

LOCAL REVIEW BODY

At a Meeting of the Local Review Body held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Tuesday, 7 February 2012 at 2.00 p.m.

Present: Councillors Jim Brown, Douglas McAllister, Jonathan McColl, Willie McLaughlin and Lawrence O'Neill.

Attending: Alan Williamson, Planning Adviser; Nigel Ettles, Legal Adviser and Craig Stewart, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Provost Denis Agnew and Councillors Gail Casey, Jim Finn and Marie McNair.

Councillor Douglas McAllister in the Chair

DECLARATION OF INTEREST

It was noted that there was no declaration of interest in the item of business on the Agenda.

MINUTES OF PREVIOUS MEETINGS

The Minutes of the Ordinary Meeting of the Local Review Body held on 1 November 2011 and the Minutes of Meeting of the Adjourned Meeting of the Local Review Body held on 6 December 2011 were submitted and approved as a correct record.

APPLICATION FOR REVIEW: DC11/209/FUL

Review papers were submitted for Planning Application DC11/209/FUL - Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building) at the former Pinetrees Lounge Site, Stirling Road, Dumbarton.

The Planning Adviser advised the Committee that the matter brought before the Local Review Body (LRB) related to a planning application submitted on behalf of Lomond Car Centre. The Planning Adviser was then heard in relation to the background and current position with regard to the matter and the Review documents and photographs of the site were considered by the LRB.

The Chair, Councillor McAllister, thanked the Planning Adviser and invited the LRB to comment on whether they considered they had sufficient information to enable them to determine the review. Following discussion, Members indicated that they would like further information in relation to a possible alteration to the junction of the A82 and Barnhill Road and in relation to double yellow line parking restrictions at the site of the proposed development.

ADJOURNMENT

Having heard the Planning Adviser, it was agreed that the meeting be adjourned for a short time to enable the Planning Adviser to make contact with the Council's Roads and Transportation Service.

The meeting resumed at 2.33 p.m. with the same Members and officers present as listed in the sederunt.

The Planning Adviser informed the LRB that an alteration to the junction had been discussed with Transport Scotland but there was no current proposal and it was unlikely that the junction would be altered in the immediate future.

The LRB agreed that they now had sufficient information to enable them to determine the review. Having heard the Chair and having considered all of the information before them, the LRB were of the opinion that the proposal was acceptable and that planning permission should be granted. Accordingly, the LRB agreed to reverse the determination of the appointed officer and to grant planning permission subject to the recommended conditions, with an amendment to Condition 8 restricting the use of the valeting facility, as detailed in Appendix 1 hereto.

The Chair, Councillor McAllister, then confirmed that a decision notice to this effect would be sent to the applicant's representative.

The meeting closed at 2.43 p.m.

**APPLICATION FOR REVIEW CONSIDERED BY THE LOCAL REVIEW BODY ON
7 FEBRUARY 2012**

Planning Application DC11/209/FUL – Proposed change of use of vacant site to allow the sale and display of commercial vehicles (including the erection of a valet building) at the former Pinetrees Lounge Site, Stirling Road, Dumbarton

Permission GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 3 years from the date of this decision notice.

Reason In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:

- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing); and
- b) A Notice of Completion of Development as soon as practicable once the development has been completed.

Reason In accordance with the terms of Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

3. Prior to the commencement of development full details of the foul and surface water drainage system shall be submitted for the written approval of the Planning Authority and shall be implemented as approved. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design and shall thereafter be implemented as approved.

Reason To ensure that the drainage design is acceptable..

4. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.

Reason: To ensure that the materials are appropriate to the character of the area and sympathetic to established finishing materials in the area.

5. Prior to the commencement of works, full details of the design and location of all walls and fences, including a permanent barrier along the boundary of the development site and to the rear of the trunk road footway to be erected on site shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

Reason: To ensure that the boundary treatments are appropriate to the character of the area and sympathetic to established finishing materials in the area. In addition, to minimise the interference with the safety and free flow of traffic on the trunk road.

6. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

Reason: In the interests of visual amenity and to ensure that the materials to be used are appropriate to the character of the area.

7. Prior to the commencement of works, full details of all lighting (including security lighting) to be erected or installed shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

Reason: In order to avoid disturbance to nearby residential properties and maintain the amenity of the area.

8. The Valeting facility approved by this permission shall be used to valet only commercial vehicles to be sold from this site. Valeting of vehicles shall only take place on site within the new building and between the hours of 09.00 and 17.00 Monday to Saturday and at no time on Sundays or Public Holidays.

Reason: To ensure that the development does not adversely affect the amenity of neighbouring properties by creating excessive noise.

9. There shall be no means of direct vehicular access to the trunk road from the site.

Reason: To minimise interference with the safety and free flow of traffic on the trunk road.

10. Only commercial vehicles shall be displayed for sale on site and only in the areas identified on Drawing No. 01 Rev. C.

Reason: To ensure that there is no unnecessary increased pedestrian traffic between the sites on either side of the trunk road.

11. Prior to the commencement of development, details of a sign which directs customers to the car park shall be submitted for the further written approval of the Planning Authority and shall thereafter be implemented as approved.

Reason: To maintain road safety and ensure that there is no unnecessary instances of roadside parking.

12. Prior to the development hereby approved becoming operational, the car parking spaces shown on the approved drawings shall be constructed, surfaced and delineated on the site.

Reason: To facilitate the orderly parking of vehicles on the site and to minimise the incidence of roadside parking which could be a danger to other road users.