

Application No: N/04/01952/FUL

Date Registered: 10th November 2004

Applicant: Z H Properties
459 Paisley Road
Glasgow
G69 0EF

Agent Philip McLean Architect
58 Kirkwood Avenue
Stepps
Glasgow
G33 6GD

Development: Change of Use from Class 1 Shop to a Hot Food Takeaway

Location: 6 Larchfield Road, Moodiesburn

Ward: 67: Moodiesburn East and Blackwood West Councillor William Hogg

Grid Reference: 269815. 670935.

File Reference: N/04/01952/FUL

Site History:

Development Plan: The site is covered by shopping policies in the Strathkelvin Southern Area Local plan 1983 and the Northern Corridor Local Plan (Finalised Draft) 2000.

Contrary to Development Plan: No

Consultations:

Representations: 1 Representation letter

Newspaper Advertisement: Advertised on 17th November 2004

Comments:

The applicant seeks permission for the change of use of the existing Global Video shop to a hot food take-away at 6 Larchfield Road, Moodiesburn.

While it is recommended that planning permission be granted, It should be noted that Councillor Hogg has formally objected to the proposed change of use and wishes the P & E Committee to undertake a site visit prior to determining the planning application.

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:

Application form and plans received 10th November 2004

Memo from Transportation Team Leader received 29th November 2004

Memo from Head of Protective Services received 29th November 2004

Letter from Councillor Hogg, PO Box 14, Civic Centre, Motherwell, ML1 1TW, received 26th November 2004.

Any person wishing to inspect these documents should contact Mrs. Devlin at 01236 616463.

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REPORT

1. Description of Site and Proposal

- 1.1 This application is for the use of the existing Global Video shop at 6 Larchfield Road, Moodiesburn as a hot food take-away. The unit is one of 4 situated in a terraced row adjacent to the Silver Larch public house. The other units comprise of a convenience store, while William Hill bookmakers and Domenic's fish and chip shop are located either side of the Global Video.
- 1.2 The Committee will recall that planning permission has recently been granted for a Co-op supermarket at the rear of the Council's Moodiesburn First Stop Shop off Blackwoods Crescent. Work has not yet commenced on the construction of the supermarket, which will provide a significant increase in the retail facilities for the local area.

2. Development Plan

- 2.1 The site is covered by shopping policies in the Strathkelvin Southern Area Local Plan 1983 and the Northern Corridor Local Plan (Finalised Draft) 2000, which have a general presumption against the loss of existing retail floor space.

3. Consultations and Representations

- 3.1 My Transportation Section has no objection to the proposal.
- 3.2 My Head of Protective Services has no objection to the proposal providing the mechanical ventilation system is in accordance with the appropriate legislation.
- 3.3 A letter of objection has been received from Councillor Hogg, who has requested a site visit by the P & E Committee prior to the determination of the application. The main points of objection are summarised as follows:-
- ◆ There is an over provision of hot food take-aways in the area as there is a Chinese restaurant located nearby, next door to the application site is a fish and chip shop, and the Silver Larch public house at 2 Larchfield Road also serves food.

Comment: While it is agreed that there are a number of hot food shops in the vicinity, it is considered that there is not an over provision and it is an acceptable use in a local neighbourhood shopping centre location.

- ◆ There is an under provision of parking and dropping off points unless the land to the rear of the premises, which is currently used as a taxi rank, were upgraded to provide further parking provision.

Comment: My Transportation Section has not raised any concerns with respect to parking provision and dropping off points.

- ◆ In the evening the area is frequented by youths who carry out vandalism and littering, meaning that it is a no go area for the elderly.

Comment: Antisocial behaviour within the vicinity of hot food take-away shops is a policing matter and not a material planning consideration. It would not be reasonable to refuse planning permission purely on the grounds of a perceived increase in antisocial behaviour.

4. Planning Assessment and Conclusions

- 4.1 Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. As the premises lie within a local small group of commercial premises, the proposed use is acceptable. Notwithstanding the concerns of the local Councillor, it is recommended that planning permission be granted.
- 4.2 As mentioned in para. 3.3 above, please note that the local Councillor has requested that the Planning & Environment Committee undertake a site visit prior to determining this planning application.