



Glasgow City Council

Planning Local Review Committee

Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability

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Item 1

8th October 2024

24/00048/LOCAL – 63 Saxon Road, Glasgow G13 2YQ
Use of church hall (Class 10) as restaurant (Class 3) and hot food takeaway (Sui generis), includes installation of extract flue and formation of entrance door.

Purpose of Report:

To provide the Committee with a summary of the relevant considerations in the above review.

Recommendations:

That Committee consider the content of this report in coming to their decision.

Ward No(s): 14

Citywide: n/a

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

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1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS

- 1.1 The application site relates to a former church hall on the corner of Saxon Road and Knightswood Road. The building no longer operates as a church hall. Sales particulars available online indicate that the building was sold in September 2022. The surrounding area is predominantly residential and contains some alternative small scale uses including a retail unit immediately adjacent to the hall to the east. The site is approximately 60 metres north of Knightswood Secondary School.
- 1.2 The proposal is to change the use of the building to a composite use comprising a restaurant and hot food takeaway. An entrance door with ramp would be installed in place of a window on the west elevation. A galvanised flue would be installed on the east facing roof slope in line with the existing chimney. Its highest point would be approximately 2.3 metres above eaves level. Refuse and recycling storage would be provided at the rear of the building.
- 1.3 The proposed hours of operation (including deliveries and refuse collection) are 8am to 11pm, 7 days per week.

2 DEVELOPMENT PLAN POLICIES

- 2.1 The relevant National Planning Framework 4 (NPF4) and City Development Plan (CDP) policies and Supplementary Guidance are:

Policy 12	Zero Waste
Policy 14	Design, quality and place
Policy 15	Local living and 20-minute neighbourhoods
Policy 23	Health and safety
Policy 27	City, town, local and commercial centres
CDP1/SG1:	The Placemaking Principle
CDP2:	Sustainable Spatial Strategy
CDP4/SG4:	Network of Centres
CDP11/SG11	Sustainable Transport

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

- 3.1 The reasons for refusal are set out below:
- 01 The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. No evidence has been submitted to satisfy the criteria for safeguarding community facilities set out in paragraphs 1.46 and 1.47 of Supplementary Guidance 1 - The Placemaking Principle (Part 2). This would result in the unjustified loss of a facility that could provide benefit to the local community

and is contrary to Glasgow City Development Plan Policy CDP 1 The Placemaking Principle and Supplementary Guidance SG 1 Placemaking (Part 2) and Policy CDP 2 Sustainable Spatial Strategy.

4 APPEAL STATEMENT

- 4.1 A summary of the material points raised in the appeal statement is given below:

Statement of Review

- The former church was in decline, with falling numbers;
- Evidence of marketing the property for community use could be submitted if requested by the Committee.

5 RELEVANT PLANNING HISTORY

- 5.1 There are no previous applications for the property. A further planning application for the same proposal has been submitted (24/01495/FUL) and is pending consideration.

6 REPRESENTATIONS AND CONSULTATIONS

- 6.1 One representation was received in objection to the application from a nearby property. It can be summarised as follows:
- Road safety
 - Proposed use may encourage young people to gather and create noise
 - Increase in litter and impact on local drains
 - Odour and noise from ventilation
 - Local area is zoned as residential

7 COMMITTEE CONSIDERATIONS

- 7.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if there are material considerations which outweigh the Development Plan considerations.

- 7.2 The following are the relevant policy considerations:

7.3 NPF4

Policy 14 Design, quality and place

Development proposals that are poorly designed or detrimental to the amenity of the surrounding area will not be supported.

- Committee should note that the proposed flue is relatively concealed, and that other design details could be controlled by condition.
- Committee should consider whether residential amenity would be detrimentally affected by the proposal.

Policy 15 Local Living and 20 minute neighbourhoods

Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area.

- Committee should note that the proposed development is within a residential neighbourhood.

Policy 23 Health and safety

The intent of Policy 23 is to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing

- Committee should note that the proposed flue is more than 20 metres from the nearest residential property.

Policy 27 City, town, local and commercial centres

Development proposals for non-retail uses including hot food takeaways will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas.

- Committee should note that there are no other hot food takeaways in the vicinity of the proposal site.

CITY DEVELOPMENT PLAN POLICIES

The following City Development Plan policies and associated Supplementary Guidance are considered to be relevant to the proposal. The summaries below highlight key aspects of the policies which specifically relate to the proposal.

CDP 1 & SG 1 The Placemaking Principle

CDP 1 The Placemaking Principle requires a holistic, design-led approach to development to achieve the City Development Plan's key aim of creating and maintaining a successful, high quality, healthy place.

SG 1 Part 1 sets the context and approach to placemaking established in CDP 1. It notes that placemaking principles should inform all development. New

development should not have an undue adverse impact on the amenity of adjacent land or property.

SG 1 contains specific guidance on community facilities, which it defines as: 'facilities which provide for the health and well-being, educational, recreational, leisure, spiritual and cultural needs of the local community'. The Council will safeguard against the loss of community facilities, unless it can be demonstrated that they are no longer needed by the community they serve and are not needed for other community or recreational use.

Proposals which involve the loss of land and/or buildings valued as a community facility will only be permitted if evidence can be provided to prove:

- a) there is adequate existing local provision of facilities of equivalent community value; or
- b) the facility can be replaced, to at least its existing level and quality, within the new development; or
- c) suitable replacement community facilities of equivalent quality, quantity and community value will be provided at new locations accessible in terms of active travel and public transport; or
- d) there is no longer a need within the local community for the facility. In terms of (d), applicants are expected to provide evidence to prove the lack of current and future local need in order to justify the loss of a community facility.

The following information will be required:

- a) details of attempts made to attract other community uses for which the premises are suitable;
- b) details of the current or most recent use of the facility;
- c) evidence of spare capacity or an agreement to accommodate displaced users at other equivalent facilities and evidence that users will be able to easily access the replacement facility by sustainable and active transport methods; and
- d) evidence that community engagement was undertaken to gauge the level of interest in and viability of the continued use of the premises as a community facility.

- Committee should note that the applicant has not provided evidence that the community's views were sought on continued community use, or that other community uses were sought for the building.
- Committee should consider whether all alternative community uses had been explored prior to the proposal being developed.

SG 1 requires that external fittings such as flues are located out of sight of public view, on rear/side elevations, concealed on a roof, or in back yards. SG 1 requires that the base walls of access ramps on the public face of a building should match the colour and materials of the wall to which the ramp is attached, in order to minimize the visual impact of the ramp.

- Committee should note that these aspects could be controlled by condition.

CDP 2 Sustainable Strategy

The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. In doing so, the Council will support new development proposals that: Protect and reinforce town centres as the preferred locations for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities.

CDP 4 & SG 4 Network of Centres

The proposal is for a composite hot food shop/Class 3 use and should be assessed against the specific guidance for food, drink and entertainment uses in Assessment Guideline 10.

To protect residential amenity, the following factors will be taken into consideration when assessing whether the location of proposed food, drink and entertainment uses is acceptable:

a) City-Wide:

- (i) 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.
...

c) Outwith the City Centre:

- (i) Public houses, Class 11 and Sui Generis uses must not be located within, or immediately adjacent to, existing residential buildings. ...
- (ii) Hours of operation will be agreed with the Planning Authority, based on local circumstances and the impact of the proposal on residential amenity, but shall not exceed 08:00 to 24:00 hours. The treatment and disposal of cooking/heating fumes should be considered.

The application should be assessed against Assessment Guideline 12.

- a) Proposals for a food and drink use will only be considered favourably if suitable arrangements for the dispersal of fumes can be provided, to the complete satisfaction of the Council. The following information will be required:

- (i) Plans to show all proposed cooking/heating equipment, with full details of the fume dispersal method. This information must be shown on both the Plan and the Elevation drawings;
- (ii) Full specifications of the proposed ventilation system, including the design, size, location and finish;
- (iii) A full maintenance schedule of the ventilation system to ensure its continued effectiveness; and
- (iii) Prior to the installation of any system for the dispersal of cooking fumes or odours, a certificate from a member of the Building Engineering Services Association (BESA) shall be submitted confirming that the proposed fume/odour treatment method will operate to its full specification, when fitted at the application site. This requirement will be secured by a suspensive condition imposed on any relevant planning permission granted.
- b) Dispersal of cooking/heating fumes should be by an externally mounted flue, erected on the rear or side elevation to a height sufficient to disperse fumes above any nearby property.
- d) A suitably qualified engineer must undertake the design and installation of the ventilation system.
- e) If the applicant cannot adequately address the Council's requirements in terms of ventilation, the Council may require to control the method of cooking through the use of conditions.
 - Committee should note that the proposed use is not immediately adjacent to residential property, that the hours of operation are consistent with guidance, and that the flue is located appropriately.
 - Committee should consider whether any residential amenity issues would be created by the proposal, and whether further detail of the specification, installation and maintenance of the flue is required.

SG 4 Assessment Guideline 14 requires that proposals for food, drink and entertainment uses will only be considered favourably if suitable arrangements for the management and disposal of waste (including recyclables) can be provided, to the complete satisfaction of the Council. Plans to show details of on-site waste storage facilities will be required.

- Committee should note that waste storage is proposed to be provided at the rear of the building.
- Committee should consider whether further details should be provided (potentially by condition).

CDP 11 & SG 11 Sustainable Transport

CDP 11 aims to ensure that Glasgow is a connected City, characterised by sustainable and active travel, by:

- supporting better connectivity by public transport;
- discouraging non-essential car journeys;
- encouraging opportunities for active travel; and
- reducing pollution and other negative effects associated with vehicular travel.

SG 11 sets out the Council's requirements for cycle parking and car parking.

- Committee should note that the scale of the proposal does not require car parking provision, and that cycle parking provision could be controlled by condition.

8 COMMITTEE DECISION

8.1 The options available to the Committee are:

- a. Grant planning permission, with or without conditions;
- b. Refuse planning permission; or
- c. Continue the application for further information.

Policy and Resource Implications

Resource Implications:

Financial: n/a

Legal: n/a

Personnel: n/a

Procurement: n/a

Council Strategic Plan: n/a

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes n/a

2021-25? Please specify.

What are the potential equality impacts as a result of this report? no significant impact

Please highlight if the policy/proposal will help address socio-economic disadvantage. n/a

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a

Will the proposal contribute to Glasgow's net zero carbon target? n/a

Privacy and Data Protection Impacts:

Are there any potential data protection impacts as a result of this report
N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

9 RECOMMENDATIONS

9.1 That Committee consider the content of this report in coming to their decision.