

PLANNING COMMITTEE

At a Meeting of the Planning Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 7 March 2007 at 10.00 a.m.

Present: Provost Alistair Macdonald, Councillors Denis Agnew, Dennis Brogan, Douglas McAllister, Linda McColl, Craig McLaughlin, Marie McNair and Connie O'Sullivan.

Attending: Alasdair Gregor, Planning Services Manager; Nigel Ettles, Principal Solicitor; Pamela Clifford, Section Head – Development Management; Colin Newman, Team Leader – Building Standards; and Fiona Anderson, Administrative Assistant – Legal and Administrative Services.

Councillor Douglas McAllister in the Chair

MINUTES OF PREVIOUS MEETING

11720 The Minutes of Meeting of the Committee held on 7 February 2007 were submitted and approved as a correct record.

NOTE OF VISITATIONS

11721 A Note of Visitations carried out on 6 February 2007, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

11722 Reports were submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) in respect of the following planning applications.

Continued Application

(a) **DC05/335 – Link Group Ltd, Residential Development of 48 units, car parking and access road at Beardmore Place, Dalmuir Clydebank**

11723 The Convener, Councillor McAllister, reminded Members that only those Members who had been present at the February Meeting of the

Planning Committee and had been involved in the consideration of this application could participate in the determination of the application.

11724

The Planning Services Manager was heard in further explanation and the Committee noted that discussions had taken place with the applicant and the following amendments to the application had been submitted for consideration:-

- (i) a children's play/recreational area to be incorporated into the north-western area of the development site which includes toddlers play equipment; and
- (ii) a dropped kerb to be incorporated onto the proposed roundabout to the west of the site to allow access to the vacant land.

11725

Having heard from the Convener, the Committee agreed to hear the representatives of Scottish Water who were in attendance at the meeting.

11726

The Convener invited Alan Morton, Dawn McDermott and John McCall from Scottish Water to address the Committee and they were heard in further explanation of the steps currently being taken and the future action required to reduce the odour emanating from Dalmuir Sewage Works.

11727

Having heard the representatives from Scottish Water in answer to Members' questions, the Committee noted that Scottish Water were unable to indicate when the problem would be resolved.

11728

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

- (1) that the proposed development was outwith the No Complaint Boundary; and
- (2) that the terms of the application were now acceptable to the Planning Department.

11729

After further discussion, Councillor Brogan, seconded by Councillor McColl, moved:-

11730

That the application be continued until after 1 April 2007 to allow time for the Odour Improvement Plan to be submitted to West Dunbartonshire Council.

- 11731 As an amendment, Councillor McLaughlin, seconded by Councillor McAllister, moved:-
- 11732 To accept the officer's recommendation that planning consent be approved subject to the conditions specified in the report.
- 11733 On a vote being taken, 2 members voted for the amendment and 4 for the motion which was accordingly declared carried.

New Applications

(b) DC07/001/COU – Change of use of vacant retail unit to betting shop at 119 High Street, Dumbarton

- 11734 Reference was made to the site visit undertaken in respect of the above application.
- 11735 The Convener, Councillor McAllister, invited Mr Raper of Richard Raper Planning (agent for the applicant) to address the Committee and present his case in support of the application.
- 11736 The Planning Services Manager was heard in further explanation and in answer to Members' questions.
- 11737 After discussion and having heard Councillor McLaughlin and Councillor O'Sullivan, the Committee agreed:-
- 11738 To refuse the application, contrary to the officer's recommendation, on the grounds:-
- (a) that the proposed use would be contrary to the Adopted Dumbarton District wide Local Plan 1999 as it would have a negative impact on the vitality and viability of the town centre and would create dead frontage in the prime retail area; and
 - (b) that the proposed use is contrary to Scottish Planning Policy Guideline 8 Town Centres and Retailing in that it fails to enhance the vitality and viability of the town centre.

Note: Councillor O'Sullivan declared a non-financial interest in the following item of business and left the meeting while the application was considered.

(c) DC04/422 – Erection of residential and office development with associated access roads and parking, and formation of community park (outline) at Hospital Gate, Golden Jubilee National Hospital, Clydebank

- 11739 Reference was made to the site visit undertaken in respect of this application.
- 11740 The Convener, Councillor McAllister, invited Mr Sam Gibson, Secretary of Clydebelt, an objector to the application, to address the Committee and he made his views on the application known.
- 11741 The Convener then invited Mr Nick Wright on behalf of the Applicant, Clydebank Rebuilt, and Mr Graham Ross on behalf of the Agent (Austin Smith Lord) to address the Committee and present their case in support of this application.
- 11742 Having heard from the Planning Services Manager and the Section Head – Development Management in answer to Members' questions, Provost Macdonald, seconded by Councillor Agnew, moved:-
- 11743 That the Planning Committee be minded to grant the application:-
- (a) subject to the notification to Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997;
 - (b) subject to the conditions specified in the report, details of which are contained in Appendix 2 hereto; and
 - (c) subject to a prior agreement, in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, stipulating an element of affordable housing and housing for key workers.
- 11744 As an amendment, Councillor McLaughlin, seconded by Councillor McNair, moved:-
- 11745 That the application be refused contrary to the officer's recommendation, on the grounds:-
- (a) that the applicant had provided insufficient information relating to the environmental impact; and
 - (b) that there was no definite proposal to provide social rented housing or housing for key workers.

11746 After further discussion, on a vote being taken, 2 members voted for the amendment and 5 for the motion which was accordingly declared carried.

Note: At this point, Councillor O'Sullivan returned to the meeting.

- (d) **DC06/333/FUL – Erection of two storey extension within courtyard and at rear of building including external alterations and formation of access ramp at front elevation at Dumbarton Sheriff Court, Church Street, Dumbarton.**

DC06/331/LBC – Demolition of existing extensions within courtyard & plant room & chimney at rear of south wing, internal alterations to remove stairwell and partitions, formation of window opening in place of door on south elevation and removal of extension and reinstatement of shallow pitch lead roof on south wing, erection of 2 storey rear extension to infill courtyard and formation of access ramp at front elevation at Dumbarton Sheriff Court, Church Street, Dumbarton.

11747 Having heard the Convener, Councillor McAllister, the Committee agreed:-

- (1) to indicate that it was minded to grant planning application DC06/333/FUL subject to the conditions outlined within the report, details of which are contained in Appendix 2 hereto, and a legal agreement being concluded to ensure developer contribution to improving public car parking provision in the town centre; and
- (2) to approve planning application DC06/331/LBC subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Area (Scotland) Regulations 1997 and subject to the conditions detailed within the report, details of which are contained in Appendix 2 hereto.

APPLICATION FOR BUILDING WARRANT TO DEMOLISH OUR LADY OF LORETO RC CHURCH, HALL AND PRESBYTERY HOUSE, 707 DUMBARTON ROAD, DALMUIR (BW07/045/DEMO)

11748 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of a proposal to demolish Our Lady of Loreto RC Church and associated church hall and presbytery at 707 Dumbarton Road, Dalmuir, Clydebank.

- 11749 The Convener, Councillor McAllister, invited Mrs Mary McFadden, Chairperson of Our Lady of Loreto Pastoral Council, an objector to the application, to address the Committee and she made their views on the application known.
- 11750 The Convener then invited Mr Martin Docherty, on behalf of Clydebank Restoration Trust, an objector to the application to address the Committee and he made their views on the application known.
- 11751 Having heard the Planning Services Manager in further explanation and in answer to Members' questions, the Committee noted:-
- (a) that Historic Scotland had decided not to list the building;
 - (b) that the building did not lie within a conservation area; and
 - (c) that the Council had no powers to prevent its demolition.
- 11752 After further deliberation the Committee agreed:-
- (1) to instruct Officers to prepare a Building Preservation Notice to allow Scottish Ministers to reassess the building's suitability for listing;
 - (2) to continue the application:-
 - (i) to enable Our Lady of Loreto Parishioners and Clydebank Restoration Trust to build on their campaign to prevent Our Lady of Loreto RC Church being demolished; and
 - (ii) to allow Our Lady of Loreto Pastoral Council and Clydebank Restoration Trust to enter into dialogue with the Archdiocese of Glasgow regarding the proposal to demolish Our Lady or Loreto RC Church and associated church hall and presbytery.

**PLANNING APPLICATION DC06/077 – MIXED DEVELOPMENT
COMPRISING NEW ADULT CENTRE, CHILDREN'S THERAPY CENTRE
AND RESIDENTIAL DEVELOPMENT (OUTLINE) AT AUCHENTOSHAN
ESTATE, CLYDEBANK**

- 11753 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of the updated position regarding this application.
- 11754 Having heard the Convener, the Committee agreed to note the decision of the Scottish Ministers to call-in this application and to have it considered at a public local inquiry.

**PLANNING APPEAL – 103 ANTONINE GARDENS, CLYDEBANK
(DC06/175)**

- 11755 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of an appeal against the refusal of planning permission for the erection of decking at the front elevation of a detached dwellinghouse at 103 Antonine Gardens, Clydebank and advising that the appeal would be dealt with by way of written submissions.
- 11756 Having heard the Convener, Councillor McAllister, the Committee agreed to note the submission of this appeal.

ANTONINE WALL - WORLD HERITAGE SITE NOMINATION

- 11757 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) informing of the nomination of the Antonine Wall as a World Heritage Site.
- 11758 Having heard the Convener, Councillor McAllister, the Committee agreed to note the contents of the report.

**STREET NAMING FOR NEW DEVELOPMENT OFF CASTLE STREET,
DALMUIR, CLYDEBANK**

- 11759 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) concerning the allocation of new street names for a new housing development.
- 11760 Having heard the Convener, Councillor McAllister, the Committee agreed the new streets be named Castle Place, Castle Grove and Castle Court, Dalmuir, Clydebank.

**STREET NAMING FOR NEW DEVELOPMENT
OFF KIRKTON ROAD, DUMBARTON**

- 11761 A report was submitted by the Acting Director of Housing, Regeneration and Environmental Services (Housing and Regeneration Services) concerning the allocation of a new street name for a new housing development.
- 11762 Having heard the Convener, Councillor McAllister, the Committee agreed the new street be named Kirkton Grove, Dumbarton.

The meeting closed at 12.02 p.m.

PLANNING COMMITTEE**NOTE OF VISITATIONS – 6 FEBRUARY 2007**

Present: Councillors Douglas McAllister, Denis Agnew, Linda McColl, and Marie McNair.

Attending: Alasdair Gregor, Planning and Development Manager; Pamela Clifford, Section Head – Development Management; and Fiona Anderson, Administrative Assistant - Legal and Administrative Services.

SITE VISITS

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

DC06/335: Erection of residential development of 48 units, car parking and access road (full) at the site of Beardmore Place, Clydebank;

DC06/414/HOU: Erection of two storey side extension to dwellinghouse and erection of front porch at the site of 12 Barr Crescent, Hardgate, Clydebank; and

DC06/339/FUL: Operation of open air market on Wednesdays at the site of Three Queens Square, Sylvania Way South, Clydebank.

APPENDIX 2

**APPLICATIONS FOR PLANNING PERMISSION CONSIDERED BY THE
PLANNING COMMITTEE ON 7 MARCH 2007**

DC04/422 – Erection of residential and office development with associated access roads and parking, and formation of community park (outline) at Hospital Gate, Golden Jubilee National Hospital, Clydebank

Minded to GRANT permission subject to the following conditions and subject to a prior agreement, in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, stipulating an element of affordable housing and housing for key workers:-

1. Approval of the following reserved matters shall be obtained from the Director of Housing, Regeneration and Environmental Services within 3 years of the date of this permission and the development shall be commenced within 5 years of the date of this permission or within 2 years from the date of final approval of all foregoing reserved matters.
 - (a) the layout of the site
 - (b) size, height, design materials and external appearance of the proposed residential development and buildings.
 - (c) the means of drainage and sewage disposal.
 - (d) details of access arrangements.
 - (e) the landscaping of the site and associated maintenance arrangements.
 - (f) finished site levels/floor levels and cross sections.
 - (g) the provision for car parking.
 - (h) the provision for open space and associated maintenance arrangements.
 - (i) walls and fences.
 - (j) phasing of the development.
 - (k) a Green Travel Plan and Transport Statement.
2. At the same time as the submission of the reserved matters details of the proposed landscaping throughout the site shall be submitted to and approved by the Director of Housing, Regeneration and Environmental Services. 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 earthmounding, and ensure that:
 - (a) completion of the scheme during the planting season immediately following the completion of the development, or such other dates 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 is the 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 scheme shall comply with Civil Aviation Authority Advice Note "Potential Bird Hazards From Amenity Landscaping and Building Design".
 - (d) the proposed planting shall not exceed 50metres Above Ordnance Datum.
3. At the same time as the submission of the reserved matters, details shall be submitted for a Sustainable Urban Drainage System (SUDS) for the approval of the Director of Housing, Regeneration and Environmental Services. The SUDS shall be designed in accordance with the CIRIA C521 Design Manual for Scotland and Northern Ireland.
 4. At the same time as the submission of the reserved matters a detailed remediation strategy specifying all action to be taken to remove or treat contamination of the site, shall be submitted for the written approval of the Director of Housing, Regeneration 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 Housing, Regeneration and Environmental Services.
 5. At the same time as the submission of the submission of the reserved matters details shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services of steps to be taken to safeguard the River Clyde from contamination by pollutants during the construction phase of the development. Such safeguards as approved shall be put in place prior to any works commencing on site. These details shall include the proposed methods of groundwater control as well as details of the quantity of sediment that will be generated during construction and the effects of discharging the sediment into the River Clyde, and no work shall commence on site until these details (or such other details as may be acceptable) are approved.
 6. At the same time as the submission of reserved matters full details shall be submitted of any works proposed to be undertaken on the quay walls and river edge treatment. All such proposals shall be supported by a method statement for undertaking the works. No work shall commence on site until these details are approved by the Director of Housing, Regeneration and Environmental Services.
 7. No construction works audible at the site boundary, or such other such 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 on Sundays or public holidays.
 8. Details to be submitted under Condition 1 as part of the Reserved Matters of options for safe access and egress for the site during a design flood event.

9. At the same time as the submission of the reserved matters, specific details of the riverside promenade shall be submitted for the approval of the Director of Housing, Regeneration and Environmental Services. These details shall include details of surfacing material, boundary treatments/barrier to the River Clyde, landscaping and street lighting.
10. Notwithstanding the submitted details site preparation and construction works shall not occur concurrently in Zones 1 and 2 as identified on URS Noise Contour Map, figures 4A and 4B between September and April inclusive unless a further assessment of the combined working effects of Zones 1 and 2 on the adjacent Inner Clyde SPA is submitted and approved by the Director of Housing, Regeneration and Environmental Services. Any actions arising from this further assessment shall be implemented as approved.
11. During high tides at Springs (between September and April inclusive) there shall be no works that exceed the existing ambient noise levels within the site. Prior to any works commencing details of the existing noise levels shall be submitted for approval. During these periods works may be carried out by hand-held, non-mechanised tools and equipment, unless otherwise agreed in writing by the Director of Housing, Regeneration and Environmental Services.
12. Prior to the commencement of any works on site a programme of works for throughout the site (that does not allow for working during high tides at Springs and between sunrise and sunset between September and April inclusive) shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services in consultation with Scottish Natural Heritage. The approved programme of works shall be adhered to all times between September and April inclusive
13. At the same time as the submission of reserved matters details of an acoustic screen facing onto the River Clyde shall be submitted for the written approval of the Director of Housing, Regeneration and Environmental Services. The approved screen shall be erected prior to any works commencing on site. The details of this screening shall accord with the maximum measures described in BS5228 (1999: Part 1) and thereafter the agreed screening shall be retained in position during any works on site.
14. Static plant and machinery shall be sited to the north of the site, unless otherwise agreed in writing by the Director of Housing, Regeneration and Environmental Services. Details of the location of the static plant and machinery shall be submitted to the Director of Housing, Regeneration and Environmental Services for his written approval prior to any works commencing on site.
15. Plant and machinery shall be enclosed and/or silenced in accordance with the maximum measures described in BS5228 (1999: Part 1) unless otherwise agreed in writing with the Director of Housing, Regeneration and Environmental Services.

16. Prior to any works commencing on site details of pollution measures (which are in compliance with SEPA Pollution Prevention Guidelines) shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services and thereafter shall be implemented at all times as approved.
17. The applicant is advised that should revisions to the requirements of conditions 10, 11, 12, 13, 14, 15 & 16 be sought, those relevant sections of the "Appropriate Assessment" shall be revised and submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services. Any actions arising from this revised "Appropriate Assessment" report shall be implemented as approved.

Note 1: A Design Statement in accordance with the advice issued in Planning Advice Note No. 62 shall be submitted for the approval of Director of Housing, Regeneration and Environmental Services.

Note 2: No cranes or any other structure of any kind shall be erected to a height exceeding 50metres Above Ordnance Datum at any time during the development of the site.

Note 3: For the avoidance of doubt any buildings to be erected on site shall be set back a minimum of 10 metres from the high water mark of the adjacent River Clyde.

APPLICATION NOS: DC06/333/FUL and DC06/331/LBC

DC06/333/FUL - Erection of two storey extension within courtyard and at rear of building including external alterations and formation of access ramp at front elevation.

Minded to GRANT permission subject to the following conditions:-

1. The development hereby approved shall commence within a period of 5 years from the date of this consent.
2. The materials to be used on the development hereby approved shall be a proprietary cladding panel system (trespa meteon - black) for the walls along with rheinzink cladding (silver grey), redressed/salvaged stone, powder coated alu-clad windows (silver grey) and proprietary aluminium louvre system (light grey). Prior to work commencing on site samples of all materials shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services and thereafter implemented as approved.
3. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places that may be agreed by the Director of Housing, Regeneration and Environmental Services shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.

4. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Director of Housing, Regeneration and Environmental Services within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out. All actions arising from this investigation shall be implemented with the timescale to be agreed by the Director of Housing, Regeneration and Environmental Services.
5. No development shall take place within the development site as outlined in red on the approved plan 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 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.
6. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services and implemented as approved.
7. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services and implemented as approved.
8. 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 on site. 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 earthmounding, and ensure that:
 - (a) completion of the scheme during the planting season immediately following the completion of the development, or such other dates 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 is the 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. Thereafter the agreed landscaping scheme shall be implemented as approved.

9. Prior to the occupation of the development hereby approved the car parking spaces shown on the approved drawings A (00) L001 Rev B shall be constructed, surfaced and delineated on the site.
10. Notwithstanding the submitted details and prior to the commencement of works on site a Green Travel Plan shall be submitted to and approved by the Director of Housing, Regeneration and Environmental Services. Any actions arising from the Green Travel Plan shall be implemented prior to the development approved under this permission being occupied.

DC06/331/LBC - Demolition of existing extensions within courtyard and plant room and chimney at rear of south wing, internal alterations to remove stairwell and partitions, formation of window opening in place of door on south elevation and removal of extension and reinstatement of shallow pitch lead roof on south wing, erection of 2 storey rear extension to infill courtyard and formation of access ramp at front elevation.

Permission GRANTED subject to the following conditions:-

1. The development hereby approved shall commence within a period of 5 years from the date of this consent.
2. The materials to be used on the development hereby approved shall be a proprietary cladding panel system (trespa meteon - black) for the walls along with rheinzink cladding (silver grey), redressed/salvaged stone, powder coated alu-clad windows (silver grey) and proprietary aluminium louvre system (light grey). Prior to work commencing on site samples of all materials shall be submitted for the further approval of the Director of Housing, Regeneration and Environmental Services and thereafter implemented as approved.
3. Prior to the commencement of works, full details of the design and location of all walls and fences to be erected on site shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services and implemented as approved.
4. Prior to the commencement of works, full details of all hard surfaces shall be submitted for the further written approval of the Director of Housing, Regeneration and Environmental Services and implemented as approved.
5. 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 on site. 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 earthmounding, and ensure that:

- (a) completion of the scheme during the planting season immediately following the completion of the development, or such other dates 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 is the 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. Thereafter the agreed landscaping scheme shall be implemented as approved.