



177 West George Street
Glasgow
G2 2LB
tel: +44 141 465 4996
fax: +44 (0)20 3435 4228
email: info@iceniprojects.com
web: www.iceniprojects.com

Glasgow City Council
Planning & Building Standards
231 George Street
Glasgow
G1 1RX

24 August 2021

SC/MM – 21-290
BY EPLANNING

Dear Sir / Madam,

LCP SECURITIES LTD
313 KILMARNOCK ROAD, SHAWLANDS, GLASGOW
CHANGE OF USE FROM CLASS 1 TO SUI GENERIS (HOT FOOD TAKEAWAY)
EPLANNING REFERENCE: 100460470-001

On behalf of our client, LCP Securities Ltd, we have submitted an application for planning permission for the '*Change of Use from Class 1 to Sui Generis (Hot Food Takeaway)*' at 313 Kilmarnock Road, Shawlands, Glasgow.

a. Proposal Context

The existing unit at 313 Kilmarnock Road is a ground floor unit, extending to 103 sq.m within a five storey modern flatted block located on the east side of Kilmarnock Road. Kilmarnock Road forms the main commercial and retailing thoroughfare for the Shawlands area. The surrounding area comprises an established mix of residential and commercial occupiers. Retail/ leisure occupiers in the immediate vicinity include Tesco Express, Barnardo's, Beds Shawlands, Koku-Shi and Papa Johns.

External works include the installation of a ventilation system to the rear of the property and kitchen odours will be extracted in a manner which will not affect the local amenity. As can be seen from the accompanying application plans, ventilation takes the form of a discharge cowl and louvre area to the rear of the unit.

Internally, works will be undertaken to create cooking and serving areas, there is currently no end user associated with the unit therefore internal design details are not finalised. Building warrants would be obtained for this work, as necessary.

The unit at 313 Kilmarnock Road is currently vacant. The applicant's letting agent, Syme Property Consultancy, confirms in their accompanying marketing letter that the unit has been vacant since the previous tenant ceased trading here and has been marketed for retail use since April 2020. Despite this marketing campaign, there has been little interest in continued retail use at the unit.

b. Planning Policy Considerations

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The Development Plan in respect of the site comprises the ClydePlan Strategic Development Plan (approved 2017) and the Glasgow City Development Plan (adopted 2017) (the 'CDP'). It is considered that the policies contained within the CDP and the relevant Supplementary Guidance will be most relevant in the determination of this local planning application.

The subject site is located outwith but adjacent to the Shawlands Town Centre boundary, we have therefore considered that Policy CDP4 is relevant in the context. Citywide Policies CDP1 Placemaking Principle and CDP2 Sustainable Spatial Strategy are also applicable to this site. As the site is outwith the defined town centre boundary, Assessment Guideline 10 'Food, Drink and Entertainment Uses' of Supplementary Guidance 4 Network of Centres is also relevant.

CDP1: The Placemaking Principle & SG1 Placemaking (Parts 1 and 2)

CDP1 and the associated SG1 Placemaking guidance aims to improve the quality of development taking place in Glasgow by promoting a design-led approach, whilst protecting the City's heritage. The proposed Sui Generis (Hot Food Takeaway) use at this location would bring a vacant unit into reuse, thus creating an active frontage and improving the viability and vitality of the area. This reflects one of the Qualities of Place – "Vibrancy & Diversity," which states that successful places should produce a variety of choice, through the creation of active frontages and a relationship between a street and wider environment.

CDP2: Sustainable Spatial Strategy

Policy CDP2 aims to influence the location and form of development to create a 'compact city' form which supports sustainable development. The policy states that the Council will support development proposals that protect and reinforce town centres as the preferred location for uses which generate significant footfall including retail and commercial uses, offices, community and cultural facilities and so on. Furthermore, proposals which focus economic development in town centres will be supported, as well as those which contribute to the development of vibrant and accessible neighbourhoods. While the subject site is not within the defined town centre boundary, the proposed Sui Generis (Hot Food Takeaway) use in this location can contribute to the adjacent Shawlands Town Centre and therefore can be considered appropriate within the context of policy CDP2.

CDP4: Network of Centres and SG4: Network of Centres

Policy CDP4 aims to ensure all of Glasgow's residents and visitors have good access to a network of centres which are vibrant, multi-functional and sustainable destinations providing a range of goods and services. As such, CDP4 favours proposals that support the retail function and/or improve the vitality and viability of Glasgow's Major Town Centres. Shawlands is classified as a Major Town Centre under CDP4 and SG4. Table 2 of SG4 refers to the role and function of Shawlands Town Centre and notes that SG4 aims to encourage a more balanced approach towards other town centre uses in appropriate locations. The use of the unit at 313 Kilmarnock Road for hot food takeaway can contribute to the SG4 aims for the adjacent Shawlands Town Centre.

Assessment Guideline 10 of SG4 states that in order to protect residential amenity, a number of factors will be taken into consideration when assessing whether the location of proposed food, drink and entertainment uses is acceptable. On a City-wide basis, proposals for food, drink and entertainment uses must not result in a detrimental effect on the amenity of residents through the effects of increased noise, activity and/or cooking fumes. No more than 20% of the number of units in a street block

frontage, containing or adjacent to residential uses, should be in use as a hot food shop, public house, composite public house/Class 3 or composite hot food shop/Class 3 use.

A recent site visit has confirmed that there are six existing units in this street block at Kilmarnock Road, four of the units are in use as retail units, with one as a hot food takeaway and one as a Class 3/ takeaway, this equates to 33% of the block. It should be noted that the existing hot food takeaway unit and the Class 3 unit share a flue.

SG4 sets out that within the defined Town Centre, non-Class 1 uses should constitute no more than 30% of ground floor units within a street block frontage. Previous retail surveys conducted by Glasgow City Council (August 2018, June 2017, May 2016) have demonstrated that the percentage of non-retail uses within Shawlands Town Centre has been higher than the 30% threshold year-on-year, suggesting low demand for Class 1 units. Given the percentage of non-retail units, the policy threshold of 30% is not reflective of the current unit mix within Shawlands Town Centre. The conclusions of the retail surveys and the proximity of the subject site to the town centre should also be taken into consideration when determining this application.

The change of use proposes investment and the active use of a vacant Class 1 unit. The proposals will contribute positively to the wider town centre and provide an active frontage to a currently vacant unit. The unit has been marketed for Class 1 use with limited interest, and the use now being proposed will bring additional vibrancy and investment to this site adjacent to Shawlands Town Centre.

Under Town Centre Assessment Guidelines, SG4 notes that a unit is considered as long-term vacant where it has been unoccupied for a minimum of 12 months. The subject site was previously occupied by Class 1 retailer Carphone Warehouse, who vacated the unit in April 2020. There have been no tenants since this time, the unit has been vacant for 17 months. The unit can therefore be considered to be long-term vacant. This is confirmed through the accompanying Marketing Letter and Brochure.

The proposal will not cause an unacceptable effect to the detriment of the wider town centre or living conditions for nearby residents. The site is already located within a commercial area and therefore the proposal would not harm the existing amenity enjoyed by residential neighbours.

The proposed use of the unit as a hot food takeaway is compatible with and complementary to the existing uses in the adjacent units and the wider town centre. The proposal can provide economic and social activity and as a long term vacant unit, the proposed change of use will not result in the loss of an operating retail unit.

SG4 states that Major Town Centres represent important employment locations that help to address regeneration objectives in the areas that they serve. The use of this unit, adjacent to Shawlands Town Centre, as a hot food takeaway is appropriate in the context of SG4 as it would generate new jobs, facilitating new business growth within Shawlands and supporting local employment.

c. Summary

In summary, this application seeks Planning Permission for the change of use from Class 1 (Retail) to Sui Generis (Hot Food Takeaway) at the ground floor of the unit at 313 Kilmarnock Road.

The proposed change of use will positively contribute to the character and appearance of the local area and the wider Shawlands Town Centre by bringing a vacant unit into active use and through the provision of an active frontage. Furthermore, the proposal will facilitate new business growth within Shawlands. We consider that the proposed change of use is in accordance with the provisions of the Glasgow City Development Plan (2017) and the associated Supplementary Guidance.

The following documents have been submitted as part of the application:

- Completed planning application forms;
- Completed landowner certificate;
- Location Plan;
- Existing Elevations and Floorplan;
- Proposed Elevation and Floorplan;
- Proposed Section;
- Ventilation Plan;
- Marketing Letter;
- Marketing Brochure.

Payment of the associated planning application fee (£401) has been made directly by the applicant via ePlanning Pay Direct.

I look forward to receiving confirmation that this application has been validated. Should there be any issues in the meantime, please contact me on 0141 406 1651 or kharrison@iceniprojects.com.

Yours sincerely,

