

**PLANNING APPLICATION REF. 17/00372/FULL**

**DESCRIPTION OF DEVELOPMENT:  
CHANGE OF USE FROM PUBLIC CONVENIENCE TO HOT FOOD  
TAKEAWAY CRAB & LOBSTER SHACK INCLUDING ALTERATIONS TO  
BUILDING AND FORMATION OF OUTDOOR SEATING AREA**

**AT**

**PUBLIC CONVENIENCE OLD SHORE HEAD ARBROATH**

**REPRESENTATIONS**

# Comments for Planning Application 17/00372/FULL

## Application Summary

Application Number: 17/00372/FULL

Address: Public Convenience Old Shore Head Arbroath

Proposal: Change of Use from Public Convenience to Hot Food Takeaway Crab & Lobster Shack including Alterations to Building and Formation of Outdoor Seating Area

Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Mark Allan

Address: 23a Old Shorehead Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the proposed change of use of the public convenience on Old Shorehead. This entire area is congested with traffic already and residents have difficulty parking at the best of times without introducing more traffic and congestion. Also my property directly faces this building and I do not want to be disturbed by either increased noise or odours coming from the proposed facility.

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Usman Ashraf

Address: 17 Old Shore Head Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above planning application

This application for a Change of Use to hot food has no merit. There are already more than enough restaurants/hot food outlets within the Arbroath area to service the town both now and in the future.

There appears to have been no public consultation over this proposal and no consideration given to the impact on local residents due to the increased litter, loitering and general nuisance caused. Car parking on Old Shore Head is already an issue and this will only increase if this change of use is granted.

This is a predominantly residential area of Arbroath being out with the clearly defined Town Centre area. The proposal will have a significant detrimental effect on capital values and the saleability of surrounding residential properties.

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Mohammed Ashraf

Address: 15 Old Shore Head Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above planning application

This application for a Change of Use to hot food has no merit. There are already more than enough restaurants/hot food outlets within the Arbroath area to service the town both now and in the future.

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Craig Clark

Address: 21 Old Shore Head Arbroath

## Comment Details

Commenter Type: Miscellaneous

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting to the above application. I believe this potential business to be completely unnecessary. There are already at least 3 fish and chip shops within 2 min walking distance from this location. There are an even greater number of fishmongers also.

Parking is very limited on Old Shore Head and this business would exacerbate the problem further. The potential for litter, smell from fryers and attracting more seagulls is also too great.

I would much rather this building is demolished and used for additional parking for the street.

Letter from Sheila Cooper, 21A Old Shore Head, Arbroath, DD11 1BB, received 9 June 2017 reads as follows:-

Regarding the change of use of public convenience to hot food takeaway I don't want this at all.

1st it will devalue my property

2nd the smell

3rd we have four fish shops in the area which anyone can get lobsters or crabs

4th there's not enough parking spaces as it is

5th the council should never have done away with the toilet in the first place. The amount of people who go there just to find it closed. Bus trips etc no signs pointing to the next one. Toilets are necessary not lobsters and crabs.

6th we have a well kept quiet street and that's the way we like it.

Not cars rolling up all hours. Rubbish etc all over the place."

Letter 17/00372/FULL (Sheila Cooper)

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Robert Scott

Address: 7 Old Shorehead Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this planning application as outlined:

1; The land that the toilet block is situated on and the hardstanding surrounding along with the grass beside it is not owned by the council. This was proven when the council previously tried and failed to sell it as they could not find the deeds or proof of ownership despite having a buyer in place to purchase. Therefore not all landowners have been consulted as per the planning application form Land Ownership Certificate section which invalidates this planning application. Proof of ownership and right to the grounds is required before this development can even be considered or the residents will have to seek legal advice and consider forward action.

2; The grounds listed above have long been held as common ground for use by the community as described in several of the local house deeds. The land was not for commercial profit by an individual or group, and not all of Old shore head were informed of this planning application despite their rights to the common ground.

3; The parking on old shore head is already an issue. Residents struggle to find parking places as it is and the addition of a commercial hot food takeaway outlet will only increase the stress on current parking. Hot food takeaways in the local vicinity already encourage dangerous and unsafe parking on double yellow lines just by their presence and the demand created, so it is likely this would happen here as well. Unless the planning department proposes marked resident parking bays on Old shore head to mitigate resident parking issues then the creation of a hot food takeaway will only create animosity and ill feeling in the local community towards the owners and operators of the establishment. I have not seen any traffic management plan, risk assessment or any survey that would address these concerns.

Fourthly although the planning application mentions storage of waste internally there seems to be no provision for bins on the plans.



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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mr Alex Smith

Address: Flat 4 Quayside Marina 4 Marketgate Arbroath, Angus

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed development of the public toilets adjacent to our property in Old Shore Head. This land is common ground and has been used for generations as a drying green. It is not and has never been used for any kind of commercial business and is not suitable due to the following reasons:

This is common ground and should not be used for any kind of commercial purposes as there is not legal ownership by the Council. The proposed development would exacerbate this situation *and with a potential litter problem which would be exploited by the SEAGULLS.*

Parking in this street is already a major problem with there having been traffic jams and collisions over the past number of years.

We envisage there being a problem with noise and cooking smells and would suggest either returning the property to a public convenience or demolition.

There are already a large number of retail units supplying local fish and shell fish in the immediate area and there is not need for another outlet.

Apart from returning the premises to a public toilet an eating outlet is definitely not suitable but might suggest an art studio with information of local interest promoting the harbour area.

Alex Smith

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Miss Jennifer Smith

Address: 11 Old Shorehead Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application because it will not improve significantly the current horrendous aspect of the toilet block. There have not been enough steps demonstrated in the planning application to align this buildings aspect with that of the conservation area. I would like to see something more in keeping with the nature of a seaside town.

I am concerned about the lack of parking on the street at present especially in the tourist season. Adding another attraction on this street will only exacerbate the issue. If this proposal is to go ahead the above points need to be addressed and remedied in this above application.

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Mrs Frances Smith

Address: 1 Marketgate Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to receiving the Application for this proposed development I would like to object.

My house is directly opposite the proposed site and my reasons for disagreeing are as follows:

1. **PARKING** - There is already a limited amount of parking available for residents let alone commercial vehicles, tourist vehicles, delivery lorries, refuse lorries, etc. Damage has already been caused in the past to adjacent housing. Currently there is ONE disabled parking space right next to the toilet building itself which would be void if planning went ahead. The pavements currently have disabled access in this particular area too, so this also limits parking. And are very much needed.
2. **NOISE, NUISANCE AND SMELL** - As a resident of the harbour area, I am well aware of the seagull problem with having several fish premises, restaurants and takeaways nearby. We certainly do not need any more food outlets in this area as this would only exacerbate the issue. The seagulls attack tourists and litter bins as it is. The smell from the crab and lobster shack would attract more rodents and repulse many residents. The noise issue we could do without due to congestion of customers and cars at proposed site.
3. **IMPACT ON PROPERTY** - I am not averse to improving the community with positive developments, but I do feel this proposed building would be detrimental to the surrounding housing. When we bought our house, it was the attraction of the harbour itself and the reputable value of the area. Having this shack built in the middle of an already well stocked provider of fish takeaways would have a knock on effect on the value of my property.

Kind Regards,  
Frances Smith

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Case Officer: Fraser MacKenzie

## Customer Details

Name: Miss Lynne Smith

Address: 13 Old Shorehead Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting to the above application because I am concerned about the lack of space provided in the plans for proper storage of waste which will undoubtedly be produced from a takeaway establishment. I am presuming that said waste will be placed in large bins on the common ground area creating smell and attracting vermin as well as looking unsightly which is not in keeping with the conservation area. This will not be attractive to tourists and will greatly upset the local members of Old Shorehead community.

I am also concerned about the outdoor seating area and how this will attract seagulls especially if any food is left out. It is already a problem when the bins overflow in the summer from the fish and chip shops. In other areas of the country seagulls have a tendency to become violent as they become used to a plentiful supply of food left out on tables etc.

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## Customer Details

Name: Mr Kevin Walker

Address: Findlay & Company Peasiehill Road Arbroath

## Comment Details

Commenter Type: Miscellaneous

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: An excellent idea to provide a cost effective food takeaway "straight from the sea" which will provide a different slant from the tradition fish supper. Good for the tourist trade and for bringing people to the area. Hopefully this will complement other local businesses.

Flat 5 Quayside Marina  
4 Marketgate  
Arbroath DD1 1AY  
rontew@btinternet.com  
01241874609

Service Manager  
DD8 3LG

ilkw  
**RECEIVED**

- 7 JUN 2017

PLANNING & PLACE  
COUNTY BUILDINGS

KC

**PLANNING APPLICATION 17/00372/FULL**

Dear Sir,

i would like to submit the following objections to the above.

Having already configured this on line and 'submitted' it, i was informed that my access was timed out. i would therefore appreciate confirmation of receipt of this letter.

Common land?

Who owns the property?

Astonished that there is "No Objection" from ROADS to the application.

Since this is sited on a poorly signed, un-prioritised junction in constant use for access to the quayside and the boat yard, resulting in two collisions with the property at Flat2 Quayside Marina by HGV in the past year (photos available), one can only assume that the building of 10 residential properties with associated parking on the quay may not have been taken into consideration.

This area is also subject to itinerants dumping rubbish in the bin allotted to boat operators, uncontrolled, un-"authorised" parking (as specified by notice at entrance) sightseers, and a semi-permanent park for commercial vehicles (some occasionally oversize for marked parking spaces).

Taken in order:

Considering that within short walking distance of the site there are 5 wet fish shops, 4 fish and chip shops, 5 restaurants, 2 pubs and a snack bar it would seem that the main planning policy requirement for the area might be a public toilet. It is observed that a take away restaurant opened in Marketgate recently, which lasted about 5 months.

Impact on adjacent property as above.

Since 3 of the residential properties at Quayside Marina directly overlook the planned site, one would be safe in assuming that noise from external seating might be obtrusive, that they may be subjected to cooking smells and waste from cooking and eating may attract the predations of the local flying rodents, and encourage others.

Visually, the only improvement might be to knock it down.

Since local residents are constantly subjected to the use of their doorways and Pendies as toilets, the addition of another food and drink source is not appreciated.

Road users may be interested to know that in spite of parking (chiefly by commercial vehicles) on both sides, Old Shore Head is designated for two way traffic, while the throat to Marketgate is now so restricted that all modern HGVs struggle. Any concept that further parking in the area might be tenable is nonsense.

Any further planning submissions on what is common ground other than a rejuvenation of the toilet, should be rejected without consideration.

Ronald Walker

Copies by email to Councillors:

Brenda Durno, Lois Speed, Derek Wann

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## Customer Details

Name: Mrs Claire Walmsley

Address: 11 Old Shore Head Arbroath

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have not been served planning permission papers despite the fact that I am a resident of Old Shore Head and live opposite the Green and will be affected dramatically by this proposed development.

I wrote a detailed letter to Mr Cochrane in April and had a reply from him which outlined some of the proposals but claimed Data protection for the detail!!

I was therefore very surprised to read the latest news of this proposal in the local newspaper and not from the Council

The Green is historically and legally accepted as Common Ground and this extends to the hard stand on which the toilets are built . The use of the Common ground is compromised by this application.

I object to this application