

PLANNING COMMITTEE

At a meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 25 June 2003 at 10.00 a.m.

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

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

Apology: An apology for absence was intimated on behalf of Councillor Denis Agnew.

Councillor Jack Duffy in the Chair

WELCOME

85 Before commencing with the business of the meeting, Councillor Duffy welcomed everyone to the first meeting of the Planning Committee under the new Administration.

PLANNING APPLICATIONS

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

(a) DC02/444 – Erection of dwellinghouse at Plot 5, Upper Bridge Street, Alexandria

87 The Planning and Development Manager provided an update on the application. The Committee then heard the agent for the applicant, Mr. Hay, in support of the application. It was noted that the two objectors, who had been invited to attend the meeting, were not in attendance. The Committee agreed that the application be refused for the reason specified in the Director's report, details of which are contained in the Appendix hereto.

(b) DC03/019 – Erection of rear upper floor extension, front porch and external spa at 2 MacPhie Road, Dumbarton

88 After hearing the Planning and Development Manager, Councillor Duffy invited the agent for the applicant, Mr. Hay, to address the Committee and spoke in support of the application. Mrs. McAlister, an objector to the application, was then invited to address the Committee and made her views on the application known. Mrs. McAlister then answered questions from Members.

89 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.

(c) DC02/324 – Infilling of land for the disposal of non-hazardous waste and extension of time limit of working of existing landfill site, (amendment to condition WP97/143) at Auchencarroch Landfill Site, Mid Auchencarroch Farm, Jamestown

90 The Planning and Development Manager explained the background and current position with respect to this application. Councillor Duffy, invited the representatives of the three Community Councils (Balloch and Haldane, Bonhill & Dalmonach and Kilmarnock), objectors to the application, to consider appointing a spokesperson. The representative of the applicant, Mr. Iain McAllister, was invited to address the Committee and spoke in support of the application. Mr. McAllister illustrated on presentation boards the nature of the proposal and answered questions from Members. Messrs. Biddulph, McPherson and Bain, representing the three Community Councils that had made representations, were invited to come forward and were given the opportunity to make their views on the application known. After hearing the Head of Planning and Development in answer to Members' questions, the Committee agreed to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto, and subject to the finalisation of a suitable restoration bond and notification to the Scottish Ministers.

VARIATION OF ORDER OF BUSINESS

91 Having heard Councillor Duffy, the Committee agreed to vary the Order of Business as hereinafter recorded.

(d) DC02/450 – Erection of front porch at 83 Highmains Avenue, Dumbarton

92 After hearing the Planning and Development Manager, Councillor Duffy asked if the applicant was present or represented. It was noted that the applicant was neither present or represented. Mrs Korsen and Mrs Shaw, objectors to the application who had advised that they wished to

address the Committee, were then invited to come forward and were given the opportunity to make their views on the application known. After discussion, the Committee agreed that the application be refused, contrary to the recommendation of the Director, on the grounds that the proposal was detrimental to the amenity of residents in the area.

(e) DC02/344 – Demolition of former stable block at Strathleven House, Vale of Leven Industrial Estate, Dumbarton

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

**PLANNING APPLICATION DC02/154
ERECTION OF WORKSHOP/INDUSTRIAL BUILDING
AND PERIMETER FENCING;
ALTERATIONS TO VEHICULAR ACCESS
APPLICANT: DOHERTY AND LAFFERTY**

94 A report was submitted by the Director of Economic, Planning and Environmental Services informing of progress with the above application in respect of agreeing conditions to be attached to the planning consent.

95 After discussion and having heard the Planning and Development Manager, Provost Macdonald, seconded by Councillor Young, moved:-

96 That the Committee agree the following 2 conditions, as contained in the recommendations section of the report:-

- (a) the hours of operation be restricted to 8.00 a.m. to 6.30 p.m. (Monday to Saturday) and 8.00 a.m. to 5.00 p.m. (Sunday) and outwith these hours emergency access for uplifting of materials only would be permitted; and
- (b) a more substantial landscaping scheme than that proposed by the applicant was required, in order to ensure adequate screening of the site.

97 As an amendment, Councillor McColl, seconded by Councillor McDonald, moved:-

98 That there was no requirement for these conditions to be attached to the planning consent and the landscaping proposals submitted by the applicant should be accepted.

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

PLANNING APPEAL – 493 KILBOWIE ROAD, CLYDEBANK

- 100 A report was submitted by the Director of Economic, Planning and Environmental Services informing of the decision of the Scottish Executive Inquiry Reporters Unit in respect of an appeal against a condition attached to planning permission for the installation of a video dispensing machine at 493 Kilbowie Road, Clydebank.
- 101 The Committee noted that the appeal had been dismissed.

PLANNING APPEAL – WHITECROOK CENTRE WHITECROOK STREET, CLYDEBANK

- 102 A report was submitted by the Director of Economic, Planning and Environmental Services advising of the notification of an appeal to the Scottish Ministers in respect of the refusal of planning consent by the Council for a change of use to retail of the ground floor business premises located at the Whitecrock Centre, Whitecrock Street, Clydebank.
- 103 The Committee agreed to note that the appeal would be dealt with by way of written submissions.

CLYDEBANK REBUILT: PROJECTS 2003/2004

- 104 A report was submitted by the Director of Economic, Planning and Environmental Services requesting approval for a list of projects which would be implemented in support of the Clydebank Rebuilt strategy, using funds allocated for this purpose in the Council's General Services Capital Programme.
- 105 The Committee agreed:-
- (a) that the sum of £1.12M identified in the General Services Capital Budget be granted to Clydebank Rebuilt Limited, in order to fund the implementation of projects as outlined in the report; and
 - (b) that authority be delegated to the Director of Economic, Planning and Environmental Services, in consultation with the Head of Finance and Head of Legal and Administrative Services, to agree appropriate conditions with Clydebank Rebuilt Ltd. in respect of the payment of the grant.

DUMBARTON TOWN CENTRE PROJECTS 2003/2004

- 106 A report was submitted by the Director of Economic, Planning and Environmental Services outlining projects which, following discussions with

West Dunbartonshire Town Centres Initiative Ltd., would result in improvements to Dumbarton town centre.

- 107 The Committee agreed that the sum of £400,000 identified in the General Services Capital Programme, under the heading of Rediscovering Dumbarton, would be allocated in accordance with the Dumbarton Town Centre Action Plan and to the projects outlined in the report, on the basis that projects may be deleted or refined, as necessary, as detailed costs emerged.

ALEXANDRIA TOWN CENTRE PROJECTS 2003 - 2004

- 108 A report was submitted by the Director of Economic, Planning and Environmental Services outlining projects which, following discussions with West Dunbartonshire Town Centres Initiative Ltd., would result in improvements to Alexandria town centre.
- 109 The Committee agreed that the sum of £156,000 identified in the General Services Capital Programme for town centre improvements in Alexandria, would be allocated towards the preparation of a town centre action plan and the implementation of related projects, as outlined in the report, on the basis that projects may be deleted or refined, as necessary, as detailed costs emerged.

PROGRAMME OF ENVIRONMENTAL WORKS 2003 - 2004

- 110 A report was submitted by the Director of Economic, Planning and Environmental Services seeking approval to implement the proposed capital programme for environmental works for the year 2003 - 2004.
- 111 The Committee agreed that the sum of £110,000 identified in the General Services Capital Programme to fund a programme of environmental improvements would be allocated to the range of projects outlined in the report.

OUTDOOR ACCESS

- 112 A report was submitted by the Director of Economic, Planning and Environmental Services providing an update on progress with access matters in West Dunbartonshire including the Land Reform Act, the Scottish Outdoor Access Code, the Access Strategy, work towards the establishment of an access forum and suggesting a proposed response on the Outdoor Access Code consultation.

- 113 The Committee agreed:-

(a) that the contents of the report be noted;

- (b) to welcome the development of the Scottish Outdoor Access Code; and
- (c) that the response attached to the report be forwarded to Scottish Natural Heritage as the Council's formal observations on the draft Code.

SUSPENSION OF STANDING ORDERS

- 114 The Convener advised that the following item had previously been the subject of a decision taken by the Committee and could not be re-considered by the Committee within a period of 6 months of the date of the decision unless it was agreed that Standing Order 25(i) be suspended. The Committee duly agreed to suspend Standing Order 25(i).

STREET NAMING FOR NEW DEVELOPMENT OFF CLYDESHORE ROAD, DUMBARTON

- 115 A report was submitted by the Director of Economic, Planning and Environmental Services concerning a request to change the street name which had recently been allocated to a new housing development off Clydeshire Road, Dumbarton.
- 116 After discussion and having heard the Planning and Development Manager, it was agreed that consultation be undertaken with the residents at this location and that the matter be continued to the next meeting of the Committee for consideration.

SITE VISIT

- 117 It was agreed that the site visit referred to in planning application DC03/019 would take place in the morning of Tuesday, 5 August 2003.

The meeting closed at 11.22 a.m.

APPENDIX**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 25 JUNE 2003****DC02/444 – Erection of dwellinghouse at Plot 5, Upper Bridge Street,
Alexandria for Mr G.S. Padma per Hay Lough Davis****Permission REFUSED for the following reason:-**

The size, design and position of the dwelling would result in an intrusive and awkward form of development at this locality which would be out of keeping with the style and pattern of recent development, to the extent that it would be unacceptable and contrary to Policy H5 of the Dumbarton District Wide Local Plan.

**DC02/324 – Infilling of land for the disposal of non-hazardous waste and
extension of time limit of working of existing landfill site,
(amendment to condition WP97/143) at Auchencarroch Landfill
Site, Mid Auchencarroch Farm, Jamestown for Barr Environmental
Ltd.****Permission GRANTED subject to the following conditions and subject also to
the finalisation of a suitable restoration bond and notification to the Scottish
Ministers:-**

1. This consent shall expire on 31 December 2010 and at the end of the period of permission the infilling works authorised by this permission shall be discontinued unless an application for an extension of the period is approved by the Director of Economic, Planning and Environmental Services.
2. The delivery of materials to and from the site shall be restricted to between the hours of 7.30am to 5.00pm Monday to Saturday only with no delivery of materials permitted outwith these hours or on a Sunday without the prior written approval of the Director of Economic, Planning and Environmental Services. Access to and exit from the site shall be by way of Auchencarroch Road.
3. The site shall be operated in such a way that the number of deliveries of landfill material to the site shall not exceed 116 in any one working day as defined in Condition 2 above.
4. The site operator shall be responsible for the maintenance of a vehicle register log book of all deliveries to the site which shall be available for inspection by the Director of Economic, Planning and Environmental Services upon request at any time.

5. The applicant shall be responsible for the collection and disposal of any windblown material emanating from the area of infill or deposited from vehicles on or around Auchencarroch Hill and Auchencarroch Road, all to the entire satisfaction of the Director of Economic, Planning and Environmental Services.
6. The material to be deposited shall be non hazardous waste comprising mainly of wood, plastic and paper, surplus soil and builder's rubble.
7. No burning of materials in connection with the infilling operations shall take place on or adjoining the site and all reasonable care shall be taken to prevent the outbreak of fire within the site.
8. In the event of an outbreak of fire occurring, the infilling operation shall cease immediately and tip shall remain closed until the outbreak has been extinguished to the satisfaction of the Director of Economic, Planning & Environmental Services.
9. All soil will be retained on the site with none being sold or removed from the site to the satisfaction of the Director of Economic, Planning & Environmental Services.
10. The applicant/operator shall provide and maintain on the site suitable means for the washing of vehicles wheels to prevent mud being deposited on the public road.
11. Any unsuitable items or materials being removed from the tipped material shall not be stored on or near the site but shall be removed immediately and disposed of in a suitable manner, all to the satisfaction of the Director of Economic, Planning & Environmental Services.
12. No development shall take place within the extension area of the landfill site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Director of Economic, Planning and Environmental Services. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Director of Economic, Planning and Environmental Services in agreement with the West of Scotland Archaeology Service.

13. The permitted maximum noise level emanating from construction or demolition sites shall be relative to the pre-contract ambient noise level for that area. The contractor shall ensure that the method of working and the use of constructional plant shall not cause the noise level at nearby residential dwellings or other noise sensitive properties to exceed the levels agreed in writing with the Director of Economic, Planning & Environmental Services. The applicant is required to contact the Public Health and Pollution Section of Protective Services not less than 14 days prior to works commencing on site.
14. Construction works on site will be conducted Monday to Saturday 8am to 8pm with no work on Sundays or public holidays without the prior written approval of the Director of Economic, Planning & Environmental Services.
15. Prior to the diversion of water courses within the site the applicant requires to submit work method statements to be approved by the Director of Economic, Planning & Environmental Services. These statements should include: a description of the works to be undertaken, pollution prevention details, erosion prevention works, e.g. Planting of willow along the banks of watercourses, and the creation of Riparian zones (planting of suitable vegetation along banks of water courses).
16. Within two months of the date of this consent the developer shall submit full details of all existing and proposed lighting at the site. This will include details of the location, height, angles, power rating, projection and any hoods or baffles to direct light. Notwithstanding the details submitted there shall be no external lighting at the site before 7.00am or after 6.30pm.
17. Prior to works commencing on the extension area to the site a revised Restoration Masterplan shall be submitted to and approved by the Director of Economic, Planning and Environmental Services in consultation with Scottish Natural Heritage. The Restoration Masterplan contained within the Environmental Statement should be modified to create more of a balance between agriculture, nature conservation and recreation/access. Provision for public access for informal recreational purposes within the restored landfill to link to the wider access network should be addressed. It should seek to reinforce the surrounding local landscape character in terms of developing further the existing field patterns and landcover, to give a more balanced and unified landscape composition with a strong sense of character in keeping with the surrounding area. Details of the habitat mosaics to be created should be depicted i.e. a percentage breakdown of wet heath/dry heath together with a plan showing its particular locations within the overall Restoration Masterplan. In particular, the existing glen woodlands should be subject to enhancement proposals and the area of the site already restored should be converted to wet and dry heath.

18. Prior to works commencing on the extension area a Landscape/Habitat Management Plan shall be submitted to the Director of Economic, Planning & Environmental Services for approval, in consultation with Scottish Natural Heritage. This should outline the management prescriptions for the restored and planted areas over the next 5 years. The agreement should also provide for a Habitat Management Group comprising the developer and West Dunbartonshire Council with contributions from Scottish Natural Heritage and any other groups likely to have an interest in the positive management of the site.
19. Prior to works commencing on the extension area proposals for the monitoring of the peatland habitat establishment including details of the intervals when monitoring will occur shall be submitted for the approval of the Director of Economic, Planning & Environmental Services. Should the monitoring results reveal that the establishment of dry heath has been unsuccessful the applicant will be required to reconsider other options for the establishment of the peatland habitat in order to comply with condition 18 above.
20. Prior to works commencing on the extension area details of the measurements and monitoring of the Blairvault Burn and any other associated water courses should be submitted to the Director of Economic, Planning & Environmental Services for approval. These should provide a record of pre-development water levels to measure against any changes arising from the landfill operations. The results of the monitoring programme should be used to modify the surface water management regime, should the need arise and to replicate the characteristics of the Burn in terms of plan, form and gradients in the diversion of its northern section. The new channel should be seeded with bed material from the existing burn to assist colonisation of invertebrates. Monitoring should also include an evaluation of any stream erosion that is occurring, including fixed point photography. If erosion is occurring, measures should be taken to remediate the impact in consultation with the Director of Economic, Planning & Environmental Services and Scottish Natural Heritage.
21. Prior to works commencing on the extension area a Method Statement should be submitted for the approval of the Director of Economic, Planning & Environmental Services that details the method of establishment of the nursery crop and its subsequent conversion to wet/dry heath habitat, with consideration given to the translocation of the current vegetation surface in combination with hydroseeding. Perennial ryegrass should not exceed the minimum required to establish full vegetation cover. In order to aid restoration, an initial fertiliser application will be required, however thereafter, the nursery crop should be allowed to die off in order to allow early wet/dry heath establishment.
22. There shall be no grazing on the site within the first 5 years of establishment to allow a complete vegetation cover and the soil surface to stabilise.

23. Prior to works commencing on the extension area details of the location of topsoil and subsoil stockpiles should be submitted for the approval of the Director of Economic, Planning & Environmental Services. This should include details of how long it is proposed the stockpiles will remain. Topsoil stockpiles should not exceed 1.5 metres in height.
24. Soils to be imported to the site should share similar profile characteristics as the soil structure currently on site and only an appropriate green waste import should be used for the restoration.
25. Details should be provided for the approval of the Director of Economic, Planning & Environmental Services of the length of time it is anticipated that water will be resident in the settlement lagoons in order to allow any suspended sediment to drop out. This should include information on how and where suspended settlement settled out within the lagoons will be disposed of.
26. The surface water which is to be supplied to the Blairvault Burn should replicate the natural regime in both a hydrological and chemical composition.
27. The linear planting on top of the track-side burn should be removed from the planting proposals together with the proposals to plant trees along the planning application boundary to the west of the lagoons. These proposals are contrary to the existing landscape structure.
28. Prior to the commencement of works on the extension area details of the proposed measures to be used to ensure the protection of the habitats and species supported by the Blairvault Burn from development should be submitted for the approval of the Director of Economic, Planning and Environmental Services. This should include the adoption of best practice measures to ensure that pollution does not occur together with an adherence to the Scottish Environmental Protection Agencies Pollution Prevention Guidelines.
29. Advance planting should be secured prior to landfill operations beginning in line with the mitigation proposals presented in the Environmental Statement.
30. Prior to commencement of works on the extension area details shall be submitted of the proposed restoration phases of the site for the approval of the Director of Economic, Planning & Environmental Services. This should include confirmation that internal access roads shall be restored as soon as they are redundant and details of when all other hardstandings, buildings, machinery and any additional structures or equipment will be removed from the site. The bund along the track to the west of the reedbed area should be removed following the completion of the final phase.
31. Prior to commencement of works on the extension area details shall be submitted of measures to control the spread of litter and weeds within the site

boundary for the approval of the Director of Economic, Planning and Environmental Services.

DC02/344 – Demolition of former stable block at Strathleven House, Vale of Leven Industrial Estate, Dumbarton for Scottish Enterprise per NAI Gooch Webster

Listed Building Consent REFUSED for the following reason:-

The proposed development would be contrary to policies BE10 and BE14 of the Dumbarton District Wide Local Plan in that no justification for the demolition was submitted and it was not shown that all reasonable steps had been taken to find a practical means of reuse