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## NORTH AYRSHIRE COUNCIL

8th June 2022

### Planning Committee

Locality	North Coast and Cumbraes
Reference	22/00187/PP
Application Registered	11th March 2022
Decision Due	11th May 2022
Ward	North Coast

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<b>Recommendation</b>	Approved subject to Conditions
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<b>Location</b>	82 Main Street Largs Ayrshire KA30 9AN
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<b>Applicant</b>	TSA Properties
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<b>Proposal</b>	Erection of single storey building for use as hot food takeaway
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### 1. Description

Planning permission is sought for the erection of a single storey hot food takeaway on an existing gap site within Largs town centre. The application site is located at 82 Main Street, Largs. The site was previously home to a single storey commercial unit, until an accident in 1995 involving a train demolished the building on the site. The gap site has remained since this incident. The site sits on the corner of Main Street and Crawford Street which provides access to Largs train station. Largs taxi rank is located adjacent to the site.

The proposed development is for a single storey hot food takeaway which would occupy the same footprint as the previous building on the site and would infill a current gap on the high street. The proposed development has a triangular footprint measuring 9.5m x 8.5m occupying all 56 square meters of the site and is 4.7m in height to tie in with the existing adjacent buildings to the east.

The site is identified in the Adopted North Ayrshire Council Local Development Plan (the LDP) as part of the Town Centre of Largs. The proposal requires to be assessed against Strategic Policy 1: Towns and Villages Objective, Strategic Policy 2: Placemaking and Policy 3: Town Centres and Retail.

## Relevant Development Plan Policies

### Detailed Policy 3 -Town Centres & Retail

#### Policy 3:

##### Town Centres and Retail

Our town centres are the social and economic heart of our communities, providing jobs, homes and employment. Appropriate development within our town centres has the potential to improve their vitality and vibrancy. This can also ensure that investment in our communities is directed in a way that is most beneficial to residents, employees and visitors to our towns.

In principle, we will support development in our network of centres shown in schedule 6 where it would be of a scale appropriate to that centre.

For development that has the potential to generate significant footfall, we will support proposals that have adopted a town centre first sequential approach. This includes retail and commercial leisure uses, offices, community and cultural facilities and where appropriate, public buildings such as education and health facilities.

We will require that locations are considered, and a reasoned justification given for discounting them, in the order of preference:

- o Town centres (as defined in Strategic Policy 1).
- o Edge of town centres.
- o Other commercial centres (as defined above).
- o Out-of-centre locations that are, or can be made, easily accessible by a choice of transport modes.

We will be flexible and realistic in applying the sequential approach, in particular where key sector and employment uses are proposed, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they intend to serve. We recognise that for some uses, such as sports centres and schools, a town centre location may not always be the appropriate location for them, particularly where sports pitches are part of the proposal.

When a development is proposed within our Network of Centres, we will support proposals which positively contribute to:

- o The role and function of the centre within the network, including by addressing an identified opportunity.
- o Quality of character and identity that creates a shared sense of place for users, visitors and residents
- o Community well-being, including by supporting the integration of residential uses and by enhancing links with surrounding residential areas and tourist attractions via the road and path network with associated blue & green network.
- o Vitality, viability and vibrancy of the centre, supporting it as a place for business to locate, expand and flourish by enhancing and diversifying the mix of uses including supporting economic and social activity.
- o Our important retail streets/areas (as described in schedule 6 and in our Town Centre Audits), recognising the fragile nature of some of our retail areas.
- o Accessibility of the town centre including considering the location of regular rail and bus routes.

In principle, we will also support proposals which align with town centre strategies, and we will continue to encourage other regeneration initiatives, such as Conservation Area renewal projects, which improve the quality, accessibility and perception of town centre environments.

## Strategic Policy 2

### Placemaking

Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

### Six qualities of a successful place

#### Distinctive

The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

#### Welcoming

The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.

#### Safe and Pleasant

The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.

The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

#### Adaptable

The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

#### Resource Efficient

The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes

consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

#### Easy to Move Around and Beyond

The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

#### SP1 - Towns and Villages Objective Towns and Villages Objective

Our towns and villages are where most of our homes, jobs, community facilities, shops and services are located. We want to continue to support our communities, businesses and protect our natural environment by directing new development to our towns and villages as shown in the Spatial Strategy. Within urban areas (within the settlement boundary), the LDP identifies town centre locations, employment locations and areas of open space. Most of the remaining area within settlements is shown as General Urban Area. Within the General Urban Area, proposals for residential development will accord with the development plan in principle, and applications will be assessed against the policies of the LDP. New non-residential proposals will be assessed against policies of this LDP that relate to the proposal.

In principle, we will support development proposals within our towns and villages that:

- a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.
- b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.
- c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
- d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.
- e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
  - o regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).
  - o regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
- f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

## 2. Consultations and Representations

Neighbour notification was undertaken in accordance with statutory procedures and the application was advertised in a local newspaper. One letter of objection was received from the Largs Community Council.

1. The Community Council is unanimous in its opposition to the property being used as a hot food takeaway, due to the close proximity of the proposed hot food restaurant to the taxi rank and railway station. The CC considers that a takeaway at this location with late opening hours will exacerbate any anti-social behaviour.

*Response: It is not agreed that the introduction of an additional hot food take away would significantly exacerbate any anti-social behaviour within Largs Town Centre. Incidence of any anti-social behaviour could be reported to the Police. This is assessed more fully below. A condition could ensure the hours of operation for the hot food takeaway do not exceed the proposed opening hours.*

2. The Community Council feels that another hot food takeaway to this locale will constitute overprovision within the Town Centre.

*Response: The proposed hot-food takeaway use for the unit is considered fully below. However, there is not considered to be an over provision of hot food takeaways within close proximity to the proposed development.*

Consultations

**NAC Environmental Health:** No objections subject to conditions regarding the noise levels produced by the take-away and mechanical ventilation systems used.

*Response: The issues raised can be addressed by planning conditions.*

**Transport Scotland:** No objections to the proposed development.

## 3. Analysis

The Towns and Villages Objective of Strategic Policy 1 does not comment on the suitability of specific uses in town centre locations. However, it does seek to support the functions of town centres and prioritise the re-use of vacant sites. This application for development of a gap site in a town centre therefore accords with the principle of Strategic Policy 1. Largs town centre is home to a wide range of different uses, including hot food takeaways. The details of the application require to be assessed in terms of Strategic Policy 2: Placemaking and Policy 3: Town Centres and Retail.

In respect of the proposed use, Policy 3 relates to Town Centres and Retail. The proposal would infill a current gap site and complete the existing run of units, which is welcome. The proposed use of a hot food takeaway would not have a significant impact on the character of Largs town centre and would not give rise to an over-concentration of hot food takeaways in the vicinity of the application site. Within this part of the town centre there is one hot-food takeaway, as opposed to restaurants or cafes, at No. 70 Main Street, some 40m distant, and the next nearest are at 130 Main Street, some 120m to the east, and at 32 Gallowgate

Street, some 230m to the east. As such, the proposed use is considered acceptable in principle. The proposal accords with Policy 3 of the LDP.

In terms of Strategic Policy 2, the proposed development would be of the same height and architectural style as the adjoining run of units on Main Street. The North-West elevation would pick up on the proportions of 84 Main Street which ensures the development would sit well within its surrounding context and would not detract from the overall appearance of the street. The proposed South-West elevation provides an active frontage to Crawford Street, improving on the existing blank wall that is being utilised for advertising. A condition could be added to any permission requiring external finishes to be confirmed.

The site is next to a railway station and road, with no residential properties above or nearby. The proposed hours of operation are considered acceptable for this town centre location. The hours could be controlled by condition as could the details of the cooking equipment and noise from external plant. Transport Scotland, as Roads Authority for Main Street, has no objections. Given the above the proposal accords with Strategic Policy 2.

There are no other material considerations. Given that the proposal is in accordance with the relevant policies of the LDP, it is considered that planning permission can be granted subject to conditions.

#### **4. Full Recommendation**

Approved subject to Conditions

#### **Reasons for Decision**

##### **Condition**

1. Prior to commencement of development, details of all external finished to be submitted to North Ayrshire Council, as planning authority, for written approval. The development will then be carried out in accordance with any details as approved.

##### **Reason**

To ensure the proposed building is in keeping with the appearance of its neighbouring buildings, in the interest of amenity.

##### **Condition**

2. That the hot food takeaway use hereby approved shall operate only between the hours of 08:00 and 23:00 hours Sunday to Thursday and between the hours of 08:00 and 0:00 (midnight) Friday and Saturday to the satisfaction of North Ayrshire Council as Planning Authority.

##### **Reason**

To ensure that the takeaway does not operate at antisocial hours, in the interest of amenity.

##### **Condition**

3. The rated noise level, from the operation of all plant/equipment associated with the premises including extraction system and associated flues etc, must not exceed the background noise level by 5dB(A) or more at the curtilage of any noise sensitive premises.

### Reason

To ensure that the takeaway does not result in excess noise, in the interest of amenity.

### Condition

4. That the mechanical ventilation system in the kitchen shall be designed and installed to be suitable for the type of cooking to be undertaken and be capable of operating without causing nuisance to neighbouring properties due to cooking odours or noise. The system must incorporate suitable means of filtration (e.g. grease and charcoal filters) and be suitably isolated from the structure of the building. Fan units positioned in a ducted system should be isolated from the ducting by means of flexible connections, all to the satisfaction of North Ayrshire Council as Planning Authority.

### Reason

To ensure that the mechanical ventilation system suitably disposes of cooking fumes and does not result in excess noise, in the interest of amenity.

James Miller  
Chief Planning Officer

For further information please contact Rowan Carmichael on 01294 315323.

### Appendix 1 – Location Plan

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