

# Appendix 4

## Planning Decision Notice and Reasons for Refusal





## Town and Country Planning (Scotland) Act 1997

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To: **Mr Liaquit Ali**  
**16 Violet Crescent**  
**Stonehouse**  
**Larkhall**  
**ML9 3HZ**

Per: **David Jarvie**  
**27 Aytoun Road**  
**Pollokshields**  
**Glasgow**  
**G41 2HW**

With reference to your application dated 27 July 2011 for Planning Permission under the above mentioned Act :

**Description of Proposed Development :**

Change of use of shop to hot food takeaway and erection of flue

**Site Location:**

16 Violet Crescent  
Stonehouse  
Larkhall  
ML9 3HZ

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South Lanarkshire Council in exercise of their powers under the above mentioned Act hereby:

**REFUSE PLANNING PERMISSION**

for the above development in accordance with the accompanying plan(s) and particulars given in the application, for the reason(s) listed overleaf in the paper apart.

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Date: 28/09/11

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**Michael McGlynn, Head of Planning and Building Standards Services**

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This permission does not grant any consent for the development that may be required under other Legislation, e.g. Planning Permission, Building Warrant or Roads Construction Consent.

## Planning and Building Standards Services

**South Lanarkshire Council  
Refuse Planning Permission**

Application Number: HM/11/0332

Reason(s) for Refusal:

- 1 This decision relates to drawing numbers:  
1989/1  
1989/2  
1989/3  
1989/4
- 2 The proposal is contrary to Policy RES6 of the South Lanarkshire Local Plan in that it would introduce a bad neighbour use into a residential area and would have a significant impact on the amenity of the neighbouring residential properties through the significant intensification of noise, disturbance litter and odours/smell.
- 3 The proposal is contrary to Policy DM1 of the South Lanarkshire Local Plan in that it represents a form of development that does not comply with the criteria of the policy with particular regard to criteria (a) and (d) in that it does not reflect the local context as it is located in a residential area, would be detrimental to amenity and would have a significant adverse impact on the wider environmental amenity of the area through the generation of noise, litter, disturbance and odour.
- 4 The proposal is contrary to Policy DM10 of the South Lanarkshire Local Plan in that it fails to satisfy the relevant criteria for the siting of a hot food operation within a residential area as it would result in an inadequate level of shopping provision provided at the location, the property has not been successfully marketed for a Class 1 use to the satisfaction of the Planning Authority and it would result in an adverse impact in terms of environmental, traffic and amenity considerations (e.g. noise, litter, disturbance and odour) particularly in relation to the adjacent residential properties and those residential properties surrounding the site.
- 5 In the interests of residential amenity in that the proposed hot food shop would have a significant and detrimental impact on the neighbouring dwellings in particular and the neighbourhood in general.
- 6 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for proposals which would exacerbate the problems stated above.