

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services)**

**Planning Committee: 6 November 2007**

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**DC07/312/COU      Change of use of shop to licensed snooker club and  
alterations to shopfront at 41-43 Glasgow Road,  
Hardgate, by Reds Snooker Club**

#### **1.      DEVELOPMENT DETAILS**

- 1.1**      The application relates to vacant retail premises in Glasgow Road, Hardgate. The premises, which have a floor area of approximately 580m<sup>2</sup>, have been vacant for approximately 6 months having last been occupied as a furniture/household goods store, and are located at the east end of a parade of single storey shop units. The site lies on the eastern edge of Hardgate Local Shopping Centre, and is surrounded by a mixture of residential and commercial properties. Immediately to the east of the site are car parking areas for the shops and for a terrace of single storey houses which face the side of the shop unit. To the rear is a service yard backing onto open space. Immediately opposite the site are 'four-in-a-block' flats, although a short distance to the west are commercial premises.
- 1.2**      It is proposed to change the use of the premises into a licensed snooker club. Internal alterations would create separate billiards and pool rooms, along with a small bar/lounge area and customer toilets. The only external alterations would be to the shopfront, where it is proposed to replace the existing recessed entrance doors with a new shop window to match the existing windows, and to create a new door into the proposed lounge area. The applicant plans to install 12 snooker and 3 pool tables, and that the snooker club is intended to be open to members only.

#### **2.      CONSULTATIONS**

- 2.1**      West Dunbartonshire Council Roads Service has no objection to the proposal.
- 2.2**      West Dunbartonshire Council Environmental Health Service has no objection to the proposal.

### **3. REPRESENTATIONS**

- 3.1** A total of 18 letters of objection have been received from 15 local households, who have raised the following concerns:
- (a) late night noise and disturbance arising from customers arriving and departing the premises, and associated vehicle movements;
  - (b) customers loitering outside the premises smoking, causing noise and litter;
  - (c) There are already several licensed premises in the area, and no need for any more;
  - (d) Risk of antisocial behaviour arising from alcohol consumption, which would exacerbate existing problems in the area;
  - (e) Many elderly people live in the vicinity of the site;
  - (f) Existing shortage of car parking in the area will be exacerbated;
  - (g) Glasgow Road has a high level of traffic, which will be made worse by the proposal;
  - (h) Potential for unsightly signage.

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

#### Clydebank Local Plan (2004)

- 4.1** The site lies on the eastern edge of the Hardgate Local Shopping Centre and as such Policy CD5 applies. This policy seeks to protect and enhance the vitality and viability of such areas by encouraging improvements to existing commercial uses and supporting the establishment of appropriate new uses. Applications for change of use of shops to other uses will be supported where it can be demonstrated that the change would enhance the centre, would not have a detrimental impact upon adjacent properties by way of noise, disturbance or odour, and would not adversely affect the character or amenity of the area.
- 4.2** The application relates to a vacant shop unit, which is located at the end of a parade of shops on the north side of Glasgow Road. The main retail frontage in Hardgate is further west, on the south side of Glasgow Road, centred on Rockbank Place and the Co-op foodstore on Kilbowie Road. The only retail unit on the north side of the road in the vicinity of the site is an off-sales shop. Other units in the same parade as the application site include hot food takeaways, tanning salons, a bookmakers and a children's nursery. The application site is therefore peripheral to the local centre, and its loss to retailing would have a minimal impact upon the vitality or viability of this neighbourhood centre. Bringing the units back into use has the potential to make a positive contribution to the vitality of the local centre, and would prevent the appearance of the building deteriorating further. Subject to it not having an adverse impact upon the amenities of the surrounding area, the proposal is considered to be consistent with the local plan policy.

## **5. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

### Representations and Consultations

- 5.1** Concerns have been expressed by local residents that the snooker club would give rise to noise and disturbance, particularly late at night. Whilst the nature of the use is such that it is likely to be open in the evenings, it is not considered likely that it would give rise to undue noise or disturbance. Noise arising from the club is likely to be limited to people coming and going from the premises, and standing outside smoking. The site faces a busy road, and is part of a parade of shops which include other late night uses such as takeaways, and the additional noise generated is likely to be relatively slight. Whilst there are houses opposite and to the east, there are no dwellings to the rear or to the west. Concerns about existing antisocial behaviour in the area are noted, but it is considered unlikely that the proposal will contribute significantly towards this, in particular as the applicant intends to limit access to the facility to members. Environmental Health also have not raised any adverse comments in terms of noise and disturbance.
- 5.2** However, the potential for disturbance to nearby dwellings would increase if the premises were to operate until significantly later than existing commercial premises in the area. Whilst the existing shop unit is not subject to any planning controls covering its hours of use, and could be operated as a 24 hour retail use without requiring further planning permission, licensed premises are more likely to be open later than shops, and this is more likely to give rise to disturbance. The applicant has indicated that he wishes to trade until 12 o'clock Midnight Monday-Wednesday, and until 1am Thursday-Sunday. This would represent longer opening hours than the nearby hot food takeaways, which are restricted to 11pm on all seven days. An application to extend the opening hours of one of these takeaways to midnight was refused in 2004 because of concerns about residential amenity (decision DC04/134). It is considered that the hours proposed by the applicant would be likely to give rise to disturbance to residents. It is therefore considered that the hours of trading should be limited by condition to 11pm.
- 5.3** It is not considered that the proposal would give rise to a significant increased traffic or parking demands relative to the previous retail use. A car park for the shops is located adjacent to the application site, and it is considered that this will be sufficient to meet demand generated by the proposed snooker club, especially as the peak hours of use of the club are likely to differ from those of some of the other units. Existing parking problems in the area, referred to by residents, appear to relate to lack of on-street parking for residential properties, and parking associated with functions held at the nearby Masonic Lodge, and the proposal is unlikely to make these difficulties worse. Furthermore the Roads Services have no adverse comments regarding car parking

provision. Signage does not form part of this application, and would be subject to separate control.

- 5.4** Concerns about litter dropped by smokers congregating outside the premises could be addressed by way of a condition requiring a cigarette bin to be provided at or near the entrance for the use of customers.

#### West Dunbartonshire Local Plan (Finalised Draft)

- 5.5** Under the draft replacement local plan, the boundaries of the Hardgate Local Retail Centre correspond with those of the adopted plan. The relevant policy, RET6, also corresponds with that of the adopted plan. The proposal is therefore considered to be in compliance with the draft local plan.

### **6. CONCLUSION**

- 6.1** The proposal is considered to be an appropriate use in terms of Policy CD5 of Clydebank Local Plan 2004 and the Finalised West Dunbartonshire Local Plan and its impact upon the character and amenities of the surrounding area is also considered to be acceptable, subject to the hours of operation being restricted. The proposed alterations to the shopfront are of a minor nature and are considered to be of acceptable appearance
- 6.2** The proposed snooker club falls within use Class 11 (Assembly and Leisure) of the Town and Country Planning (Use Classes) (Scotland) Order 1997. This class also includes other uses such as dance halls and night clubs, which could potentially have a more significant impact upon the amenities of the area. However, this could be controlled by a condition restricting use of the premises to a snooker club only.

### **7. RECOMMENDATION**

- 7.1** **Grant** full planning permission, subject to the conditions set out in Section 8.

### **8. CONDITIONS**

1. The development hereby approved shall commence within a period of 5 years from the date of this consent.
2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, and any subsequent order(s) amending, revoking or re-enacting that Order, the premises shall be used solely as a licensed snooker club and for purposes ancillary thereto, and it shall not be used for any other purpose within Class 11 (Assembly and Leisure) of

that Order without a separate application for planning permission.

3. The snooker club shall be open to the public only between the hours of 9am and 11pm, and not at any time outwith these hours.
4. Prior to development commencing on site, the applicant shall submit details of a cigarette bin to be located at or near the entrance to the premises, which shall be approved in writing by the Planning Authority. Such details shall include the design and positioning of the bin. The bin shall be provided prior to the snooker club being brought into use, and shall be retained thereafter, with the operator of the snooker club being responsible for the emptying of the bin as required.

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**Irving Hodgson**

**Acting Executive Director of Housing, Environmental and Economic Development (Housing and Regeneration Services)**

**Date: 17<sup>th</sup> October 2007**

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**Appendix:** None.

**Background Papers:**

1. Planning application forms and plans;
2. Consultation responses;
3. Letters of representations;
4. Clydebank Local Plan (2004);
5. West Dunbartonshire Local Plan (Finalised Draft);
6. Planning Application No. DC04/134

**Wards affected:** 4 Kilpatrick