

REGULATORY COMMITTEE (PLANNING)

At a meeting of the Regulatory Committee (Planning) held in Committee Room 2, Council Offices, Garshake Road, Dumbarton on Wednesday, 5 March 2003 at 10.00 a.m.

Present: Provost Alistair Macdonald and Councillors Mary Campbell, Linda McColl, Ronnie McColl, Duncan McDonald, Ian McDonald, Connie O'Sullivan and Iain Robertson.

Attending: Dan Henderson, Director of Economic, Planning and Environmental Services; 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 John Syme.

Councillor Iain Robertson in the Chair

SPECIAL AWARD FOR QUALITY IN PLANNING

Before commencing with the business of the meeting, the Convener, Councillor Robertson, advised the Committee that he had attended a Ceremony in Edinburgh, hosted by the Scottish Executive and the Royal Town Planning Institute, in connection with a Special Award for Quality in Planning. The award was in recognition of the Lomond Shores Development and the involvement of staff in the Planning Section in relation to the project. The Committee took the opportunity to congratulate all concerned for their hard work and commitment in this project, and for the creditable performance of the two other projects which had been submitted.

MINUTES OF PREVIOUS MEETING

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

PLANNING APPLICATIONS

- (a) **DC02/154 – Erection of workshop/industrial building and perimeter fencing; alterations to vehicular access at former Dumbuck Playing Fields, Glasgow Road, Dumbarton**

Reference was made to the site visit undertaken in respect of this application. The Convener, Councillor Robertson, explained the procedure which the Committee would follow when dealing with this application. The applicant, Mr.

Peter Doherty, was invited to address the Committee and spoke in support of the application. He then answered questions from Members.

Mrs. Rosemary Harvie, one of the objectors to the application who had advised that they wished to address the Committee, was invited to come forward and made her views on the application known. A written submission was circulated for Members' information. Mrs. Harvie then answered questions from Members. After hearing the Planning and Development Manager, the Committee agreed to grant planning permission on the original planning application, contrary to the Director's recommendation, subject to appropriate conditions to be agreed with the applicant. In the event of a failure to agree conditions, the matter would be reported to the Committee.

(b) DC02/270 – Residential development (outline) at Auld Street/Beardmore Street, Clydebank

In relation to a point raised by Councillor Campbell concerning the procedure for objectors to be heard at meetings of the Committee, the Principal Solicitor was heard in reply. After discussion, the Committee agreed (Councillor Campbell abstaining) to grant planning permission subject to the conditions specified in the Director's report, details of which are contained in the Appendix hereto.

(c) DC02/045 – Sub-division of dwellinghouse to form 2 flats (amendment to car parking layout) (retrospective) at 97 Dumbarton Road, Bowling

It was agreed that the application be continued to the next meeting of the Committee in order to enable a site visit to be undertaken.

(d) DC02/224 – Change of use to retail use on ground floor at the Whitecrook Centre, Whitecrook Street, Clydebank

After discussion, the Committee agreed that the application be refused for the reasons specified in the Director's report, details of which are contained in the Appendix hereto.

(e) DC02/296 – Erection of dwellinghouse (outline) at Cochno Road, Clydebank

After discussion and having heard the Planning and Development Manager, it was agreed that the application be continued to the next meeting of the Committee, in order that a hearing may take place.

PLANNING APPLICATION DC02/293 – CHANGE OF USE FROM INDUSTRIAL UNIT TO SPORTS HALL AT UNIT 23, 40 CASTLEGREEN STREET, DUMBARTON

A report was submitted by the Director of Economic, Planning and Environmental Services informing of an, as yet, undetermined planning application and requesting that consideration be given to the serving of an Enforcement Notice and Stop Notice on the owner and occupier of the above premises, due to the unauthorised alteration and use of the premises as an indoor skatepark.

After discussion and having heard the Planning and Development Manager and the Principal Solicitor provide an update on certain matters associated with this application, it was agreed:-

- (a) that due to the fact that there are pedestrian and vehicular safety issues on the site and that the Health and Safety Executive has yet to comment on safety issues with regard to the site's proximity to the gasholder and Allied Distillers' site, an Enforcement Notice and a Stop Notice would be served on both the applicant and the owner, in order to prevent the unauthorised use of the premises continuing;
- (b) that a report on the planning application be submitted to the next meeting of the Committee and that a site visit be undertaken; and
- (c) that the Director of Economic, Planning and Environmental Services be authorised to write to the Health and Safety Executive, on behalf of the Committee, in order to express concern at the delay in receiving a consultation response on this matter and impressing upon them the need for a response prior to the next scheduled meeting of the Committee.

NOTE: Provost Macdonald left the meeting at this point in the proceedings.

DUMBARTON DISTRICT, DISTRICT WIDE LOCAL PLAN

A report was submitted by the Director of Economic, Planning and Environmental Services seeking authority to bring forward an alteration to the Dumbarton District, District Wide Local Plan.

The Committee agreed that an Alteration to the Dumbarton District, District Wide Local Plan be progressed, and that:-

- (a) a detailed monitoring report would be prepared to highlight those areas and issues where policy changes were necessary;
- (b) the monitoring report and other background information papers would be made available to interested parties;

- (c) a formal consultation exercise would be undertaken to ensure public participation in the process on undertaking the Alteration; and
- (d) the result of the consultation exercise would be reported back to Council for consideration in due course.

ALTERATION TO GLASGOW & THE CLYDE VALLEY JOINT STRUCTURE PLAN

A report was submitted by the Director of Economic, Planning and Environmental Services informing Members of the intention to prepare an alteration to the Glasgow & the Clyde Valley Joint Structure Plan and recommending the Council's response thereto.

The Committee agreed:-

- (a) that the contents of the report be noted;
- (b) to advise the Structure Plan Joint Committee that this Council had no objections to the Alteration to the Glasgow & the Clyde Valley Joint Structure Plan in terms of recognising Ravenscraig as a town centre;
- (c) to confirm that the recognition of Ravenscraig as a town centre does not set a precedent for out of town retail destinations to be recognised as town centres; and
- (d) that any proposed retail development at Ravenscraig should be justified by a retail impact assessment.

PROPOSED TREE PRESERVATION ORDER AT 42 CROFT STREET, BONHILL

A report was submitted by the Director of Economic, Planning and Environmental Services seeking authority to serve a Tree Preservation Order having regard to Section 160 of the Town & Country Planning (Scotland) Act 1997.

The Committee agreed that a Tree Preservation Order be made for the beech tree in the rear garden of 42 Croft Street, Bonhill.

STREET NAMING FOR NEW DEVELOPMENT OFF SINGER ROAD, CLYDEBANK

A report was submitted by the Director of Economic, Planning and Environmental Services recommending a street name for a new housing development off Singer Road, Clydebank.

The Committee agreed that the names “Hillview Gardens” and “Hillview Court” be adopted.

**PLANNING APPEALS – WESTER COCHNO HOLDINGS, COCHNO ROAD,
CLYDEBANK AND 137½ GLASGOW ROAD, DUMBARTON**

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:-

- (a) an appeal against the Council’s refusal of planning permission for the erection of a telecommunications pole, antennas and equipment cabinet at the Wester Cochno Holdings, Cochno Road, Clydebank; and
- (b) an appeal against the refusal of planning permission for the change of use of a shop (Class 1) to a hot food takeaway at 137½ Glasgow Road, Dumbarton.

The Committee agreed to note that the appeal at (a) above had been upheld and that the appeal at (b) above had been dismissed.

SITE VISITS

It was agreed that the site visits referred to in certain of the foregoing items be undertaken in the afternoon of Tuesday, 1 April 2003.

The meeting closed at 10.58 a.m.

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
REGULATORY COMMITTEE (PLANNING) ON 5 MARCH 2003**

**DC02/270 – Residential development (outline) at Auld Street/Beardmore Street,
Clydebank for W. Ritchie per R.L. Dunlop**

Outline permission GRANTED subject to the following conditions:-

- (1) That the development to which this permission relates shall be begun not later than whichever is the latest of the following dates:-
 - i) the expiration of five years from the date of the grant of outline permission; or
 - ii) the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. That in the case of any reserved matter, application for approval must be made before:-
 - i) the expiration of 3 years beginning from the date of the grant of outline planning permission; or
 - ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
 - iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed whichever is the latest; provided that only one application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
3. That any reserved matters submitted under the terms of condition 2 above shall include details of the siting, size, design and external appearance of the buildings, the means of access thereto and the proposed landscaping.
4. Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Director of Economic, Planning and Environmental Services. The scheme shall contain details of proposals to deal with contamination to include:
 - i) the nature, extent and type(s) of contamination on the site;
 - ii) measures to treat/remove contamination to ensure the site is fit for the use proposed;
 - iii) measures to deal with contamination during construction works; and
 - iv) condition of the site on completion of decontamination measures.

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the Director of Economic, Planning and Environmental Services.

5. At the same time as the submission of the reserved matters application, the developer shall carry out a noise assessment to include all relevant noise sources that may impact on the proposed development and using BS4142: 1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. This report shall be submitted for the further approval of the Director of Economic, Planning and Environmental Services and all findings shall be implemented to the satisfaction of the Director and prior to the occupation of any unit.
6. Sightline splays of not less than 2.5m x 60m 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. Sightline splays of 4.5m x 60m x 1.05m shall be provided at Auld Street/Beardmore Street junction.
7. Prior to the commencement of use of the development hereby approved a continuous 2.0m footway designed and constructed to West Dunbartonshire Council specifications should be provided over the frontage of the site. The access to the parking courtyard should also be via a footway designed and constructed to West Dunbartonshire Council specifications. All parking provision should also be constructed to West Dunbartonshire Council's specifications.
8. At the same time as the submission of the reserved matters application, the developer shall submit a scheme for the implementation of Sustainable Urban Drainage Systems (SUDS).

DC02/224 - Change of use to retail use on ground floor at the Whitecrook Centre, Whitecrook Street, Clydebank for Guthrie Plus per Angus Matheson Associates

Permission REFUSED for the following reasons:-

1. The proposal is contrary to Policy ED1, a key policy of the Clydebank District Local Plan as it would not assist in the expansion of an existing industrial or business use. It is also contrary to Policy LE2 of the finalised Clydebank Local Plan 2001 as it does not support the expansion of existing companies and businesses.
2. The proposal is contrary to policy CD2 of the finalised Clydebank Local Plan 2001 as it has not been satisfactorily demonstrated that there is no alternative site available in the defined town centre which could accommodate the proposed use.

