

## **PLANNING COMMITTEE**

At a Meeting of the Planning Committee held by Video Conferencing on Wednesday, 9 December 2020 at 2.00 p.m.

**Present:** Bailie Denis Agnew and Councillors Gail Casey, Karen Conaghan, Ian Dickson, Diane Docherty, Jim Finn, Daniel Lennie, Marie McNair and Lawrence O'Neill.

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager; Erin Goldie, Team Leader – Development Management; Antony McGuinness, Team Leader – Forward Planning; James Hall, Policy Planning Officer; John Walker, Assistant Engineering Officer, Roads & Transportation; Mark Walsh and Chris Seyfried, Environmental Health Officers; Sarah Christie, Team Leader – Heritage and Arts; Nigel Ettles, Section Head – Litigation (Legal Officer) and Craig Stewart, Committee Officer.

### **Councillor Jim Finn in the Chair**

#### **CHAIR'S REMARKS**

Councillor Finn, Chair, welcomed everyone to the December meeting of the Planning Committee which was being held remotely, in terms of Section 43 of the Local Government in Scotland Act 2003.

Accordingly, the Chair advised that a process/procedure had been developed for the meeting (a copy of which had previously been circulated to Members). Thereafter, the Committee agreed to note the procedure in place for the conduct of the meeting and the meeting then continued by video conferencing.

#### **DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest in any of the items of business on the agenda.

#### **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Planning Committee held on 11 November 2020 were submitted and approved as a correct record, subject to the undernoted adjustments:-

With reference to the item under the heading 'WP98/076: Review of Minerals Permission (ROMP) and DC02/447: Extension to Quarry, Sheephill Quarry, Milton, Dumbarton', it was noted that Councillor O'Neill had acknowledged that, as he had not been present at the meeting of the Committee in March when the applications were first heard, he would not take part in the decision in respect of this item.

With reference to the item under the heading 'WP98/076: Review of Minerals Permission (ROMP) and DC02/447: Extension to Quarry, Sheephill Quarry, Milton, Dumbarton', it was agreed that the words "full hearing" be replaced by the words "fresh hearing" in the second paragraph of this item.

### **NOTE OF VISITATIONS**

A Note of Visitations carried out on 9 November 2020, a copy of which forms Appendix 1 hereto, was submitted and noted.

### **OPEN FORUM**

The Committee noted that no open forum questions had been submitted by members of the public.

### **PLANNING APPLICATION**

A report was submitted by the Strategic Lead – Regulatory in respect of the following planning application:-

**DC20/135 – Part change of use of indoor sports facility and associated external hardstanding area to street food market including the siting of five containers and formation of 12 parking spaces at Unit 1, Gavinburn Business Park, 223 Dumbarton Road, Old Kilpatrick by Mr J. Steel.**

Reference was made to a site visit which had been undertaken in respect of the above application. The Team Leader – Development Management was then heard in further explanation of the report.

Councillor Finn, Chair, invited Ms Janice Hall, objector, to address the Committee. Ms Hall was heard in respect of her representation and in answer to Members' questions.

The Chair then invited Mr James Steel, applicant, Ms Maureen Cummings, Old Kilpatrick Food Parcels, and Ms Isobel Plunkett, Old Kilpatrick Community Council, to address the Committee. All were heard in support of the application and in answer to Members' questions.

After consideration and having heard the Team Leader – Development Management in clarification of certain matters and in answer to Members’ questions, the Committee agreed to grant temporary planning permission for a period of two years subject to the conditions set out in Section 9 of Appendix 1 of the report to the 11 November 2020 Planning Committee, as detailed within Appendix 2 hereto.

### **ANNUAL REVIEW OF QUARRIES AND LANDFILL SITES**

A report was submitted by the Strategic Lead – Regulatory providing an update on the annual monitoring of the two quarries and two landfill sites in the West Dunbartonshire Council area along with the status of the relevant restoration bonds which applied to three of the sites.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation and in answer to Members’ questions, the Committee agreed to note the progress of the quarry and landfill sites, the status of the relevant restoration bonds and that a further update would be provided to a future meeting of the Committee during 2021.

### **STREET NAMES FOR QUEENS QUAY SITE, CLYDEBANK**

A report was submitted by the Strategic Lead – Regulatory seeking approval of the Street Naming Strategy and Street Names for the Queens Quay site.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager and relevant officers in further explanation and in answer to Members’ questions, the Committee agreed to approve the Street Naming Strategy and the revised list of street names following public consultation, with the exception of the name “Queens Quay Park” which should be replaced by the name “Riverview Park” for the Linear park and path.

The meeting closed at 3.40 p.m.

**PLANNING COMMITTEE**

**NOTE OF VISITATIONS – 9 NOVEMBER 2020**

**Present:** Councillors Ian Dickson, Diane Docherty, Marie McNair and Lawrence O'Neill

(The above includes Members who attended at least one site visit.)

**Attending:** Pamela Clifford, Planning, Building Standards and Environmental Health Manager and Erin Goldie, Team Leader – Development Management.

**SITE VISITS**

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

**1. Unit 1, Gavinburn Business Park, 223 Dumbarton Road, Old Kilpatrick**

DC20/135 – Part change of use of indoor sports facility including associated hardstanding area to street food market including the siting of five containers and formation of 12 parking spaces by Mr J. Steel.

**2. Sheephill Quarry, Milton, Dumbarton**

WP/98/076 & DC02/447 – Review of Minerals Permission and extension at Sheephill Quarry, Milton, Dumbarton by William Thompson.

**DC20/135 – Part change of use of indoor sports facility and associated external hardstanding area to street food market including the siting of five containers and formation of 12 parking spaces at Unit 1, Gavinburn Business Park, 223 Dumbarton Road, Old Kilpatrick by Mr J. Steel.**

**GRANT temporary planning permission subject to the following conditions:-**

1. The permission hereby granted is for a temporary period of 2 years only and shall expire on 9th December 2022.
2. Notwithstanding the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any other future enactment, only a street food market use shall be permitted to operate from the application site and no other use shall be permitted without the prior written consent of the Planning Authority.
3. The converted containers shall trade only between the hours of 08.00 and 20.00.
4. Notwithstanding the submitted details, no more than 5 converted containers in the positions shown on drawing number 2020/915/01 shall trade at any one time on the premises. Any change to the location of any of the converted containers must first be approved in writing by the planning authority.
5. Prior to the commencement of the use, an amended parking plan including two parking spaces for disabled badge holders, each measuring 6.5 metres by 3.9 metres, shall be submitted for the further written approval of the planning authority. All of the parking spaces shown on the approved plan shall be delineated on the site before the commencement of the use and retained thereafter.
6. Prior to the commencement of the use, details of an adequate sized grease trap shall be submitted to and approved in writing by the Planning Authority. It shall be installed as approved and maintained thereafter.
7. Prior to the commencement of the use, specific details of the proposed method of ventilation shall be submitted to and approved in writing by the Planning Authority. The proposed development shall not be brought into use until the ventilation systems are operational in accordance with the approved details.

The ventilation system shall:

- a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
- b) Be constructed by employing best practical means to minimise noise and vibration transmission via plant and the container structure.

- c) Noise associated with the ventilation shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.
- 8. Prior to the commencement of the use, full details of any proposed outdoor customer seating shall be submitted for the further written approval of the planning authority and implemented as approved. Thereafter, any changes proposed to the details as may approved under the terms of this condition shall require the further written consent of the Planning Authority.
- 9. Prior to the commencement of the use, full details of any previously recorded background music to be played from the unit as part of the development shall be submitted for the further written approval of the planning authority in consultation with the Council's Environmental Health Service. Such details shall include the maximum volume of music and the location of any speakers. Thereafter, the development shall be implemented as approved and the maximum volume of music shall not be exceeded and there shall be no changes to the location of speakers without the prior written consent of the Planning Authority. No music shall be played from outside the unit and no live music shall be played at any time.
- 10. Prior to the commencement of the use, details of the menu(s)/ those foods to be prepared and sold from outside the unit/ building subject to this application shall be submitted to and agreed in writing by the Planning Authority through consultation with the Council's Environmental Health Service. Thereafter only the menu(s)/ those foods as may be agreed under the terms of this condition shall be prepared and sold from outside the unit/building and there shall be no changes without the prior written consent of the Planning Authority.
- 11. Prior to the commencement of the use, full details of the number and location of bins within the site and the management of waste shall be submitted for the approval in writing of the Planning Authority and implemented as approved.