PLANNING COMMITTEE

At a Meeting of the Planning Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 18 December 2013 at 10.00 a.m.

Present: Provost Douglas McAllister and Councillors Denis Agnew, Gail Casey, Jim Finn, John Mooney, Tommy Rainey and Hazel Sorrell.

Attending: Jim McAloon, Head of Regeneration and Economic Development; Pamela Clifford, Planning and Building Standards Manager; Keith Bathgate, Development Management Team Leader; Alan Williamson, Team Leader – Forward Planning; John Stevenson, Section Head Environmental Health; Isabel Fellowes, Environmental Health Officer; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillors Jonathan McColl and Lawrence O'Neill.

Provost McAllister in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Planning Committee held on 27 November 2013 were submitted and approved as a correct record.

NOTE OF VISITATION

A Note of Visitation carried out on 20 November 2013, a copy of which forms Appendix 1 hereto, was submitted and noted.

PLANNING APPLICATIONS

Reports were submitted by the Executive Director of Infrastructure and Regeneration in respect of the following planning applications.

New Applications:-

(a) DC13/166 – Change of use from public house to restaurant at 127 College Street, Dumbarton by Mr Santokh Singh.

Reference was made to the site visit which had been undertaken in respect of the above application.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

Following discussion and having heard officers in further explanation of the application and in answer to Members' questions, the Committee agreed to continue the application for consideration at a future meeting, to allow Members to be provided with additional information on the proposed extraction ventilation system to be installed.

(b) DC13/234 - Demolition of hotel and erection of flats (28 units) and associated car parking (amendment to DC13/120) at Radnor Park Hotel, 409 Kilbowie Road, Clydebank by R & L Properties No1 Ltd.

Reference was made to the site visit which had been undertaken in respect of the above application.

The Planning and Building Standards Manager was heard in further explanation of the application and the background relating thereto.

The Chair invited Mr Gilbert Howatson, representing Parkhall, North Kilbowie and Central Community Council, to address the Committee. Mr Howatson made the views of the Community Council on the application known.

Following discussion and having heard the Planning and Building Standards Manager in further explanation of the application, Councillor Agnew, seconded by Councillor Finn moved:-

> That the Committee refuse the application on the grounds of the loss of amenity and loss of permanent jobs.

As an amendment, Councillor Mooney, seconded by Councillor Casey moved:-

> That the Committee:-
>
> (1) indicate it is minded to grant the application subject to the conditions specified within the report, details of which are contained within Appendix 2 hereto;

(2) that the following additional conditions be added:-

"a footpath be provided along Young Street", "that there will be no site access to the development via Young Street" and "exact details and specifications of refuse provision to be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved; and

(3) that authority be delegated to the Planning and Building Standards Manager to issue the decision subject to the completion of a Section 69 legal agreement.

On a vote being taken, 5 Members voted for the amendment and 2 for the motion. Accordingly the amendment was declared carried.

(c) DC12/093 - Partial demolition and redevelopment of existing retail unit with ancillary uses including a new café, soft play area, outdoor seating with children's play area and associated improvements to the main access, car park, coach parking, landscaping and the provision of a coach drivers rest area and ancillary works at Antartex Village, Bowie Road, Lomond Industrial Estate, Alexandria by the Edinburgh Woollen Mill Group.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 3 hereto;

(d) DC13/222 - Erection of petrol filling station with ancillary retail and take-away food facilities at Lomondgate Drive, Dumbarton by Euro Garages Limited.

The Committee agreed to grant planning permission subject to the conditions specified within the report, details of which are contained within Appendix 4 hereto;

(e) DC13/197 - Conversion of Blaes Football Pitch to 3G Artificial Sports Pitch, Installation of Floodlighting and Ancillary 6 Metre High Perimeter Fencing at St Stephens Primary School, Second Avenue, Clydebank by West Dunbartonshire Council.

The Committee agreed to grant full planning permission subject to the conditions specified within the report, details of which are contained within Appendix 5 hereto; and

(f) DC13/257 – Variation of condition regarding road at Heather Avenue, Alexandria by Seddon Construction.

The Committee agreed to note that this application had been removed from the agenda.

RECEIPT OF AN APPEAL IN RELATION TO THE REFUSAL OF APPLICATION DC13/159 FOR THE VARIATION OF CONDITION 4 OF PERMISSION DC13/024 (PROPOSED PART CHANGE OF USE FROM CLASS 1 TO CLASS 2) AT CLYDEBANK CO-OP, 2 SYLVANIA WAY SOUTH, CLYDEBANK

A report was submitted by the Executive Director of Infrastructure and Regeneration advising of the submission of a planning appeal in relation to application DC13/159.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report, the Committee agreed to note the receipt of this appeal.

DRAFT SCOTTISH PLANNING POLICY: 'SUSTAINABILITY AND PLANNING' CONSULTATION

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval of a response to the Scottish Government's consultation on Scottish Planning Policy: 'Sustainability and Planning'.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed to endorse the Council's response to the consultation, as detailed within Appendix 1 to the report.

REVIEW OF THE PLANNING ENFORCEMENT CHARTER

A report was submitted by the Executive Director of Infrastructure and Regeneration seeking approval of the Planning Enforcement Charter.

After discussion and having heard the Planning and Building Standards Manager in further explanation of the report and in answer to Members' questions, the Committee agreed to approve the revised Planning Enforcement Charter and to its implementation subject to the Planning and Building Standards Manager revising the wording with regard to one of the key points of enforcement "resolve the problem rather than punish the mistake".

The meeting closed at 11.05 a.m.

APPENDIX 1

PLANNING COMMITTEE

NOTE OF VISITATION – 20 NOVEMBER 2013

Present: Councillor Jim Finn

Attending: Keith Bathgate, Team Leader (Development Management)

Apologies: Councillors Gail Casey, Jonathan McColl, Lawrence O'Neill and Tommy Rainey

SITE VISITS

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

(a) DC13/228: Formation of new cemetery and associated works on land at Garshake Road, Dumbarton by West Dunbartonshire Council.

(b) DC07/413: Removal of condition 8 of DC05/334 (delete requirement to provide a play area) at Victoria Street/Albert Street, Alexandria by Turnberry Homes.

APPENDIX 2

DC13/234 - Demolition of hotel and erection of flats (28 units) and associated car parking (amendment to DC13/120) at Radnor Park Hotel, 409 Kilbowie Road, Clydebank by R & L Properties No1 Ltd.

MINDED TO GRANT Permission subject to the following conditions:-

1. 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.

2. The existing trees on site shall not be lopped, topped, felled, lifted, removed or disturbed without the prior written approval of the Planning Authority.

3. No development shall commence until the trees marked for retention on the approved plans have been protected by suitable fencing around the extremities of their crowns. Details of the fencing shall be submitted for the further written approval of the Planning Authority prior to the commencement of development and shall be implemented prior to the commencement of any development onsite including any demolition.

4. Any excavation works through the root areas of the trees shall only be undertaken by hand, unless otherwise agreed with the Planning Authority.

5. A landscaping scheme for the amenity open space and boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.

6. Prior to the occupation of the development hereby approved the car parking spaces shown on the approved drawings Drawing No. 06 Rev G shall be constructed, surfaced and delineated on the site.

7. The existing access at Kilbowie Road shall be upgraded to conform with the Road Standards for a single minor commercial access with the work completed prior to occupation of the development hereby approved.

8. During the period of demolition/construction, all works and ancillary operations which are audible at the site boundary or at such other place(s) as may first be agreed in writing with the Planning Authority, shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Monday to Fridays:	0800-1800
Saturdays:	0800-1300
Sundays and public holidays	no working

9. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority. This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

10. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction, and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved in writing by the Planning Authority.

11. 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 Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial action shall be carried out within an agreed timescale with the Planning Authority.

12. 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 Planning Authority and shall be implemented as approved.

13. Prior to the commencement of works, full details of all hard surfaces and footpaths shall be submitted for the further written approval of the Planning Authority and implemented prior to the occupation of the first flat.

APPENDIX 3

DC12/093 - Partial demolition and redevelopment of existing retail unit with ancillary uses including a new café, soft play area, outdoor seating with children's play area and associated improvements to the main access, car park, coach parking, landscaping and the provision of a coach drivers rest area and ancillary works at Antartex Village, Bowie Road, Lomond Industrial Estate, Alexandria by the Edinburgh Woollen Mill Group.

Permission GRANTED subject to the following conditions:-

1. Exact details and specifications of all proposed external materials, including cladding panels, the roof, render and roller shutters shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented prior to the occupation of the approved development.

2. Exact details and specifications of all ground surfaces, bins, seating, outdoor furniture, external lighting, external CCTV cameras, play equipment and boundary treatments shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented within a timescale agreed by the Planning Authority.

3. Notwithstanding the approved plans, final landscaping details to include the number, siting and type of trees and shrubs to be planted shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented prior to the occupation of the approved development.

4. 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 with the Planning Authority shall be carried out between 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public Holidays.

5. 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. The drainage system shall incorporate the principles of Sustainable Urban Drainage Systems within its design, and thereafter shall be implemented prior to the occupation of the approved development. The proposed drainage details are required to include a suitable overland flow path through the site to mitigate the risk of flooding.

6. 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 Planning Authority within one week. At this stage, if requested, a comprehensive contaminated land investigation shall be carried out and any remedial actions shall be implemented within a timescale agreed with the Planning Authority.

7. Prior to the commencement of development a comprehensive contaminated land investigation shall be carried out and its findings submitted to and approved in writing by the Planning Authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites-Code of Practice" (BS 10175:2001). The report shall include a site-specific risk assessment of all relevant pollutant linkages as required in Scottish Government Planning Advice Note 33.

8. Where the risk assessment identifies any unacceptable risk or risks as defined under Part 11a of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the Planning Authority for the written approval. No works other than investigation works shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.

9. Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to the occupation of the approved development, the developer shall submit a report to the Planning Authority confirming that the works have been carried out in accordance with the remediation plan.

10. A monitoring and maintenance scheme for the long term effectiveness of the proposed remediation shall be submitted to and approved in writing by the Planning Authority. Any actions ongoing shall be implemented within a timescale agreed with the Planning Authority. Following completion of the actions/measures identified in the approved remediation scheme, a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved in writing by the Planning Authority.

11. Prior to the commencement of development, full details of an adequately sized grease trap shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.

12. Prior to the commencement of development, a scheme for the control and mitigation of dust shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the demolition of any building or structure on site.

13. Not more than 5% of the overall floor area (275m²) of the building shall be used for the sale of food or drink.

14. A minimum of 40% of the overall floor area (2,160m²) of the building shall be solely reserved for the display/retail of goods manufactured by Antartex/The Edinburgh Woollen Mill Ltd, under their associated brand names.

15. Prior to the commencement of development, full details of the proposed new vehicular access, including sightlines, shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.

16. Prior to the commencement of development, full details of the proposed coach parking shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the occupation of the approved development.

Informatives

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

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);

   b) A Notice of Completion of Development as soon as practicable once the development has been completed.

3. The plans referred to as part of this decision are: Drawing No(s). 01 Rev. A, 010 Rev. A, 13 Rev. A, 16, 17, 020 Rev. C, 21, 22 & 23.

4, A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.

5. If any external signage is proposed, it may require the benefit of separate express consent under the terms of the Town and Country Planning (Control of Advertisements)(Scotland) Act 1984.

6. This planning permission does not authorise the sale of hot food to take away from the premises.

APPENDIX 4

DC13/222 - Erection of petrol filling station with ancillary retail and take-away food facilities at Lomondgate Drive, Dumbarton by Euro Garages Limited.

Permission GRANTED subject to the following conditions:-

1. 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.

2. 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 Planning Authority and shall be implemented as approved.

3. 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 implemented as approved.

4. Prior to the commencement of works, full details of the lighting and bin store shall be submitted for the further written approval of the Planning Authority and implemented prior to the petrol filling station being brought into use.

5. A landscaping scheme for the boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the building. The scheme shall include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details.

6. Customer seating provision shall be limited to a maximum of four benches (providing seating for up no more than 8 people) and 8 individual seats as shown on drawing number 1281-4c. No additional seating or tables shall be provided inside or outside the building without the prior written consent of the Planning Authority.

7. 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 Planning Authority, and any pilling works shall be carried out between 8am and 6pm Mondays to Saturdays and not at all on Sundays or Public Holidays.

8. The presence of any previously unexpected contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the site shall cease. At this stage, if requested by the Planning Authority, an appropriate investigation and risk assessment shall be undertaken and a remediation scheme shall be submitted to and approved by the Planning Authority prior to the

recommencement of site works. The approved details shall be implemented as approved.

9. Prior to the commencement of development on site details of an adequate sized grease trap shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the use being operational and maintained thereafter.

10. Notwithstanding the submitted plans, the east elevation shall incorporate the use of timber cladding, details of its use shall be submitted to and approved by the Planning Authority and shall be implemented as approved.

APPENDIX 5

DC13/197 - Conversion of Blaes Football Pitch to 3G Artificial Sports Pitch, Installation of Floodlighting and Ancillary 6 Metre High Perimeter Fencing at St Stephens Primary School, Second Avenue, Clydebank by West Dunbartonshire Council.

Permission GRANTED subject to the following conditions:-

1. Exact details and specifications and external finishes of all proposed floodlighting structures 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.

2. Prior to the commencement of works on site, full details of the design, finish and location of all fencing around the pitch including an acoustic fencing scheme. The details shall include design, location, height of the fencing to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented prior to the pitch being brought into use and maintained at all times.