

WEST DUNBARTONSHIRE COUNCIL

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

Planning Committee: 14 August 2013

Subject: Appeal decision in relation to the refusal of planning permission for change of use of a vacant shop unit to a betting shop at 146 Duntocher Road, Clydebank (DC12/268)

1. Purpose

1.1 To advise the Committee of the outcome of a recent planning appeal.

2. Recommendations

2.1 That the Committee **note** the outcome of this appeal.

3. Background

3.1 An application for planning permission to change the use of a vacant shop into a betting shop within the Parkhall Local Centre was refused by the Planning Committee on 6 February 2013. The reasons for refusal were concerns that the proposal would detract from the vitality and viability of the local centre, and that it would have a detrimental impact upon the amenity of the area and that of neighbouring residential properties. The applicant appealed to the Scottish Ministers against this refusal, and the appeal was dealt with by way of written submissions.

4. Main Issues

4.1 The Reporter noted that the local centre is made up of 8 units of which 2 are hot-food takeaways and the other 6 are currently retail units. The change of use of this unit would reduce the number of retail units to 5, but this would still be sufficient to meet the needs of local residents. The shop had been vacant for a significant period of time, and the Reporter found no evidence to suggest that it would be reopened as a shop soon. Re-use of the unit for another purpose was therefore considered to be to the wider benefit of the local centre, as allowing it to trade would generate linked trips where some customers would likely use other neighbouring shops.

4.2 The Reporter considered it unlikely that a betting shop would generate an unacceptable level of noise or disturbance. Whilst noting that a previous planning permission for a café was conditioned to operate until 5pm, the Reporter considered the impacts of betting shops and cafés to be very different, with the applicant having submitted evidence that evening use of betting shops is very limited. He noted that the two nearby takeaways

operate until 10pm and he considered that operation of a betting shop until 10pm would be unlikely to cause any disturbance beyond the level which nearby residents currently experience. Overall, the Reporter therefore considered that the proposal would not adversely impact on vitality, viability or amenity, and he found that it complied with local plan policy RET7 (Local Centres). Accordingly, the appeal was upheld and planning permission was granted.

5. People Implications

5.1 There are no personnel issues.

6. Financial Implications

6.1 There are no financial implications. The appellant did not pursue an award of costs in this case.

7. Risk Analysis

7.1 A risk assessment is not required.

8. Equalities Impact Assessment (EIA)

8.1 An equalities impact assessment is not required.

9. Consultation

9.1 No consultation was required.

10. Strategic Assessment

10.1 There are no strategic issues.

Elaine Melrose

Executive Director of Housing, Environmental and Economic Development

Date: 17 July 2013

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Appendices: None.

Background Papers: Appeal decision dated 21 January 2013.

Wards Affected: Ward 5 (Clydebank Central)