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**PLANNING STATEMENT**

29.1.2024

**35 NICHOLSON STREET GREENOCK,**

**PROPOSED ERECTION OF FLUE TO PROPOSED RESTAURANT.**

01 **Background**

The property at 35 Nicholson Street is a two storey building near to the junction of Nicholson Street and West Stewart Street. It is constructed in sandstone block and is of traditional construction. The ground floor to which this application refers, is currently vacant and was previously a bookmakers . The upper floor is in commercial use and is also owned by the applicant.

02 **Proposal:**

The proposed development will see the existing property altered to form a restaurant

The extraction system will be state of the art industry standard and be attached to the property with vibration proof fastenings which will eliminate all vibration sounds ,protect the fabric of the building and ensure that there will be no fumes and odours which could impact on residential amenity. It will terminate one metre above the eaves as required by the legislation. The specification of the proposed flue is included with this application.

Given that the proposed use will involve foodstuffs it is imperative that waste and refuse storage and disposal is manged efficiently. To this end the proposal incorporates a dedicated waste storage facility within the property, and waste will only be placed outside at the appointed time for uplift by the appointed contractor, which will ensure that empty bins or waste matter will obstruct and foul the footpath.

03 **Assessment against policy:**

When determining an application the local authority are required to assess it in the context of the latest approved and adopted local development plan and other relevant legislation as appropriate, such the latest National Planning Framework(NPF4) and the latest guidance in the Use Classes Order March 2023.

In respect of this application the Use Classes Order is of particular relevance.

In March 2023 the government produced amendments to the Use Class Order and Permitted Changes of Use(Scotland).

Within this document is a series of permitted changes , ie changes to land uses which no longer require planning consent. Of particular relevance is the amendment to changes from class I and class2 use to class 3 and 4, subject to ensuring that residential amenity, where relevant, is not adversely affected. As there is no residential properties adjacent, this is not an issue. Such changes are now permitted without the need to apply for planning permission.

Accordingly this application is not for a change of use, but is for alterations occasioned by the permitted change of use, namely the extraction system.

As the proposal relates solely to alterations to the fabric of the property and not the use of the property which as we have demonstrated qualifies as permitted development as laid down in the 2023 Use Classes Order and Permitted Changes of Use, it is evident that the proposal complies with the appropriate legislation

04 **Summary:**

The new restaurant will contribute to the vitality and vibrancy of this part of Nicholson Street, and in the evenings and in the winter months the splay of light from the large windows on both Nicholson Street and West Stewart Street will illuminate the footpath and help promote a sense of safety and security, so important in fostering well being in a community.

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