

Application No: C/04/01527/FUL

Date Registered: 26th October 2004

Applicant: K Wilkie
 AJS Crocers
 176 Woodhall Avenue
 Coatbridge
 ML5 5DD

Development: Part Change of Use of Shop to Hot Food Takeaway

Location: 176 Woodhall Avenue Coatbridge Lanarkshire ML5 5DD

Ward: 38: Kirkshaws Councillor John Gordon

Grid Reference: 272712. 663279.

File Reference: C/PL/CTW705/DWB/EL

Site History: No Planning History

Development Plan: The site is covered by residential policies contained in the Monklands District Local Plan 1991.

Contrary to Development Plan: No

Consultations:

Representations: 1 Representation Letter with attached petition containing 103 signatures

Newspaper Advertisement: Advertised on 10th November 2004

Comments:

This application is for the part change of use of AJS Grocers, 176 Woodhall Avenue Coatbridge from a shop to hot food take away. The site is zoned HG9 in the Monklands District Local Plan 1991. Following neighbour notification and advertisement in the local press one letter of objection including a petition with 103 signatures was received details of which are included in the attached report. Policy HG9 indicates that developments that are ancillary to residential areas may be permitted subject to the development satisfying considerations such as amenity, other policies and a proven need for the facility. The policy goes on to state that these uses would be encouraged when grouped together and near schools. The shop unit is within a group of shops and currently sells a limited range of convenience goods. Rosehall High School is also within easy walking distance. At present the shop unit sells a limited range of hot and cold food and there is obviously a proven demand for such a facility. It has been stated in the petition that there is currently anti-social behaviour associated with the shop, which is the basis for objection, not the use for which planning permission is requested. As the use in itself is an additional facility utilising only part of an existing shop and is appropriate within a neighbourhood shopping area, it is recommend that planning permission is granted.

Recommendation: Grant Subject to the Following Conditions:-



Planning Application No. C/04/01527/FUL
 Part Change of Use of Shop to Hot Food Takeaway

176 Woodhall Avenue Coatbridge

* Representations
 54 Representations outwith Map Area

Produced by
 Planning and Environment
 Headquarters
 Suite 501, Fleming House
 2 Tryps Road
 CUMBERNAULD
 G67 1JW
 01236 616210 Fax: 01236 616232
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Recommendation: Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

Background Papers:

Monklands District Local Plan 1991
Application form and plans received 26th August 2004

Memo from Transportation Section received
Memo from Protective Services Section received 3rd November 2004

Letter and petition from John Colquhoun & Signatories, Kirkshaws Tenants & Residents Association, Kirkshaws Neighbourhood Centre, 25 Haddington Way, Kirkshaws, Coatbridge, ML5 5BF received 19th November 2004.

Any person wishing to inspect these documents should contact David Baxter at 01236 812372.

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REPORT

1. Description of Site and Proposal

- 1.1 This application is for the part change of use of AJS Grocers, 176 Woodhall Avenue Coatbridge form a shop to hot food take away. The proposal will involve the formation of a kitchen and small food serving area and the installation of a ventilation duct to the rear of the building.
- 1.2 The applicant currently sells a limited range of hot take-away (heated by microwave) and cold foodstuffs and wishes to extend the range and variety by introducing food preparation and cooking.
- 1.3 The shop is in Council ownership and is leased to the applicant.

2. Development Plan

- 2.1 The site is zoned HG9 in the Monklands District Local Plan 1991. There are no strategic considerations

3. Consultations and Representations

- 3.1 The Transportation Section has indicated that there is insufficient parking provision to serve the current housing and commercial block. The proposed part change of use would normally require additional 2 spaces to be provided.
- 3.2 Protective Services Section has indicated no objection subject to restriction on the level of noise produced by the ventilation unit.
- 3.3 Following neighbour notification and advertisement in the local press 1 letter of objection including a petition with 103 signatures was received that:
 - a) The shop already sells hot food prepared in a microwave which has resulted in litter and disturbance at lunchtime
 - b) The noise and anti-social behaviour from the pupils has led to vandalism and victimisation
 - c) The number of youths at the shop during lunch time has resulted in other citizens expressing fear of being threatened when attempting to gain access to other shops; and
 - d) The shop sells alcohol and the introduction of Hot food take away will only add to concerns of youths loitering.

4. Planning Assessment and Conclusions

- 4.1 Policy HG9 in the Monklands District Local Plan indicates that developments that are ancillary to residential areas may be permitted subject to the development satisfying considerations such as amenity, other local plan policies and a proven need for the facility. The policy goes on to state that these uses would be encouraged when grouped together and near schools.
- 4.2 The shop unit is within a group of shops accessed from a pedestrian area. It is currently a licensed grocer that sells a limited range of hot food ancillary to the rest of the shop. Due to the close proximity of Rosehall High School there is a demand for the provision of hot food take away at lunchtime. This has however resulted in the issues raised in the petition letter.

- 4.3 The shop currently operates without a significant impact on the levels of parking. Due to the nature of the proposed hot food use it is not considered likely that its introduction will significantly increase the need for parking provision as the majority of customers are walk in..
- 4.4 The issues raised in the petition letter are obvious concern to the local community. However the issues are matters of anti-social behaviour by the shop's customers rather than objections to the proposed use which is a marginal change to the current situation. In view of this and the fact that the proposal is one normally acceptable at this scale in a neighbourhood shopping centre, I recommend that planning permission is granted.