

Report

Report to:	Planning Committee
Date of Meeting:	8 June 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/1788
Planning proposal:	Change of use of part of public house to form beauty salon (class 2), coffee shop (class 3) and hot food takeaway (sui generis)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Kilbride Properties
Location:	The C'mon Inn 56 Alloway Road East Kilbride G74 3SD

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: Constructive Architectural Design Ltd
- ◆ Council Area/Ward: 10 East Kilbride East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 2 - Climate Change
Policy 3 - General Urban Areas
Policy 5 - Development Management and Placemaking
Policy DM9 – Hot Food Shops

◆ Representation(s):

▶	12	Objection Letters
▶	100	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads and Transportation Services (Development Management)

Planning Application Report

1 Application Site

- 1.1 The application relates to the public house known as the C'mon Inn, located at 56 Alloway Road, East Kilbride. The site, which comprises 335 square metres, forms part of a small grouping of commercial premises which serves the local area. The application site is bounded to the north by Alloway Road, to the west by the public car park which serves the commercial units, to the south by adjacent commercial units and an open space area and to the east by a further area of open space.

2 Proposal(s)

- 2.1 The applicants, Kilbride Properties, seek planning permission to change the use of part of the public house to form a beauty salon (Class 2), a café (Class 3) and a hot food takeaway (a sui generis use). Minor external works would require to be undertaken to facilitate the development but no extension of the existing premises is proposed. The remainder of the existing public house would retain its current use.

3 Background

3.1 Local Plan Status

- 3.1.1 The site is located within the general urban area of East Kilbride as designated by Policy 3 of the South Lanarkshire Local Development Plan 2 (adopted 2021). Policies 2 – Climate Change, 5 – Development Management and Placemaking and DM9 – Hot Food Shops are also of relevance to the application in this instance.

3.2 Planning Background

- 3.2.1 Planning permission was sought in 2013 to change the use of part of the public house to form a hot food takeaway (Planning Ref: EK/13/0045). However, as a result of specific issues relating to the layout and ventilation measures proposed as part of the development, it was deemed necessary for the application to be refused planning consent following consultation with the Council's Environmental Services.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – Noted that the public car park located directly adjacent to the site is of a sufficient size to accommodate the proposed new businesses. As such, they did not offer any objection to the proposed development.

Response: Noted.

- 4.2 **Environmental Services** – Did not raise concerns with regard to the proposed ventilation measures associated with the café or hot food takeaway, subject to final details being submitted and approved through the imposition of conditions to be attached to any consent issued. However, they initially raised concerns that the food preparation area associated with the hot food takeaway may be too small to serve its intended purpose. In order to resolve this issue they required that the proposed café and hot food takeaway be operated as part of the same premises, to ensure that the food preparation area associated with the café could also be utilised to serve the hot food takeaway as necessary.

Response: In response to the issues raised by Environmental Services the applicants advised that they were satisfied for the café and the hot food takeaway to be operated as part of the same premises. In this regard, amended drawings have been submitted showing the two units to be connected internally. The Council's Planning and Environmental Services are satisfied that the issues raised have been satisfactorily dealt with, subject to conditions that would be attached to any consent issued.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the East Kilbride News for neighbour notification purposes and due to the scale or nature of the development proposed. 113 letters of representation were received in respect of the application, comprising 12 letters of objection, one letter of comment and 100 letters of support. The points raised have been considered as follows:-

- a) **The proposed takeaway is located too close to an existing takeaway premises and could adversely affect the viability of the existing business.**

Response: It is noted that there is an existing hot food takeaway within the row of commercial units at Alloway Road. However, this is not considered to be a justifiable reason to refuse planning permission for a new proposed hot food shop. It is considered that the proposed business could have a positive impact in terms of providing business opportunity, employment and additional choice to local residents. Ultimately, market forces would determine whether the proposed new hot food shop would be viable at this location.

- b) **The development could result in noise, smell, litter, pollution, underage drinking and anti-social behaviour in the local area, particularly given the extent of opening hours.**

Response: The Council's Environmental Services were consulted in respect of the application but did not offer any objections, subject to conditions relating to matters such as noise, ventilation and waste management which would be attached to any consent issued. It is considered that, subject to adherence to these conditions, the proposed uses can be appropriately operated from the site. It is noted that a number of objectors have raised concerns with regard to issues such as anti-social behaviour and underage drinking associated with the site, however these would be police matters rather than planning matters and should be dealt with by the police as appropriate if any such issues arise.

- c) **The development could create customer traffic, delivery vehicle traffic, car parking and road pollution problems in the local area.**

Response: As part of their consultation response in respect of the application the Council's Roads and Transportation Services noted that the existing car park located adjacent to the site is of a sufficient size to accommodate the proposed additional uses. Furthermore, they did not raise any concerns with regard to traffic levels, road pollution issues or servicing of the property. In addition, as noted above, the Council's Environmental Services did not raise any concerns with regard to pollution from the site. As such, it is not considered appropriate for the proposed development to be refused planning consent for these reasons.

- d) **The site is located too close to residential properties for the uses proposed.**

Response: It is noted that the wider area around the site is predominantly residential in nature, however it is not unusual for residential areas to accommodate relatively small commercial proposals which serve local needs, as is proposed in this instance. Following a detailed assessment of the application, including consultation with internal Council Services as appropriate, it is considered that this is a suitable location for the provision of additional local services and the recommendation is therefore for permission to be granted in this case.

- e) **The development is unnecessary as similar facilities already existing elsewhere in the locality.**

Response: While it is noted that there are larger designated neighbourhood centres in this part of East Kilbride at Calderwood Square and St Leonards Square, Council planning policy also allows for the provision of smaller local commercial locations within residential areas to serve local needs. In this case it is noted that both of these larger commercial centres are located a 20 minute walk from the site at Alloway Road and the commercial row of shops at Alloway Road has served local needs for a significant period of time. As such, it is considered appropriate for these additional uses to be permitted at this established commercial location.

- f) **The development would encourage the consumption of unhealthy junk food.**

Response: While the writer's comments are noted, in planning policy terms it would not be considered appropriate for planning consent to be refused on this basis. It is noted that a variety of hot food options are available within the wider area to provide choice to consumers in this regard.

- g) **More should have been done to notify neighbours of the submission of the planning application, including door to door visits by planning officers to seek the views of local residents.**

Response: Statutory neighbour notification was undertaken in respect of this application and the proposals were also advertised in the local press. It is noted that over 100 representations were received in respect of the application as a result of this. It is not considered appropriate or necessary for further notification of neighbours, such as door to door visits to local residents, to be undertaken in respect of the proposals.

- h) **Some of the letters of support have been submitted by individuals who do not live in close proximity to the site and may have been sent in at the request of the operator of the public house on site.**

Response: It is permissible for any member of the public to comment on any planning application submitted to the Council and each letter of representation submitted requires to be considered on its merits. As such, all of the letters of representation submitted to the Council in respect of this application have been considered as part of the assessment of the application.

- i) **The site could be used as a charity shop instead of the proposed use.**

Response: The Council require to consider any proposal submitted on its merits. In this case, while another use such as a charity shop may be acceptable in principle on the site, the application in this instance relates to the proposed use of the premises as a café, hot food shop and beauticians. Therefore, it is necessary for the proposed uses to be considered in this case. As set out in Section 6 below the view is taken that the proposed uses would be acceptable in planning terms and it is therefore recommended by the Planning Service that permission is granted for the proposed uses on site, subject to the attached conditions.

- j) **It should be ensured that the proposed development does not have an adverse impact on wildlife or protected species.**

Response: As this proposal relates to the change of use of an existing premises and no extension to the premises is proposed, it is considered extremely unlikely that there would be any impact on protected species or other wildlife as a result of this proposed development.

- k) **The proposals would represent a positive development for the area, would offer additional amenities locally, while providing business opportunities and additional employment.**

Response: The comments received in support of the application are noted. As detailed in Section 6 below it is considered that the proposals would be of an overall benefit to the locality and it is therefore recommended that planning permission should be granted for the proposed development.

- l) **The proposed development would offer additional facilities locally, to the benefit of those with disabilities and also to the benefit of the general mental health of local residents given the current circumstances.**

Response: The comments received in support of the application are noted. As detailed in Section 6 below it is considered that the proposals would be of an overall benefit to the locality and it is therefore recommended that planning permission should be granted for the proposed development.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicants, Kilbride Properties, seek planning permission to change the use of part of the public house known as the C'mon Inn, located at 56 Alloway Road, East Kilbride, to form a beauty salon (Class 2), a café (Class 3) and a hot food takeaway (a sui generis use). Minor external works would require to be undertaken to facilitate the development but no extension of the existing premises is proposed. The remainder of the existing public house would remain in its current use.
- 6.2 The site is located within the General Urban Area of East Kilbride as designated by Policy 3 – General Urban Areas of the South Lanarkshire Local Development Plan (adopted 2021). Policy 3 states that, within general urban areas, there will be a general presumption in favour of residential uses as well as other uses and services that complement the function of the area. The policy also notes, however, that bad neighbour uses that are considered to have a detrimental effect on the character or amenity of the area should not be supported.
- 6.3 Policies 2 (Climate Change), 5 (Development Management and Placemaking) and DM9 (Hot Food Shops) also provide relevant policy with regard to this proposed change of use. Policies 5 and DM9 both provide development management guidance and seek to ensure that there is no significant impact on the local character or amenity of the area by virtue of issues such as overlooking, overshadowing, environmental or road safety considerations. In addition, Policy DM9 seeks to ensure that an appropriate balance of facilities is maintained and that proposed developments do not result in the loss of existing uses that are beneficial to the local area. Policy 2 seeks to ensure that proposed developments are sustainably located and do not raise any significant issues in respect of climate change matters.
- 6.4 It is noted that the proposals in this instance relate to uses that are compatible with the role of the grouping of commercial premises as a local facility to complement the predominant residential uses in the wider area. As such, the proposed uses are considered to be compatible with the principles of Policy 3.
- 6.5 With regard to specific development management considerations it is noted that one of the uses, specifically the hot food takeaway, would be considered to be a potential “bad neighbour” use. However, it is noted that, in this case, the proposed hot food shop would be sited a reasonable distance from the nearest residential properties and that there is an existing hot food takeaway in operation within the row of commercial

premises at this time which is located closer to the nearest dwellinghouse than the proposed hot food shop. In addition, it is noted that both the Council's Roads and Transportation Services and Environmental Services have confirmed their satisfaction with the development in terms of road and environmental amenity considerations respectively, subject to the imposition of planning conditions as appropriate. As such, the view is taken that the proposed development, including the hot food takeaway, would be compatible with existing uses adjacent to the site and would not have a significant adverse impact on the character or amenity of the local area.

- 6.6 It is further noted that, although the development would result in the public house on site being reduced in size, the facility would remain in situ and as such, would not be lost to accommodate the proposed additional uses. In addition, with regard to sustainability and climate change considerations, it is noted that an existing building located within an established area served by public transport connections would be reused to facilitate the proposed development. It is further noted that the proposed change of use would allow the provision of three additional commercial facilities within walking distance of a large number of residential properties and, therefore, has the potential to create a reduction in car usage in the local area.
- 6.7 Taking all of the above into account, it is considered that the proposed development would be compatible with existing uses within the area, would not be likely to have an unacceptable impact on local character or amenity and would accord with the requirements of Council planning policies relating to climate change considerations. In addition, the proposals would allow the provision of three additional premises within the group of commercial units which would provide additional amenities as well as creating employment opportunities in the local area. As such, it is considered that the proposals are to be welcomed in this instance and comply with the provisions of Policies 2, 3, 5 and DM9 of the South Lanarkshire Local Development Plan (adopted 2021).
- 6.8 Following neighbour notification and advertisement of the application in the local press, 113 letters of representation, including 12 letters of objection, 1 letter of comment and 100 letters of support, were received in respect of the proposed development. The points raised are detailed in Section 5 above. The letters of support and comment have been noted and it is not considered that the points of objection raised merit the refusal of planning permission in this instance.
- 6.9 In summary, following a detailed assessment of the proposals, it is considered that the development would allow the provision of a number of complementary uses within the existing commercial location and would be of an overall benefit to the locality. Subject to conditions that would be attached to any consent issued, it is not considered that there would be any significant adverse impact on the character or amenity of the local area as a result of the development. It is therefore recommended that planning permission is granted for the proposed development, subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal would not have a significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (Policies 2, 3, 5 and DM9). There are no additional material considerations which would justify refusing to grant consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous References

♦ EK/13/0045

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 27 January 2021
- ▶ Consultations

Environmental Services 05.05.2021

Roads and Transportation Services (Development Management) 11.02.2021

▶ Representations Dated:

Mr Wah Ching Wan, 52 Alloway Road, East Kilbride, G74 3SD 10.02.2021

Joe Allan, 94 Franklin Place, East Kilbride, G75 8LS 18.02.2021

John Cairns, 8 Durward, Calderwood, East Kilbride, G74 3PB 09.03.2021

Rita Wilson, 32 Mauchline, East Kilbride, G74 3RZ 14.04.2021

Eddie McAlinden, Email Provided 14.04.2021

Linda Brae, 50 Lochlea, Calderwood, East Kilbride 12.04.2021

Mr Ian Hunter, 129 Waverley, East Kilbride, G74 3PD 16.04.2021

Mrs Mary Johnstone, 40, Durward, East Kilbride, G74 3PB 16.04.2021

Mrs Patricia McLauchlin, 80 Phoenix court, East Kilbride, G74 3RB 16.04.2021

Mr Gerry Malone, 3 Gourlay, East Kilbride, G74 3PJ 16.04.2021

Mr Robert Anderson, 60 Lochlea, East Kilbride, G74 3RY 16.04.2021

Miss Heather Whyte, 47 Aikman place, East Kilbride, G74 3JL 16.04.2021

Mrs Marleen McGuire, 10 Waverley, East Kilbride, G74 3PG 16.04.2021

Mr Gerry McGuire, 10 Waverley, East Kilbride, G74 3PF	16.04.2021
Mr Brian Povey, 160 Waverley, East Kilbride, G74 3PE	16.04.2021
Mr Jimmy McKenna, Care of C'mon inn, 56 Alloway Rd, East Kilbride, G74 3SD	16.04.2021
Mr Michael McBrearty, Care of C'mon inn, East Kilbride, G74 3SD	16.04.2021
Mr Graham Smith, 56 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Gary Rooney, 42 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mrs Jane Johnstone, 33 Durward, East Kilbride, G74 3PB	16.04.2021
Miss Roslyn Cleary, 11 Netherlee Place, Cathcart, G44 3YL	16.04.2021
Miss Rhoda Main, 34 Lochlea, East Kilbride, G74 3SD	16.04.2021
Mr Ryan Malone, 47 Aikman place, East Kilbride, G74 3JL	16.04.2021
Mrs Caroline Guenser, 46 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Gavin Cassidy, 7 Coolgardie Green, East Kilbride, G74 3RY	16.04.2021
Mrs Emily Could, 48 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mrs Caroline Rooney, 42 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Liam Kavanagh, 8 Talisman Place, East Kilbride, G74 2QR	16.04.2021
Mr Martin Kane, 16 Craigneathan, East Kilbride, G74 2BG	16.04.2021
Mrs Lorraine Darroch, 54 Kenilworth, East Kilbride, G74 3PG	16.04.2021
Mr Lez Darroch, 54 Kenilworth, East Kilbride, G74 3PG	16.04.2021
Mr Paul McLellan, 23 Dunrobin, East Kilbride, G74 4SU	16.04.2021
Mrs Carol McLellan, 23 Dunrobin, East Kilbride, G74 4SU	16.04.2021
Miss Jackie Kirk, 29 Thornlilee, East Kilbride, G74 4SU	16.04.2021
Mr Craig Hopkins, 40 Mauchline, East Kilbride, G74 3RZ	16.04.2021
Miss Deborah Mulholland, 5 Rockhampton, East Kilbride, G75 8EG	16.04.2021
Mr Ronald Green, 94 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Alan Chalmers, 86 Phoenix Court, East Kilbride, G74 3RB	16.04.2021

Mr Maurice Guenser, 46 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Ben Montgomery, 94 Maxwellton Rd, East Kilbride, G74 3LY	16.04.2021
Mr Thomas Donaldson, 103 Glenfeshie, East Kilbride, G74 2BQ	16.04.2021
Mr John Waddell, 38 Kirriemuir, East Kilbride, G74 3PP	16.04.2021
Mr Tony Johnstone, 33 Durward, East Kilbride, G74 3PB	16.04.2021
Mr Robert McLauchlin, 80 Phoenix Court, East Kilbride, G74 3RB	16.04.2021
Mr Mark Montgomery, 94 Maxwellton Rd, East Kilbride, G74 3LY	16.04.2021
Mr Michael McFarlane, 41 Redgrave, East Kilbride, G74 3QY	16.04.2021
Owner/Occupier, Received Via Email	08.03.2021
Jane McKelvie, 42 Mauchline, Calderwood, East Kilbride	08.03.2021
Mr Owen O'Donnell, 47 Redgrave, East Kilbride, G74 3QY	05.05.2021
Mr Philip Thornton, 11 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Ian Stalker, 13 Abercrombie Cres, East Kilbride, G74 3DH	05.05.2021
Mr David Welsh, 86 Lochlea, East Kilbride, G74 3RT	27.04.2021
Mrs Mary Oliver, 34 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Ronald Reston, 28 Ferguson Place, East Kilbride, G74	05.05.2021
Mrs Betty Currie, 78 Kirkoswald, Calderwood, East Kilbride, G74 3SJ	20.04.2021
Mrs Marie Povey, 160 Waverley, East Kilbride, G74 3PE	17.04.2021
Mrs Linda O'Brian, 39 Buchandyke, East Kilbride, G74 3BN	22.04.2021
Mr Vincent Foy, 155 Faulkland Drive, East Kilbride, G74	05.05.2021
Mr Raymond O'Brian, 39 Buchandyke, East Kilbride, G74 3BN	22.04.2021
Mrs Gael Johnston, 3 Simpson Drive, East Kilbride, G75 0AZ	22.04.2021
Mr Patrick Devine, 81 Shaftesbury Court, East Kilbride, G74	05.05.2021
Mr Joseph Casey, 55 Lochlea, East Kilbride, G74	05.05.2021

Mrs Mary McCrone, 70 Kenilworth, East Kilbride, G74 3PG	17.04.2021
Mr Craig Donaldson, 196 Stopover, East Kilbride, G74 3HJ	06.05.2021
Mr Thomas Mitchell, 21 Viscount, East Kilbride, G74 4FX	16.04.2021
Mr Steven Stenskie, 38 Cannon Gate, East Kilbride, G74 3NX	05.05.2021
Mr Ewan Robinson, 21 Bruce Terrace, East Kilbride, G75 0PJ	05.05.2021
Miss Gillian Rocks, 22 Pineta Drive, Thorntonview, East Kilbride, G74 5EB	05.05.2021
Mr Steven Green, 3 Trossachs Rd, Cathkin, Glasgow, G73 5LB	05.05.2021
Mr John McCrone, 70 Kenilworth, East Kilbride, G74 3PG	17.04.2021
Mr Kieran Johnston, 3 Simpson Drive, East Kilbride, G75 0AZ	22.04.2021
Mr Christopher Gray, 64 Kirkoswald, East Kilbride, G74 3SJ	22.04.2021
Mr John McNeil, 22 Pineta Drive, Thorntonview, East Kilbride, G74 5EB	05.05.2021
J Gillies, Received Via Email	19.04.2021
Mrs Patricia Thornton, 11 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Steven Stewart, 36 Neville, East Kilbride, G74 3QU	16.04.2021
Miss Heather McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	17.04.2021
Miss Hannah Leggat, 63 Sadlers Well Court, East Kilbride, G74 3NG	17.04.2021
Mr Alan Wilson, 66 Lochlea, East Kilbride, G74 3SD	17.04.2021
Mr Garron Haddow, 13 Tarbolton, East Kilbride, G74 3SQ	05.05.2021
Mr Paul Thornton, 56 Robertson Drive, East Kilbride, G74 3FU	05.05.2021
Mr Keith Murray, 147 Warick, East Kilbride, G74 3PZ	05.05.2021
Mr Martin Orchinson, 8 Globe Court, East Kilbride, G74 3RA	05.05.2021
Mr John Could, 154 Park Terrace, East Kilbride, G74 1BW	05.05.2021
Mr Charles Gattens, 53 Pembroke, East Kilbride, G74 3QD	17.04.2021

Mr Scott McLeavy, 133 Waverley, East Kilbride, G74 3PD	05.05.2021
Miss Kirsty McDowall, 21 Viscount Terr, East Kilbride, G74 4FX	16.04.2021
Mr Ross Donovan, 133 Waverley, East Kilbride, G74 3PD	05.05.2021
Mr Steven Walker, 26 Kenilworth, East Kilbride, G74 3PJ	05.05.2021
Mr David Houldsworth, 4 Calderwood Gardens, Calderwood, East Kilbride, G74 3SB	03.05.2021
Mr Keith Currie, 78 Kirkoswald, East Kilbride, G74 3SJ	20.04.2021
Mr George McLellan, 20 Ferguson Place, East Kilbride, G74 3PS	20.04.2021
Mrs Rosie Gillies, 86 Fir drive, East Kilbride, G75 9HB	17.04.2021
Mrs Valerie McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	19.04.2021
Mrs Kate Rennie, 83 Ivanhoe, East Kilbride, G74 3NY	19.04.2021
Mr Chris McLeish, 44 Tarbolton, East Kilbride, G74 3SQ	19.04.2021
Mr John Cleary, 287 Clarkston Rd, Cathcart, Glasgow, G44 3DT	21.04.2021
Mr Michael McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	19.04.2021
Mr Robert Bishop, 145 Glenmore, East Kilbride, G74 2AS	27.04.2021
Mr John O'Hara, 40 Old Vic, East Kilbride, G74 3ND	27.04.2021
Mr Daniel Connor, 73 Stratford, East Kilbride, G74 3QJ	27.04.2021
Mr John Livingston, 38 Old Vic Court, East Kilbride, G74 3HJ	27.04.2021
Mr Tony Oliver, 34 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr David Ross, 54 Pembroke, East Kilbride, G74 3QP	05.05.2021
Mr Kevin Deprato, 38 Kirriemuir, East Kilbride, G74 3FP	05.05.2021
Mr Rob Whitfield, 127 Loch Shin, East Kilbride, G74 2DQ	05.05.2021
Mr Paul Murray, 147 Warick, East Kilbride, G74 3PZ	05.05.2021
Miss Emma Wright, 76 Maxwellton, East Kilbride, G74 3DY	05.05.2021
Mr Zander Wilson, 13 Urquart, East Kilbride, G74 4DF	27.04.2021
Mairi-Louise Houldsworth, by e-mail	17.05.2021

Mr Steven Elder, 29 Tarbolton, East Kilbride, G74 3SQ	18.05.2021
Elaine Robertson, by e-mail	18.05.2021
Emma Douglas, by e-mail	12.05.2021

Contact for further information

If you would like to inspect the background papers or want further information, please contact:-

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455049

Email: declan.king@southlanarkshire.gov.uk

Conditions and reasons

01. Details for the storage and the collection of waste arising from the proposed development shall be submitted to, and approved in writing by the Planning Authority. The agreed details shall be in place prior to the development being brought into use and thereafter be satisfactorily maintained.

Reason: In the interests of amenity.

02. Between the hours of 0800 and 2000 the measured noise rating level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90 (1/2hour)) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise rating level emitted from the premises (LAeq (15mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: To safeguard the amenity of the area.

03. Before the cafe or takeaway hereby consented are brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The proposed development shall not be brought into use until the ventilation systems are operational in accordance with the approved details. All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.

The ventilation system shall:-

- a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
- b) Be constructed to by employing best practical means to minimise noise and vibration transmission via plant and the building structure.
- c) Noise associated with the business shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.
- d) The discharge stack shall:
 1. Discharge the extracted air not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen.
 2. If 1 cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1m above the roof eaves or dormer window of the building housing the commercial kitchen. Additional control measures may be required.
 3. If 1 or 2 cannot be complied with for planning reasons, then an exceptionally high level of odour control will be required.

Reason: To safeguard the amenity of the area.

04. That the cafe and hot food takeaway hereby approved shall be operated as part of the same premises at all times and no further subdivision of the property, including of the hot food takeaway/cafe, shall take place without the further submission and approval of a planning application to subdivide the premises.

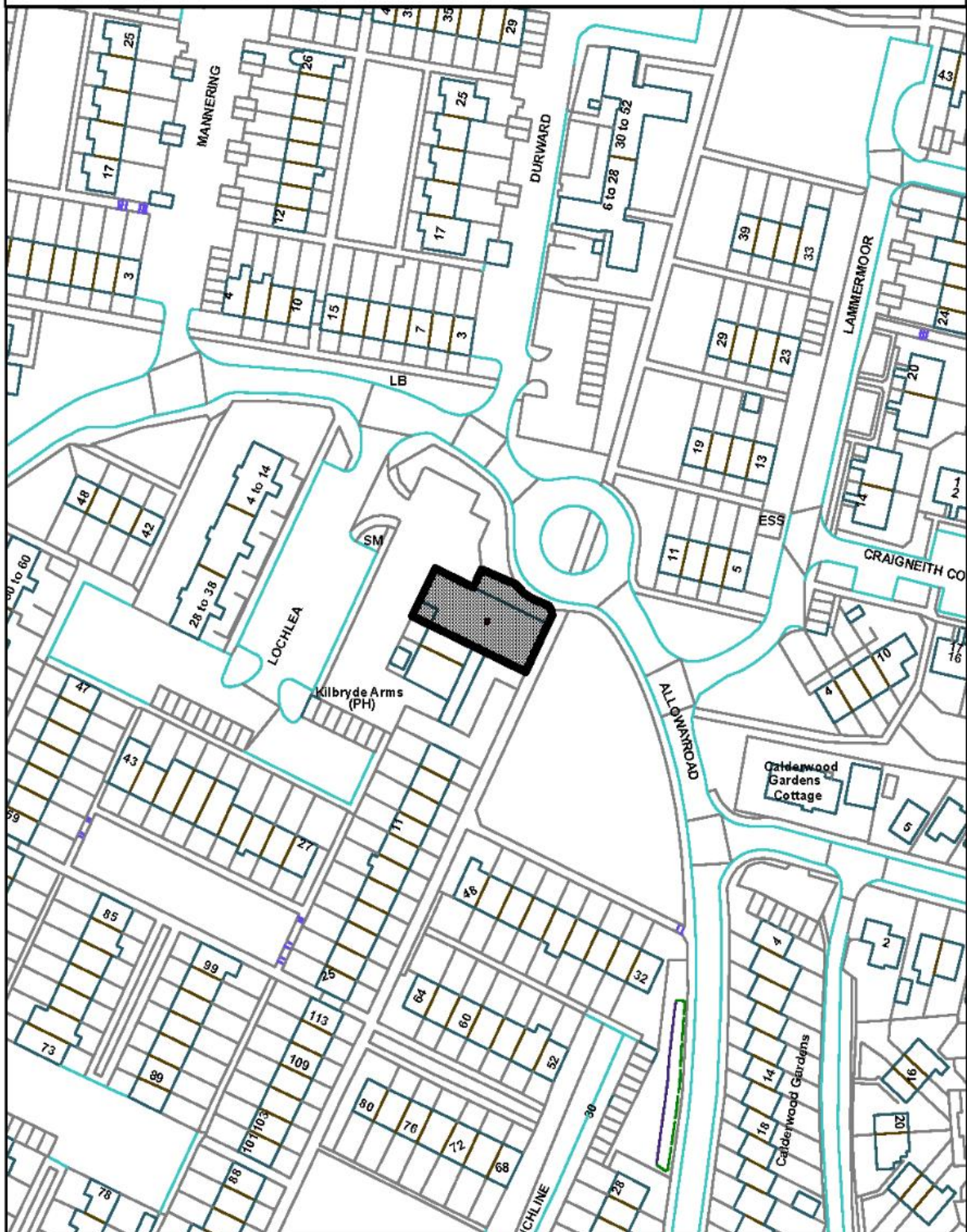
Reason: In the interests of amenity and to retain effective planning control.

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

Reason: to ensure that waste oil, grease and fat from food premises do not cause damage to the public sewer in the interests of public health and amenity.

P/20/1788

The C'mon Inn, 56 Alloway Road, East Kilbride



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Scale:
1:1,250
Date:
13/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development