

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Executive Director of Housing, Environmental and Economic Development**

**Planning Committee: 6 February 2013**

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#### **DC12/268: Change of Use from Vacant Shop Unit to Betting Office at 146 Duntocher Road, Clydebank by Ladbrokes**

##### **1. REASON FOR REPORT**

- 1.1** This application relates to a proposal which is subject to an objection from the local Community Council. Under the terms of the approved scheme of delegation it therefore requires to be determined by the Planning Committee.

##### **2. RECOMMENDATION**

- 2.1** **Grant** full planning permission, unconditionally.

##### **3. DEVELOPMENT DETAILS**

- 3.1** The application relates to an existing shop unit situated within a local shopping area on Duntocher Road, Parkhall. The unit is at the northern end of a small parade of shops, with four-in-a-block flats on all other sides. The property has a floor area of 110m<sup>2</sup> and has been vacant for over 3 years, having last been used as a butchers shop. This is the only vacant shop within the Parkhall local centre, which otherwise comprises two convenience stores, a chemist's shop, a laundry/dry cleaning shop, a hairdresser's, and two hot-food takeaways.
- 3.2** Full planning permission is sought for the change of use of the vacant retail unit (Use Class 1 - Shop) into a betting office (Use Class 2 – Financial, Professional and Other Services). The premises would be open to the public throughout the day and evening from 8am until 10pm, Monday to Sunday. It is anticipated that the betting shop would provide 1 full time and 3 or 4 part-time jobs. The applicant has indicated that they would hope to recruit staff locally.
- 3.3** The present application does not include any external alterations. It is understood that separate applications for shopfront alterations and signage will be submitted in due course.
- 3.4** It should be noted that planning permission for a change of use of the premises from retail to a café was granted in 2011 (decision DC11/012). That permission has not been implemented but currently remains valid.

##### **4. CONSULTATIONS**

- 4.1** West Dunbartonshire Council Roads Service has no objection.

## **5. REPRESENTATIONS**

**5.1** Two representations were submitted to the proposal, one from Parkhall, North Kilbowie and Central Community Council and the other from a member of the public. Both object to the application, for reasons which can be summarised as follows:-

- Local people would prefer the unit to be retained for retail use in order to provide an improved range of local shops;
- The applicant has not yet obtained a betting licence from the Council, and planning permission should not be granted until such a license is obtained;
- The betting shop would generate short-term parking which would exacerbate existing parking, road safety and congestion problems around the local centre;
- Moral objections to betting shops and their impact upon society, in particular upon vulnerable people within a community which already has high levels of economic disadvantage;
- The location of the betting shop near to a school and adjacent to shops which children use at lunchtime may encourage them to take up gambling later in life;
- The applicant already operates at least 4 existing betting shops within the Clydebank area;
- It has been difficult for local people to comment effectively on this application due to the Christmas holidays;

## **6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN**

### West Dunbartonshire Local Plan 2010

**6.1** The site is identified as being located within an area designated as a Local Centre, where Policy RET7 applies. This states that the Council will seek to protect and enhance vitality and viability of Local Centres by encouraging improvements to existing floorspace and supporting the establishment of new uses where appropriate. Applications for change of use from a shop to another use will be supported where it can be satisfactorily demonstrated that such a change would enhance the centre, would not have a detrimental impact on adjacent properties by way of noise, disturbance and odour, and would not adversely affect the general character and amenity of the area. These issues are considered in Section 7 below, and it is concluded that the proposal would be in compliance with policy RET7.

## **7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Vitality and Viability

**7.1** The site is located within a small local centre which comprises a mixture of different businesses. There are a total of 8 units within this local centre, with the application site being the only unit that is unoccupied. Nonetheless, it has been vacant for 3 years, and despite being available for rent there has apparently been little interest in the unit, even after planning permission was

granted for a café use. This reflects both the difficult economic situation and the generally limited demand for retail units within Local Centres, and suggests that the likelihood of securing a new retail use for the premises in the short term is low. Many Local Centres have experienced a decline in the number of shops over recent years, and those which remain vibrant now tend to include a greater number of non-retail activities such as takeaways and service uses. Local Plan Policy RET7 does not contain any presumption against loss of retail floorspace in Local Centres subject to the new use being suitable, and in this case the loss of the unit to retailing has already been accepted due to the previous permission for a café use. Overall, it is considered that the use of the former shop for an appropriate non-retail use would not cause any loss of vitality or viability for the local centre.

- 7.2** Betting shops are commonly located within both town centres and local shopping areas, and in planning terms such centres are the preferred locations for betting shop uses. These facilities serve visiting members of the public and should ideally be located within mixed shopping and commercial areas. Betting shops maintain the outward appearance of retail units, and can help to maintain activity in town and local centres throughout the day, including in early evening after other uses may have closed. It is not likely that the betting shop would have any negative impact upon the vitality and viability of the Local Centre as bringing the property back into use would be likely to attract more people to the centre. It is also unlikely that the proposed use would cause any adverse impact on the amenity of neighbouring residents.

#### Parking and Road Safety

- 7.3** The site is within a small local centre grouped around the junction of Duntocher Road and Hawthorn Street. Due to the proximity of the junction there can be problems with on-street parking in the vicinity, as is common with many local centres. However, it is not considered likely that the proposed betting shop use would lead to any greater demand for parking or any increase in inconsiderate parking relative to a retail use. The objectors refer to possible short-term parking by customers calling at the betting shop to place a bet or collect winnings, but any such parking would be little different to that which is generated by the nearby convenience stores. The Council's Roads Service does not consider that the proposed change of use would give rise to any adverse impact on road safety or the convenience of road users.

#### Objections to Principle of Betting Shops

- 7.4** Both of the representations include objections to the principle of betting shops due to concerns about the impact of gambling on society. Whilst noted, these concerns are not material planning considerations and cannot be taken into account in the consideration of this application. Betting shops are a long established use which is suitable for town centres and local centres, and it is not the role of the planning system to make moral judgements about whether such uses are desirable. The use of this local centre by school children is no different from countless other locations where children pass adult facilities such as betting shops, public houses and off-licenses which they are not permitted to use. The fact that a gambling license has not yet been obtained

is also not relevant to this application, as licensing is a separate process. It is understood that the applicant has applied for a license, and they would need to secure this before the proposed development could commence trading. The timing of the application is also not a material consideration.

## **8. CONCLUSION**

- 8.1** It is considered that the proposed betting shop would complement the existing uses in a small local centre which has mixed uses. It is preferable to re-use the property for a suitable non-retail use which would contribute to the vitality and viability of the local centre than to have it remain vacant, and the relevant policy (RET7) supports such changes of use. There would be no adverse impact upon amenity or road safety, and the moral objections to betting shops raised by objectors are not material planning considerations.

## **9. CONDITIONS**

**None.**

### **Informatives**

- 1. The drawings referred to in this consent are DRC/12/1 and Location Plan.**
- 2. The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.**
- 3. The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, the developer is required to submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:**
  - a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);**
  - b) A Notice of Completion of Development as soon as practicable once the development has been completed**
- 4. A grant of planning permission does not authorise works under the Building (Scotland) Acts. A separate Building Warrant may be required.**
- 5. It should be noted that this consent is for the proposed change of use from a shop to a betting shop only, and does not include permission for any external alterations. Separate applications for planning permission and advertisement may be required for any**

**shopfront alterations or new signage to be installed on the property.**

**Elaine Melrose**  
**Executive Director of Housing, Environmental**  
**and Economic Development**  
**Date: 18 January 2013**

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**Appendix:** None.

**Background Papers:**

1. Application forms and plans;
2. Consultation responses; and
3. West Dunbartonshire Local Plan 2010

**Wards affected:** Ward 5 (Clydebank Central)