

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 6 September 2006 at 10.00 a.m.

Present: Provost Alistair Macdonald and Councillors Denis Agnew, Linda McColl and Marie McNair.

Attending: Irving Hodgson, Head of Regeneration Services; Alasdair Gregor, Planning Services Manager; Nigel Ettles, Principal Solicitor; Steve Marshall, Section Head – Local Plan/Forward Planning; Colin Newman, Team Leader – Building Standards; Sean McDaid, Team Leader – Development Management; Keith Bathgate, Planning Officer and Fiona Anderson, Administrative Assistant – Legal and Administrative Services.

Apologies: Apologies for absence were intimated on behalf of Councillors Dennis Brogan and Douglas McAllister.

ELECTION OF CHAIRPERSON

In the absence of the Convener, Councillor McAllister, it was unanimously agreed that Councillor Agnew be elected to chair the meeting. Councillor Agnew accordingly took the Chair.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Committee held on 2 August 2006 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of a Visitation carried out on 1 August 2006, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

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

New Applications

- (a) **DC06-027 – Formation of 2 roundabouts and associated works (reserved matters) at Cart Street/Glasgow Road and Cable Depot Road/Dumbarton Road, Clydebank**

Having heard the Officers in further elaboration and in response to Members' questions, the Committee agreed to grant approval of reserved matters subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

DECLARATION OF NON-FINANCIAL INTEREST

Provost Macdonald declared a non-financial interest in the following item of business and left the meeting while the application was considered.

- (b) **DC06/077 – Mixed use development comprising new adult centre, children's therapy centre and residential development (outline) at Auchentoshan Estate, Clydebank**

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

Having heard the Planning Services Manager in further explanation it was noted that, in the event of the Committee being minded to approve this application, it would require to be referred to the Scottish Ministers, on account of the Council's interest in the site and the fact that it would involve a departure from the statutory development plan within a defined Green Belt.

The Chair, Councillor Agnew, invited Helen Black on behalf of the Carers of Service Users at Auchentoshan Centre, objectors to the application, to address the Committee and she made their views on the application known.

Having heard Irving Hodgson, Head of Regeneration Services, in further elaboration and confirmation that this planning application was for outline permission, the Committee noted that the details of the development would require to be approved at a later date.

The Chair invited Sam Gibson of Clydebelt, an objector to the application, to address the Committee and he made his views on the application known, with particular reference to the terms of SPP21.

The Chair also invited Gilbert Howatson, Chair of Parkhall and North Kilbowie Community Council, to address the Committee and he made his views on the application known.

The Chair invited Chris Johnstone of Dallman Johnstone Architects and Iain McInnes, Chairman of Bobath, to address the Committee in support of the application.

After discussion and having heard Councillor Agnew, the Committee agreed that consideration of the application be continued to the next meeting to allow further consideration of the impact of the residential development and traffic and to ensure that Parkhall and North Kilbowie Community Council, the users of Auchentoshan and other relevant bodies were consulted for their views.

Note: At this juncture, Provost Macdonald returned to the meeting.

(c) DC06-176 – Erection of licensed social club, car parking and formation of new access road and temporary car park at Bruce Street, Clydebank

Having heard the Chair, it was noted that the applicant was represented by Colin Anderson of G.D. Lodge, Architects, and Robert Young of Anderson Young, who were available to answer questions from Members.

After discussion, the Committee agreed that the application be granted subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

(d) DC06-221 – Formation of temporary access road off Overburn Avenue, Dumbarton

Having heard the Chair, Councillor Agnew, it was noted that the applicant was seeking permission to create a temporary access road for a period of 18 months.

After discussion, the Committee agreed that the application be granted subject to the conditions specified in the Director's report, details of which are contained in Appendix 2 hereto.

**CONSULTATION ON DRAFT SCOTTISH PLANNING POLICY (SPP) 6:
RENEWABLE ENERGY**

A report was submitted by the Director of Housing, Regeneration and Environmental Services informing of the publication of SPP 6: Renewable Energy (Consultative Draft) by the Scottish Executive setting out the policy on renewable energy and the implications for the Planning System, and recommending an appropriate response.

Having heard the Planning Services Manager in further explanation, the Committee agreed:-

- (1) to note the contents of the report; and
- (2) that the details set out in paragraphs 3.7 and 3.8 of the Director's report form the basis of the Council's response to the draft SPP.

SCOTTISH PLANNING POLICY 8 – TOWN CENTRES AND RETAILING

A report was submitted by the Director of Housing, Regeneration and Environmental Services informing of the content of the revised Scottish Planning Policy 8 (SPP) on Town Centres and Retailing published by the Scottish Executive.

Having heard the Planning Services Manager in elaboration, the Committee agreed:-

- (1) to note the revised policy guidelines on town centres and retailing;
- (2) to note the implications of the revised guidelines on the policy framework of the West Dunbartonshire Local Plan; and
- (3) to note that the guidelines were a material consideration in the determination of relevant planning applications.

ENFORCEMENT PROCEDURES IN RESPECT OF THE LAND REFORM (SCOTLAND) ACT 2003

A report was submitted by the Director of Housing, Regeneration and Environmental Services advising of the duty of the Council to uphold access rights in relation to Sections 13 and 14 of the Land Reform (Scotland) Act 2003 and seeking authority for procedures relating to the enforcement of these sections.

Having heard the Planning Services Manager in further explanation, the Committee agreed to the procedures for enforcement of Sections 13 and 14 of the Land Reform (Scotland) Act 2003 as set out in the Appendix to the report.

STREET NAMING FOR NEW DEVELOPMENT OFF OLD MILL ROAD, DUNTOCHER, CLYDEBANK

A report was submitted by the Director of Housing, Regeneration and Environmental Services concerning the allocation of a street name for a new housing development.

Having heard the Chair, Councillor Agnew, the Committee agreed that the new development off Old Mill Road, Duntocher, be named Burnbrae Gardens.

BUILDING WARRANT APPLICATION FEE INCOME

With reference to the Minutes of the Meeting of the Planning Committee held on 2 August, 2006 (page 2573, paragraph 9587 refers) the Committee was reminded that it had been agreed that consideration of this matter be continued to enable examples of current fee scales to be provided and to allow Members the opportunity to discuss the situation with Officers.

Copies of examples of fee scales were circulated. Having heard the Planning Services Manager and following questions to the Team Leader – Building Standards, the Committee agreed to approve the Building Costs Information Services Survey of Tender Prices as a means of assessing the accuracy of the value of works proposed in a Building Warrant application.

APPEAL NOTIFICATIONS: NORTH LODGE, AUCHENTOSHAN; AND FOOTPATH ADJACENT TO GREAT WESTERN ROAD, CLYDEBANK

A report was submitted by the Director of Housing, Regeneration and Environmental Services informing of the determination of appeals with respect to two planning applications.

The Committee agreed to note:-

- (1) that an appeal against the refusal of permission for the erection of a replacement workshop building at North Lodge, Auchentoshan had been dismissed as the Reporter had agreed with the Council's reasons for refusal and considered that the site was not suitable for any further expansion of the existing business;
- (2) that efforts to address the breach of planning control at North Lodge Auchentoshan were continuing and should enforcement action become necessary this will be reported to the Planning Committee separately;
- (3) that an appeal against the refusal of permission for the erection of a 14.7 metre high telecommunications monopole and associated equipment cabinets adjacent to Great Western Road, Clydebank had been upheld as the Reporter considered that the proposal was consistent with the relevant provisions of the local plan, national planning policy guidance and advice and that there were no material considerations that justified refusing planning permission.

The meeting closed at 10.50 a.m.

PLANNING COMMITTEE

NOTE OF VISITATION – 1 AUGUST 2006

- Present:** Councillors Douglas McAllister, Denis Agnew, Linda McColl, Marie McNair and Connie O'Sullivan.
- Attending:** Alasdair Gregor, Planning Services Manager; Jameson Bridgwater, Section Head – Development Management; Steve Marshall, Section Head – Forward Planning and Regeneration; Colin Newman, Team Leader – Building Standards; and Fiona Anderson, Administrative Assistant - Legal and Administrative Services.
- Apologies:** Provost Alistair Macdonald and Councillor Craig McLaughlin.

SITE VISIT

A site visit was undertaken in connection with the undernoted planning application:-

DC06-116 - Change of use from retail unit to hot food takeaway including installation of extract flue at 11 Beechwood Drive, Bonhill.

APPENDIX 2

APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE PLANNING COMMITTEE ON 2 AUGUST 2006

DC06/027 – Formation of two roundabouts and associated works (reserved matters) at Cart Street/Glasgow Road and Cable Depot Road/Dumbarton Road, Clydebank

Approval of reserved matters GRANTED, subject to the following conditions:-

1. The development shall commence not later than 3 years from the date of this permission (or 5 years from the date of the original outline permission, whichever is the longer).
2. No development shall commence until full details of improved pedestrian crossing provision at each roundabout have been agreed in writing with the Director of Housing, Regeneration and Environmental Services. Such improved provision shall include:
 - (a) dropped kerbs and pedestrian refuge islands on every approach to each roundabout;
 - (b) upgrading of the pedestrian underpass at Argyll Street / Cart Street, so as to improve its accessibility, security and attractiveness to pedestrians.
3. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services prior to any work commencing on the site. The materials used shall closely match those used in previous environmental improvement works to the Glasgow Road / Dumbarton Road corridor, as approved under permission DC03/150)
4. Prior to development commencing, full details of the means of surface water disposal, which shall be by way of a Sustainable Urban Drainage System (SUDS), shall be submitted to and approved in writing by the Director of Housing, Regeneration and Environmental Services.
5. All landscaping shall comply with the Civil Aviation Authority's 'Safeguarding of Aerodromes Advice Note 3 – Potential Bird Hazards from Amenity Landscaping and Building Design'.
6. Prior to any work commencing on site, full details of the schemes of lighting required during construction and for the completed project shall be submitted to the Director of Housing, Regeneration and Environmental Services for approval, and such schemes shall specify that lighting is of flat glass, full cut off design with horizontal mountings, and ensure that there is no light spill above the horizontal. No subsequent alteration to any approved lighting

scheme shall take place without the written approval of the Director of Housing, Regeneration and Environmental Services.

7. No construction works audible at the site boundary, or such other places as may be agreed in writing with the Director of Housing, Regeneration and Environmental Services, shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all outwith these hours or on Sundays or public holidays, without the prior written agreement of the Director of Housing, Regeneration and Environmental Services.
8. All plant and machinery used during construction shall be used in accordance with the relevant Code of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) Order 2002.
9. Details of noise mitigation measures and details of steps proposed to minimise the creation of noise and dust during construction shall be submitted to and agreed with the Director of Housing, Regeneration and Environmental Services before any work commences on site.
10. No cranes or any other structures shall be erected to a height exceeding 50.25m above ordnance datum at any time during the development of the site.

DC06-176 – Erection of licensed social club, car parking and formation of new access road and temporary car park at Bruce Street, 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. Permission for the car parking area shaded orange on the approved plan reference 1994-PL-01 shall enure for a temporary period of 5 years from the date of this decision notice. At the end of this period, the land shall cease to be used as a car park and shall be reinstated to its former condition (or such other condition as may be approved by the Director of Housing, Regeneration and Environmental Services) within 1 month of the expiry of consent.
3. Full details of the proposed 'Future Access Canopy' shown on the approved plan reference 1994-PL-01 shall be submitted for the agreement of the Director of Housing, Regeneration and Environmental Services within 5 years of the date of this decision notice (or within such longer period as may be agreed in writing by the Director of Housing, Regeneration and Environmental Services).
4. The approved canopy referred to in condition 3 above shall be completed to the satisfaction of the Director of Housing, Regeneration and Environmental Services within 2 years of its final approval (or within such other period as may be agreed in writing by the Director of Housing, Regeneration and Environmental Services).

5. Exact details and specifications of all proposed external finishing materials (including roofing materials) shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services prior to any work commencing on the site.
6. Prior to commencement of works, full details of the design and location of all fences and walls to be erected on the site shall be submitted for the consideration and written approval of the Director of Housing, Regeneration and Environmental Services.
7. Prior to development commencing, full details of the means of surface water disposal, which shall be by way of a Sustainable Urban Drainage System (SUDS), shall be submitted to and approved in writing by the Director of Housing, Regeneration and Environmental Services.
8. The minimum design ground level for the site shall be 5.6m Above Ordnance Datum unless otherwise agreed in writing with the Director of Development and Environmental Services.
9. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Director of Housing, Regeneration 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 Housing, Regeneration 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 Housing, Regeneration 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.
 - (c) The landscaping shall comply with the Civil Aviation Authority's 'Safeguarding of Aerodromes Advice Note 3 – Potential Bird Hazards from Amenity Landscaping and Building Design'.
10. Prior to any development commencing, full details of all measures to contain and control noise and cooking odours emanating from the premises (including details of the position and design of the extraction flue) shall be submitted to and agreed in writing by the Director of Housing, Regeneration and Environmental Services.
11. Prior to any work commencing on site, full details of the schemes of lighting required during construction and for the completed project shall be submitted to the Director of Housing, Regeneration and Environmental Services for approval, and such schemes shall specify that lighting is of flat glass, full cut

off design with horizontal mountings, and ensure that there is no light spill above the horizontal. No subsequent alteration to any approved lighting scheme shall take place without the written approval of the Director of Housing, Regeneration and Environmental Services.

12. No development shall take place 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 submitted by the applicant, agreed with the West of Scotland Archaeology Service, and approved by the Director of Housing, Regeneration 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 Housing, Regeneration and Environmental Services in agreement with the West of Scotland Archaeology Service.
13. The building shall not be occupied until such time as the roads, parking spaces and footpaths serving it have been completed to base course level. These shall be completed to their finished specification within 1 month of the building being occupied, to the satisfaction of the Director of Housing, Regeneration and Environmental Services.
14. Prior to development commencing, details of the provision to be made for secure bicycle storage shall be submitted to and agreed in writing with the Director of Housing, Regeneration and Environmental Services.
15. Prior to any development commencing, a detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted to the written agreement of the Director of Development and Environmental Services. No work, other than investigative work, shall commence until such time as the remediation strategy has been approved and implemented to the satisfaction of the Director of Development and Environmental Services.
16. No construction works audible at the site boundary, or such other places as may be agreed in writing with the Director of Housing, Regeneration and Environmental Services, shall be carried out outwith the hours of 0800 to 1800 Monday to Saturday, and not at all outwith these hours or on Sundays or public holidays, without the prior written agreement of the Director of Housing, Regeneration and Environmental Services.
17. Prior to any piling works taking place, an assessment of the intended works, taking account of the guidance contained in BS6472: 1984 'Evaluation of Human Response to Vibration in Buildings', must be submitted to and approved in writing by the Director of Housing, Regeneration and Environmental Services.

18. All plant and machinery used during construction shall be used in accordance with the relevant Code of Practice specified in the Control of Noise (Codes of Practice for Construction and Open Sites) Order 2002.
19. Details of noise mitigation measures and details of steps proposed to minimise the creation of noise and dust during construction shall be submitted to and agreed with the Director of Housing, Regeneration and Environmental Services before any work commences on site.
20. No cranes or any other structures shall be erected to a height exceeding 50.25m above ordnance datum at any time during the development of the site.

DC06-221 – Formation of temporary access road off Overburn Avenue, Dumbarton

Permission GRANTED subject to the following conditions:-

1. The consent hereby approved shall be for a temporary period of 18 months from the date of this consent. At the expiry of the period of consent the land shall be reinstated to its former condition and the access gates shall be removed and the fence reinstated to the satisfaction of the Director of Housing, Regeneration and Environmental Services.
2. Visibility splays of not less than 2.5 metres x 60 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.
3. Prior to the formation of the access road details of the proposed road markings and directional signs shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services.