

WEST DUNBARTONSHIRE COUNCIL

Report by the Director of Development and Environmental Services Planning Committee: 1 February 2006

Subject: Appeals at:

- i) Dumbarton Road, Bowling.**
- ii) Cross Cottage, 1-3 William Street, Duntocher,**
- iii) Vacant ground adjacent to Livingstone Street, Clydebank.**

1.0 Purpose:

1.1 To inform members of the outcome of one appeal to the Scottish Ministers and the submission of two new appeals.

2.0 Appeal Decision: Dumbarton Road, Bowling.

2.1 The first appeal concerns the erection of an 11.7 metre high monopole telecommunications mast and ancillary equipment on the pavement at Dumbarton Road, Bowling (DC05-073), which was refused at the Planning Committee on 22 June 2005 due to being contrary to Policy H5 of the Dumbarton District, District Wide Local Plan as it would result in the loss of amenity to a residential area.

2.2 The Reporter did not consider that the proposal would affect the amenity of the area. The location of the proposal was taken into account by the Reporter and it was determined that the overhanging trees and curvature of the road would mean that the installation would only be visible on a relatively short stretch of Dumbarton Road. It was felt that the monopole would be similar in height to the existing lighting columns and the equipment cabinet similar to other utility equipment located on footways.

2.3 The appeal was upheld and Consent approved. The Reporter attached conditions to the consent that details of the finish/colour to be applied be submitted and also the equipment and supporting structure be removed within one month of the equipment being made redundant.

3.0 Appeal Notification: Cross Cottage, 1-3 William Street, Duntocher.

3.1 The second appeal relates to an application for the erection of 12 flats with related vehicular access and car parking (DC02/372) at Cross Cottage, 1-3 William Street, Duntocher. At the Planning Committee

meeting of 5 January 2005 Members were minded to grant consent subject to satisfactory sightlines being achieved. Planning consent was issued on 1 June 2005 with a total of 18 conditions attached, one of which related to sightlines as required by Housing and Technical Services. Condition 17 read as follows:

“The consent hereby granted shall not enure until sightlines of 4.5 x 90 x 1.05 onto Dumbarton Road and 2.5 x 60 x 1.05m for the private access to the development site have been achieved on site and approved in writing by the Director of Development & Environmental Services, prior to any development commencing on site.”

The applicant has appealed this condition with the request that it should be replaced with the following:

“The consent hereby granted shall not enure until sightlines of 2.5 x 90 x 1.05 onto Dumbarton Road 2.5 x 60 x 1.05 metres for the private access to the development site have been achieved on site and approved in writing by the Director of Development and Environmental Services, prior to any development commencing on site.”

Whilst the amendment to the condition may seem minor the impact in highway safety terms is critical. The visibility splay agreed in the disputed condition is regarded as a reasonable balance between the Council's highway design guidance and the constraints of the site.

- 3.2 The appeal will be dealt with by way of written submissions and Members will be advised of the outcome in due course.
- 4.0 Appeal Notification: Vacant ground adjacent to Livingstone Street, Clydebank.**
- 4.1 The third appeal relates to an application for planning permission for the erection of an 11.7 metre high monopole mast and ancillary equipment on vacant land at Livingstone Street, Clydebank (DC05-131). The application was refused at Planning Committee on 7 September 2005. The reasons for refusal were that the proposed development would be contrary to policy H4 of the Clydebank Local Plan in that it would result in the installation being visually prominent, adversely affecting the visual amenity of the area and also contrary to Policy GD1 of the Clydebank Local Plan in that the installation would be sited adjacent to a traffic corridor and that during the parking of construction and servicing vehicles on the route during construction and maintenance periods the route would be blocked and would compromise the safety of road users.
- 4.2 The appeal will be dealt with by way of written submissions and Members will be advised of the outcome in due course.

5.0 Recommendation:

- 5.1 Members are asked to note one appeal decision and the receipt of two further appeals.**

Dan Henderson

**Dan Henderson
Director of Development and Environmental Services
Date:12 December 2005**

Background Papers:

1. Letter of decision of appeal from Scottish Executive Inquiry Reporters Unit dated 28/11/05 in relation to Dumbarton Road, Bowling.
2. Letter of notification of appeal from Scottish Executive Inquiry Reporters Unit dated 24/11/05 in relation to Cross Cottage, 1-3 William Street, Duntocher, Clydebank.
3. Letter of notification of appeal from Scottish Executive Inquiry Reporters Unit dated 11/11/05 in relation to vacant ground adjacent to Livingstone Street, Clydebank.

**Person to Contact: Jameson Bridgwater,
Section Head – Development Management,
Development & Environmental Services, Council
Offices, Clydebank G81 1TG. 01389 738215**