the external walls would undo the breach of planning control and found no convincing reason to see 2 months as less than adequate to carry out these steps; and
- (4) that the Reporter therefore dismissed the appeal and upheld the terms of the enforcement notice to require the complete removal of the units within 2 months.

The meeting closed at 10.41 a.m.

PLANNING COMMITTEE

NOTE OF VISITATIONS – 4 OCTOBER 2005

- Present:** Councillors Denis Agnew, Douglas McAllister, Duncan McDonald and Connie O’Sullivan.
- Attending:** Alasdair Gregor, Planning Services Manager; Jameson Bridgewater, Section Head – Development Control and Shona Barton, Administrative Officer.
- Apologies:** Provost Alistair Macdonald and Councillor Linda McColl

SITE VISITS

Site visits were undertaken in connection with the undernoted planning applications as a result of the introduction of revised Committee procedures:-

DC03/254 – Demolition of industrial and office buildings, infilling of tidal basin and erection of Class 1 retail units with associated roads, car parking and landscape works (outline) at Allied, Castle Street, Dumbarton.

DC03/334 – Erection of residential development of 49 units, access and parking at sites A & C, Littlemill Distillery, Dumbarton Road, Bowling.

DC05/207 – Part change of use from offices to therapy/treatment rooms and alterations to form new windows at rear of 6 Miller Street, Clydebank.

APPENDIX 2

APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE PLANNING COMMITTEE ON 2 NOVEMBER 2005

DC04/387– Erection of residential development of 66 dwellinghouses and 82 flats at Bonhill Bridge, Bonhill

Permission GRANTED subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site.
3. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Development and Environmental Services.
4. Prior to commencement of works, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted for the consideration and written approval of the Director of Development and Environmental Services.
5. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Development and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
 - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Development and Environmental Services,
 - (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Development and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

6. No dwellinghouse shall be occupied until the vehicle parking spaces and turning area has been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.
7. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during construction works to prevent mud being deposited on the public road.
8. No works shall commence on the site until details of a sustainable urban drainage system have been submitted and approved by the Director of Development and Environmental Services. The sustainable urban drainage system should include the method of disposal within the drainage impact assessment and should be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created.
9. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed by the Director of Development and Environmental Services shall be carried out only between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.
10. Sightlines of 4.5 x 90 x 1.05 metres shall be provided in both directions at the new junction onto the A813 prior to the occupation of any unit and thereafter maintained free from any obstructions exceeding a height of 1.0 metre above the adjacent road channels.
11. All new road junctions and private car park access points within the site shall have sightlines of 2.5 x 35 x 1.0 metres and thereafter maintained free from any obstructions exceeding a height of 1.0 metre above the adjacent road channel levels.
12. Details of any proposals for new or altered retaining structures that support current or proposed public roads including alterations to non-structural sections and the levels of supported or unsupported ground abutting these structures shall be submitted to the Director of Development and Environmental Services for his written approval prior to any development taking place on site.
13. All roads/footpaths/footways must meet the appropriate hierarchy, design and construction standards as detailed in West Dunbartonshire Guidelines (C3.0, 4.0, 5.0 and 10.0) including vertical alignment, horizontal alignment, forward visibility drainage, road construction and road lighting.
14. Details of a traffic-calming scheme for the development shall be submitted to the Director of Environmental Services for his written approval prior to any development commencing on site.

15. All driveways and private accesses which form part of the development hereby approved must not exceed 10% gradient or allow water or debris to pass onto the public road.
16. Vehicular access to the Scottish Environmental Protection Agency Gauging Station located on the banks of the River Leven as indicated on approved plan 1116-500 Rev. D shall be maintained at all times.
17. Within Area D as identified and bounded in green on approved plan 1116-500 Rev. D a gas monitoring programme shall be undertaken, the details of which are to be agreed with the Director of Development and Environmental Services prior to development commencing. Following the installation of the bentonite slurry wall the monitoring shall take place for a period of 6 months to assess the gas regime in this area and to establish the remedial measures required to enable residential development. On completion of the monitoring programme the results shall be submitted to the Director of Development and Environmental Service for approval.
18. On completion of the remediation works and prior to area D of the site being commenced, the developer shall submit a report to the Director of Development & Environmental Services for his written approval confirming that the works have been carried out in accordance with the remediation plan.
19. Consent will only enure for Area D as identified in green on approved plan 1116 – 500 Rev. D if it is established that remediation works have been successful and implemented in accordance with conditions 17 and 18 above. Otherwise Area D will be incorporated into the adjacent area of open space and a management plan relating to it shall be submitted to the Director of Development and Environmental Services for his written approval.
20. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site should be immediately brought to the attention of the Director of Development & Environmental Services and at this stage, if requested by the Director of Development & Environmental Services, additional site investigations works shall be carried out to his satisfaction.
21. Where piling works are proposed account must be taken of the guidance on BS6472:1984, Evaluation of Human Response to Vibration on Buildings and a competent person must carry out an assessment, the findings of which should be submitted to the Director of Development & Environmental Services for his written approval.
22. No development shall commence within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of

investigation which has been agreed by West of Scotland Archaeology Service and has the written approval of the Director of Development & Environmental Services. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Director of Development & Environmental Services in agreement with West of Scotland Archaeological Service.

23. Prior to the start of any construction works on the site, a survey shall take place for the presence of bats. This shall be carried out at the appropriate season (March to July) using suitably experienced surveyors. The results of the survey shall be submitted for the written approval of the Director of Development and Environmental Services in conjunction with Scottish Natural Heritage. Should bat(s) or a bat roost be identified which is likely to be affected by the development, Scottish Natural Heritage should be contacted in order to advise on any requirements to apply for licences for work to take place.
24. Prior to the start of any construction works on the site a structural report investigating the condition of the walling or structures onto the banks of the River Leven bordering the site and any remediation measures proposed should be submitted to the Director of Development & Environmental Services for his approval, thereafter the identified remediation works shall be implemented in accordance with the approved report and retained for the life of the development.
25. Details of the bin stores and their layout should be submitted to the Director of Development and Environmental Services for his written approval prior to any development commencing on site.
26. Details of the play area proposed as part of the development should be submitted to the Director of Development and Environmental Services for his written approval, prior to any development commencing on site.
27. For the avoidance of any doubt, the boundary of the site onto Main Street will be a mixture of walling and railing, details of which should be submitted to the Director of Development and Environmental Services for his written approval, prior to any development commencing on site.
28. Cross-sections of the lade to be infilled, including materials proposed for the infill should be submitted to the Director of Development & Environmental Services for his written approval, prior to any development commencing on site.

DC05/114 – Erection of residential development of 30 units at Milton Mains Road, Clydebank

Permission GRANTED subject to the following conditions:-

1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.
2. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Development and Environmental Services prior to any work commencing on the site
3. Prior to commencement of works, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted for the consideration and written approval of the Director of Development and Environmental Services.
4. Prior to commencement of works, full details of all hard surfacing to be provided on the site shall be submitted for the consideration and written approval of the Director of Development and Environmental Services.
5. No development shall commence on the site until the trees marked for retention on the approved plans, have been protected by suitable fencing erected around the extremities of the crowns of these trees. Details of this fencing shall be submitted for the consideration and written approval of the Director of Development and Environmental Services prior to commencement of works.
6. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Development and Environmental Services before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and the extent of any areas of earthmounding, and shall ensure:-
 - (a) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Director of Development and Environmental Services,
 - (b) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Director of Development and Environmental Services, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

7. Visibility splays of not less than 4.5 metres x 51 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 metre above the adjacent road channel levels.
8. No dwellinghouse shall be occupied until the vehicle parking spaces and turning area has been provided within the site in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times.
9. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicle wheels at all times during construction works to prevent mud being deposited on the public road.
10. For the avoidance of doubt the development shall be constructed in accordance with the proposed ground levels as shown on drawing 1180-510 Rev. B to the satisfaction of the Director. Any alterations to these levels shall be agreed in writing with the Director of Development & Environmental Services.
11. No works shall commence on the site until details of a sustainable urban drainage system have been submitted and approved by the Director of Development & Environmental Services.
12. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed by the Director shall be carried out only between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.