

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>29 March 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no:	P/21/0947
Planning proposal:	Change of use of bookmakers to hot food take-away and installation of extract flue at rear

## 1. Summary application information

Application type:	Detailed planning application
Applicant:	Mr Akram Mohammed
Location:	253 Glasgow Road Blantyre G72 0YS

## 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: James Baird
- ◆ Council Area/Ward: 15 Blantyre
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted April 2021)**  
Policy 5 - Development Management and Placemaking  
Policy 9 - Network of Centres and Retailing  
Policy DM9 - Hot Food Shops

### ◆ Representation(s):

- |   |   |  |
|---|---|--|
| ▶ | 2 | Objection Letters (one of which relates to a petition with 116 signatures) |
| ▶ | 0 | Support Letters  |
| ▶ | 0 | Comment Letters  |

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Blantyre Community Council

## **Planning Application Report**

### **1. Application Site**

- 1.1 The planning application site relates to a vacant ground floor unit within a traditional two storey sandstone building.
- 1.2 The site is enclosed to the north by Glasgow Road and to the east by an existing hot-food unit and further by vehicular access to the rear of the site. In addition, the site is enclosed to the south by a service area for the ground floor units and further by buildings associated with a car repair operation. To the west the site is enclosed by a coachwork operation and a funeral directors. The site is situated within the designated town centre of Blantyre.
- 1.3 The unit has been vacant since July 2021 and was formally occupied by a bookmakers, which is a Class 2 (Financial, Professional and Other Services) use. The agent has advised that the applicant currently operates a hot food use from the nearby unit at 249 Glasgow Road and they seek to re-locate to the larger premises at the application site. The applicant has submitted correspondence (letter dated 2 March 2022) from their solicitor which confirms that they own the unit at 249 Glasgow Road and the application site. In addition, this letter advises that, following the relocation of the existing hot food take-away, the unit at 249 Glasgow Road will be occupied by a Class 1 (Retail) use.
- 1.4 The site is situated adjacent to Glasgow Road, which is a busy main route through Blantyre. There is on-street parking provision on Glasgow Road and the surrounding street. In addition, there is also off-street parking available nearby in an established car park at Stonefield Road.

### **2. Proposal(s)**

- 2.1 The applicant seeks detailed planning consent for the change of use from a bookmakers to a hot food take-away and the installation of an extract flue to the rear at 253 Glasgow Road, Blantyre.
- 2.2 The proposed change of use will accommodate a customer area, kitchen, staff area, toilet and a storage area. The proposal also includes the installation of a new extraction system in the form of a traditional flue, situated to the rear of the property, which will project 1m above the rear elevation.

### **3. Background**

#### **3.1 Local Plan Status**

- 3.1.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan and its impact on residential amenity and Blantyre town centre. The South Lanarkshire Local Development Plan was adopted in April 2021.
- 3.1.2 The planning application site is designated under the provisions of the Blantyre town centre in the adopted Local Development Plan. The site is affected by Policy 5 'Development Management and Place Making,' Policy 9 'Network of Centres and Retailing' and Policy DM9 'Hot Food Shops' of the adopted South Lanarkshire Local Development Plan.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Given the nature and scale of the proposal, there is no specific Government guidance directly relevant to the proposed development.

### 3.3 Planning Background

3.3.1 There is no recent planning history relative to the application site.

## 4. Consultation(s)

4.1 **Roads Development Management Team** - have advised that the general impact of the development proposal is suitable at this location and that there is adequate on-street car parking in the vicinity.

**Response:** Noted.

4.2 **Environmental Services** - have offered no objection to the proposal subject to the imposition of a condition and advisory notes relating to health and safety, noise and nuisance.

**Response:** Noted. It is advised that these requirements can be addressed through the use of a planning condition and advisory notes, where appropriate.

4.3 **Blantyre Community Council** - no response to date.

**Response:** Noted.

## 5. Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press. Following this publicity, two letters of objection, one of which enclosed a petition signed by 116 parties, were received in relation to the application. The grounds of objection are summarised below:-

a) **There are fourteen hot food uses within 1000sq.m and the area has become saturated with food outlets. The proposal will result in another hot food operation in the area.**

**Response:** It is noted that there are already similar premises within the locality of the site. It is well established, however, that it is not the role or function of the planning system to control or regulate the supply or demand for the provision of such outlets, this being for the 'market' to determine. In addition, it should be noted that the site is situated in the designated Blantyre town centre and hot food take-aways and restaurant uses are generally directed to such locations.

Notwithstanding the above, the proposal relates to the re-location of the existing hot food operation at 249 Glasgow Road to new premises at the application site. The hot food use at 249 Glasgow Road will cease and therefore the proposal will not result in an additional hot food take-away use in the area.

(b) **The community pub on Glasgow Road has also been recently turned into a hot food use with a convenience store.**

**Response:** Planning consent was granted on 23 March 2021 for the 'change of use from public house to retail unit and external alterations to existing building' (P/20/1838). Therefore, this consent relates to a class 1 retail use and not a hot food take-away use.

(c) **Glasgow Road is already very busy and the new recent developments in the area will result in the road being even busier. In addition, there are existing parking issues on Glasgow Road and an additional hot food take-away use will exacerbate these problems.**

**Response:** It is noted that Glasgow Road is a busy main route through Blantyre, however, as the proposal relates to the relocation of the existing use to a larger unit it is considered that any potential increase in traffic would be minimal.

Roads and Transportation Services were consulted in relation to the development and they advised that they had no concerns regarding the proposal and that there is adequate on-street car parking in the vicinity of the site.

- (d) **The proposal relates to the re-location of an existing take-away at 149 Glasgow Road, however, no such premises exist at this location.**

**Response:** The agent originally submitted a letter, received 19 May 2021, which was available to view on the planning portal that advised the applicant was proposing to relocate from 149 Glasgow Road to the application site. However, this information submitted to the Planning Service was incorrect and the agent confirmed in a letter, received 16 September 2021, that this was an oversight and the correct address of the existing premises is 249 Glasgow Road.

It is noted that this error has unfortunately caused some confusion for third parties who have viewed the supporting information relating to the planning application.

- (e) **It is hard for existing businesses on Glasgow Road and these should be protected, without consent for additional food outlets being granted.**

**Response:** Noted. The proposal relates to the relocation of an existing operational business on Glasgow Road to a larger premises at 253 Glasgow Road, which is in very close proximity to the existing unit. Therefore, it is considered that the proposal should help support and retain an existing business within Blantyre town centre.

- (f) **This is one of the oldest properties on the south side of Glasgow Road. It was formerly occupied by the YMCA and it is considered that it should be utilised by children.**

**Response:** The last use of the site was as a bookmakers and the submission of a planning application for a hot food use at the site is outwith the control of the Planning Service. As an application has been submitted for a hot food use at the site, the Planning Service is required to assess and determine the proposal.

- (g) **Concern that the proposal will result in the generation of odours at the site.**

**Response:** The proposal includes the installation of a new ventilation system at the site, which will minimise any potential odour issues. In addition, Environmental Services were consulted in relation to the development and they have not raised any concerns in relation to this issue.

- (h) **Concern that the development will result in noise issues at the site.**

**Response:** It is noted that the site is situated in Blantyre town centre and the surrounding land uses include a wide range of commercial uses. In addition, the site is located adjacent to a busy road. Therefore, whilst the concerns regarding existing noise issues are noted, those residents who live in close proximity to this site cannot expect to have the same level of amenity as those occupiers who reside in exclusively residential estates as they are impacted by the existing mix of land uses. Therefore, it is not considered that the proposed development will significantly adversely affect the existing residential amenity of the area.

Environmental Services have been consulted in relation to the proposed development and have advised that they have no objection to the change of use, subject to the imposition of a condition relating to the noise levels arising from the site.

(i) **The proposal will result in more litter at the site.**

**Response:** A condition can be attached to the consent which requires the submission of details regarding the storage and the collection of waste arising from the development.

(j) **Residents of Blantyre want to be fully consulted in relation to any future proposals.**

**Response:** Noted. Under the terms of the current legislation, neighbouring occupiers (within a 20m distance of a site boundary) are sent neighbour notification letters from the Planning Service advising them of the submission of a planning application and depending on the type of development, the application may also be advertised in the local press. In addition, the details of all new planning applications are available to view on the Councils Planning portal.

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

## **6. Assessment and Conclusions**

6.1 The applicant seeks detailed planning consent for the change of use from a bookmakers to a hot food take-away and the installation of an extract flue to the rear at 253 Glasgow Road, Blantyre.

6.2 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan and its impact on residential amenity and Blantyre town centre.

6.3 With regards to Government guidance and advice, as detailed in section 3.2, it is considered that there are no significant issues raised by the proposal in this regard.

6.4 In terms of Local Plan policy, the site is situated in the town centre of Blantyre and is affected by Policy 9 of the adopted Local Development Plan. This policy establishes that the role of the designated town centre is to accommodate a wide range of services. Subsequently, the policy generally directs and supports a diverse range of uses such as retail, leisure, professional services, residential and commercial development appropriate to the network of centres. The proposed change of use from a bookmakers to a hot food take-away is considered to be a use which could be supported within the town centre. Indeed, there are a number of hot food establishments already in the town centre and, whilst it would be preferable not to have two hot-food uses within adjacent units, the operator is relocating from a nearby property. Subsequently, it is considered that the proposal raises no issues within the context of Policy 9 of the adopted Local Development Plan.

6.5 Policy 5 of the adopted Local Development Plan identifies that all development proposals will require to take account of and be integrated with the local context and built form. The property is currently vacant and it is accepted that a long-term vacant property can result in an adverse visual impact on an area. Therefore, it is considered that the proposed change of use will result in the reoccupation of the building whilst simultaneously improving the vitality of the area. In terms of the ventilation system, the flue is proposed to be situated to the rear of the existing building and will have no impact on the streetscape and it is noted that these ventilation systems are generally

commonplace to the rear of tenement properties particularly within town centre locations. In addition, in relation to the amenity of the adjacent properties, Environmental Services assessed the proposed development and have not raised any concerns regarding any potential issues in relation to noise or odours. Therefore, it is considered that the proposal will not result in a significant material impact on the streetscape or any nearby properties and raises no issues within the context of Policy 5 of the adopted Local Development Plan.

- 6.6 Policy DM9 provides criteria for the assessment of applications for hot food shops. The unit has been vacant since July 2021 and relocation of the hot food use from the existing unit from 249 Glasgow Road will result in the occupation of the application site. The applicant's solicitor has advised that the intention is to occupy the unit at 249 Glasgow Road with a class 1 retail use. Subsequently, it is not considered that the proposal will adversely impact on the retail function of the area. In addition, Glasgow Road is a busy main route, the site is surrounded by a wide range of land uses and there is parking provision in close proximity to the property. Therefore, it is not considered that this proposal will have a significant adverse impact in terms of environmental, traffic, public safety and amenity considerations and raises no issues within the context of Policy DM9 of the adopted Local Development Plan.
- 6.7 In conclusion, the proposal relates to the relocation of an existing hot food use to a larger nearby premises which will result in the occupation of a vacant property within Blantyre town centre. In addition, the proposed alterations to the property are considered minimal and will not adversely affect the character and appearance of the building or the streetscape. In view of the above, it is recommended that planning consent be granted subject to conditions.

## **7. Reasons for Decision**

- 7.1 The proposal will not result in a significant adverse impact on the amenity of the adjacent properties or Blantyre town centre. The proposal raises no issues within the context of Policies 5, 9 and DM9 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

**David Booth**

**Executive Director (Community and Enterprise Resources)**

Date: 10 March 2022

### **Previous references**

- ◆ None

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter, dated 14 July 2021
- ▶ Press Advert, Hamilton Advertiser, dated 22 July 2021
- ▶ Email from agent, dated 24 February 2022
- ▶ Letter from Leonards Solicitors, dated 2 March 2022

► Consultations

Roads Development Management Team 19.08.2021

Environmental Services 12.07.2021

► Representations

Dated:

Mr David Agnew, 233 Glasgow Road, Blantyre, G72 0YS 30.07.2021

David Agnew, 22 Clydesdale Street, Hamilton, ML3 0DA 23.08.2021

**Contact for further information**

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

Gail Neely, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455932

Email: [gail.neely@southlanarkshire.gov.uk](mailto:gail.neely@southlanarkshire.gov.uk)



### **Conditions and reasons**

01. Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises (L<sub>Ar</sub>,1hr) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30 min) 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 20:00 and 08:00 the noise rating level emitted from the premises (L<sub>Ar</sub>,15min) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30min) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

All lifts and/or hoists, including doors, guide rails and ancillary plant and machinery, as well as mechanical air handling/ air conditioning plant and ducted systems, shall be suitably isolated from the structure of the building to minimise transmission of noise and vibration to adjacent dwellings/premises.

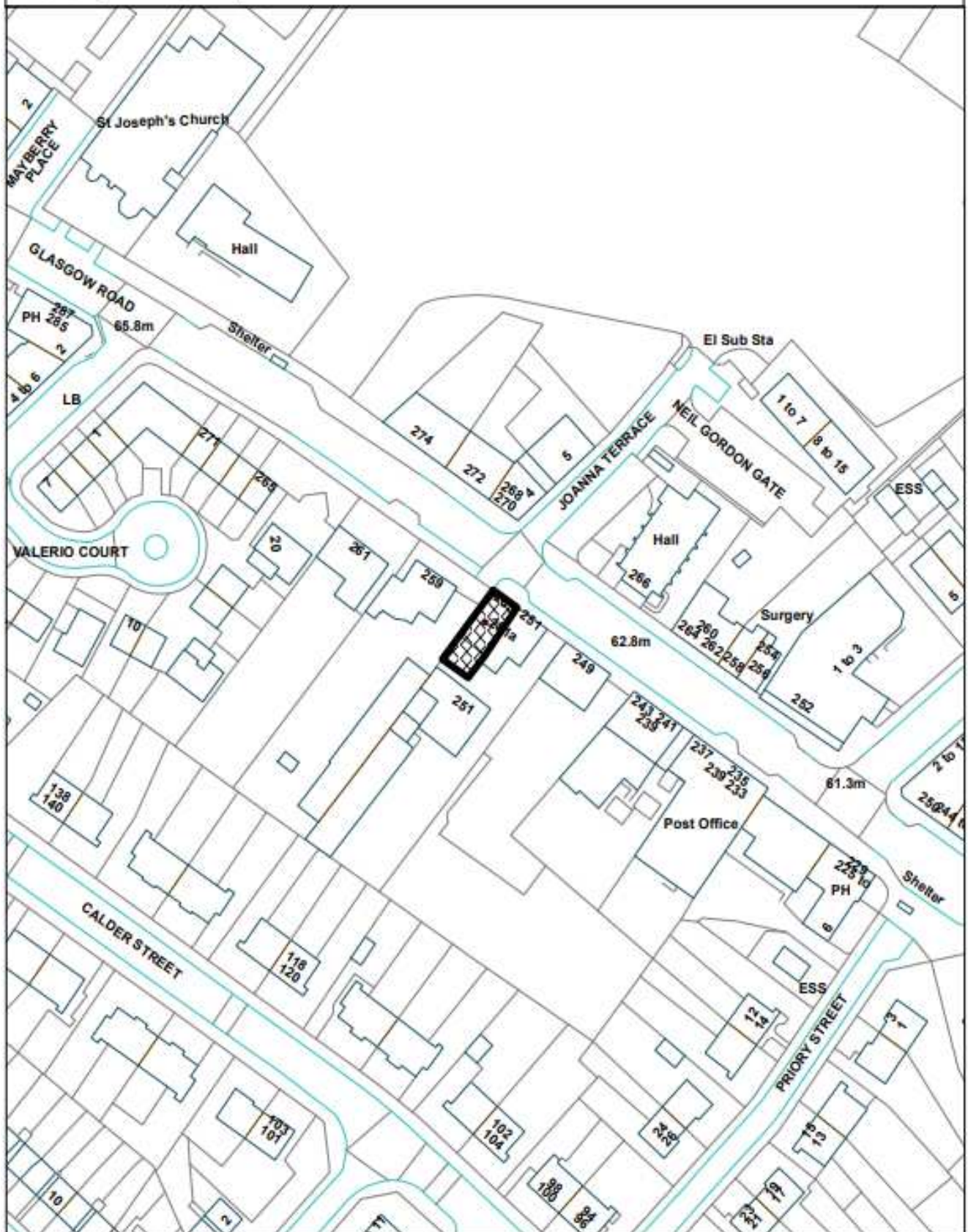
Reason: In order to retain effective planning control.

02. That before the hot food take-away hereby approved is brought into use, details of the storage and the collection of waste arising from the development shall be submitted to and approved in writing by the Council. Thereafter, the storage and collection of waste shall be maintained to the satisfaction of the Council as Planning Authority.

Reason: To minimise nuisance, littering and pest problems to nearby occupants.

P/21/0947

253 Glasgow Road, Blantyre



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Scale:  
1:1,250  
Date:  
04/03/2022



**South Lanarkshire Council**  
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