
Report to Planning Committee

Date of Meeting: 18th June 2026

Subject: Application 26/00003/FULL for Planning Permission to change the use of a Dance Studio to a Hot Food Takeaway with the installation of a flue at 97B Main Street, Sauchie, FK10 3JT.

Report by: Mark Stoddart, Planning Officer

1.0 Purpose

- 1.1. The purpose of this report is to provide an assessment of a full application for Planning Permission for the change of use of a dance studio at 97B Main Street in Sauchie to a Hot Food Takeaway, with the addition of a flue.
- 1.2. Although the development is “local development”, a petition of almost 200 people was submitted against the proposal therefore for probity the Chair and the Chief Planner have agreed that it is in the public interest for a decision to be made at Committee where both the Objector and the Applicants can be given the opportunity to represent themselves.
- 1.3. It is possible to bring an application to the Planning Committee where there is agreement between the Chair and the service under an amendment to the scheme of delegation dated the 31st October 2013.

2.0 Recommendations

- 2.1. The recommendation is to approve the application subject to the conditions listed in Appendix 1.
- 2.2. Providing the suggested conditions are applied and the conditions later satisfied, the proposed development is considered to be acceptable, complying with the relevant provisions of the Development Plan. There are not considered to be any material considerations that would justify refusing permission.

3.0 Considerations

- 3.1. Background and relevant site history
- 3.2. The unit was previously one larger unit that was subdivided under planning permission 03/00295/FULL. Until 2012 it was used as a bakery and an

application was approved to change the use of the shop to a hot food takeaway under planning permission 12/00063/FULL, however this does not appear to have been implemented.

3.3. Although no express planning permission was granted, the unit was used until recently as a dance studio and it does appear that the change of use was immune from enforcement action due to the passage of time.

3.4. Notwithstanding a lack of planning permission for the current use, a planning permission for a change of use to a Hot Food Takeaway is required as this is a *sui generis* use.

3.5. Consultations

3.6. Environmental Health Team - Did not object in principle to the proposed development but has advised that a detailed specification of the ventilation system should be submitted to the Council for its approval before the development commences on the site. The further details should include; the locations of the extractor fans, the specification for the carbon filter and their location, the acoustic specification of the plant, the arrangements for waste storage and a Noise Impact Assessment.

3.7. Roads and Transportation Team - Have no objections to the proposal.

3.8. Publicity and Representations

3.9. The application was publicised by a site notice, by neighbour notification letters, and in the Alloa Advertiser. A total of 15 representations have been received, including 14 objections to the proposed development and 1 neutral comment. In addition, a petition was also received from the owners of a neighbouring business objecting to the proposal outlining the potential impact that the opening of a new hot food takeaway may have on their business.

3.10. The petition had 198 entries with the most coming from the Sauchie area with others from Alloa, Tullibody, Alva, and Tillicoultry.

3.11. In summary the objections were:

3.12. This proposal represents an unacceptable overconcentration of similar food outlets in a small area and poses a direct threat to the sustainability of existing local businesses, particularly long-established operators that already serve the community. Allowing another takeaway in such close proximity would create unfair competition and undermine the economic balance of the local high street.

Planning Authority Comments: This is not a material planning concern. Commercial centres such as this are consistently changing as tastes and trends change.

3.13. The change of use from a dance studio to a hot food takeaway is likely to result in increased evening noise, late-night activity, cooking odours, and

additional traffic and parking issues. This would have a negative impact on residential amenity and the character of the local area.

Planning Authority Comments: These potential impacts will be considered in the report of handling below.

- 3.14. Past problems relating to late night businesses being a place for loitering of youths and in turn littering.

Planning Authority Comments: There are a number of hot food takeaways in the area and one more will not increase the instances of anti-social behaviour. This type of behaviour can be reported to the Police who have powers to address any problems.

- 3.15. The Main Street does not need another take away as we have a variety of choices already available to us and I believe if another hot food take away is opened there will be too many in the area.

Planning Authority Comments: The appropriateness of the proposed use and the impact of a new restaurant on the vitality and viability of Main Street will be considered in the report of handling below.

- 3.16. There are plenty of other hot food outlets in the area currently while something such as a dance studio provides a unique service to the community. The loss of a community-focused facility such as a dance studio is also deeply concerning. Such venues provide important social, cultural, and recreational value, and their removal further diminishes the diversity and character of the village.

Planning Authority Comments: the dance studio use lapsed in 2023 and it moved to a new premises at 109 Main Street, Sauchie. There is at least one other dance studio in Sauchie and three within Alloa. No other recreational uses have been proposed for the unit.

The Development Plan

- 3.17. The National Planning Framework 4 (NPF 4) was adopted on 13th February 2023 and is now part of the statutory Development Plan. Decisions on planning applications have to be made in accordance with the Development Plan unless material considerations indicate otherwise. The NPF 4 and the adopted Clackmannanshire Local Development Plan 2015 and associated Supplementary Guidance currently comprise the Development Plan. A review of the Local Development Plan (LDP) is underway and will be informed by the policies in the NPF 4. Planning applications will be assessed against the relevant Principles, Strategies and Policies in the NPF 4 and LDP. As NPF 4 provides the latest national planning policy context for the assessment of planning applications, where it is considered there is an incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF 4, the provisions of NPF 4 will prevail.

3.18. Planning Assessment

The key NPF4 policies in respect of this development are considered to be:

Policy 1 Tackling the Climate and Nature Crises

Policy 2 Climate Mitigation and Adaptation

Policy 3 Biodiversity

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

3.19. The key LDP policies in respect of this development are considered to be:

Policy SC10 Education, Community Facilities and Open Spaces

Policy SC12 Access and Transport Requirements

Policy EP15 Promoting Town Centre Regeneration

Policy EP18 Food and Drink

Policy EP22 Shop Front Design, Advertising and External Security Measures

Policy EA11 Environmental Quality

3.20. Background and Principle of Development

3.21. The proposal seeks to change the use of a vacant commercial unit, previously a dance studio, to a hot food takeaway with the installation of a flue.

3.22. The property forms part of a terrace of commercial premises fronting Main Street and occupies a prominent position within an established commercial centre. It is surrounded by a good mix of retail, service and commercial uses, and is elevated above street level benefitting from rear access, where parking and servicing arrangements are available.

3.23. The proposal to bring a currently vacant unit into a new use within a commercial centre would add to the vitality and viability of this centre and a hot food takeaway is considered to be compatible with neighbouring uses and those expected of a town centre location. In principle the use is considered to be acceptable subject to a further detailed assessment which is below.

- 3.24. Impact on the Built Environment
- 3.25. The proposal includes the installation of an extractor flue to serve the takeaway operation. The building already has a raised parapet wall along the principal elevation which screens much of the roof structure from public view. The flue would be positioned behind this parapet and would project approximately one metre above roof level as detailed on the plans.
- 3.26. Given the flue's setback from the principal elevation and its limited projection above the roofline, it is not considered to be unduly prominent within the streetscape. Although further details are sought by condition, the projection at one metre above the roof level is not considered to adversely affect the character or appearance of the building or the wider area, and would have a similar projection to the flue seen on the attached property which is considered acceptable.
- 3.27. Providing details are submitted and approved, the proposal is considered to meet the requirements of Policy 14 of NPF 4 and Policy EP22 of the LDP.
- 3.28. Any advertisements associated with the business will also require separate consent so are not considered as part of this application.
- 3.29. Impact on the Vitality and Viability of the Commercial Centre
- 3.30. Concerns have been raised by a neighbouring business and in the representations. These raise issues regarding the number of existing takeaway businesses within the locality and the potential impact of the proposal on existing operators. While these concerns are acknowledged, competition between businesses is not a material planning consideration and therefore cannot be considered.
- 3.31. The application site is located within an established commercial centre where a mix of retail, service, food and drink, and community uses already exist. The introduction of a single additional takeaway use is considered to contribute to the diversity of services available to residents and visitors, and would bring a currently vacant premises back into active use adding to the vitality of this area.
- 3.32. Although the loss of a leisure use is unfortunate, the building is already vacant and it is not considered that this proposal would result in an overconcentration of hot food takeaway uses or undermine the overall balance of uses within the centre. Main Street would continue to accommodate a varied range of commercial activities, with no single use class is considered to dominate.
- 3.33. For these reasons the proposal is considered to support the vitality and viability of the commercial centre and accords with Policy 27 of NPF 4 and Policies EP15 and EP18 of the LDP, and raises no planning concerns in this respect.

- 3.34. Impact on the Natural Environment
- 3.35. The site is located within an existing built-up commercial area, and the proposal relates to the reuse of an existing building. No protected habitats, trees or ecological features would be affected by this development.
- 3.36. The proposed ventilation and extraction system will be designed to manage cooking fumes and odours generated by the operation. The Environmental Health Team has advised that further technical information relating to extraction, filtration, noise attenuation and waste storage should be submitted for approval prior to commencement of development and planning conditions to secure these details and the installation are suggested
- 3.37. Overall, the reuse of an existing commercial unit within a sustainable location would reduce pressures for new development elsewhere and supports the efficient use of existing buildings. The proposal is therefore considered acceptable in terms of Policies 1, 2 and 3 of NPF4 and Policy EA11 of the LDP.
- 3.38. Impact on Roads and Travel.
- 3.39. The application site occupies a sustainable location within the village centre and is accessible by walking, wheeling, cycling and public transport. Bus services operate nearby and public parking is available within a close proximity to the site.
- 3.40. The Roads and Transportation Team has reviewed the proposal and raises no objections and the proposed use is not anticipated to generate traffic levels that would result in any significant adverse impact on the local road network or highway safety. The availability of rear servicing access and nearby public parking further assists in accommodating the operational requirements of the proposed use..
- 3.41. The proposal is also capable of operating a delivery service, which may also reduce the need for some customers to travel directly to the premises.
- 3.42. Overall, the proposal is considered to be consistent with the objectives of Policies 13 and 15 of NPF4 and Policy SC12 of the LDP.
- 3.43. Impact on Neighbouring Residents
- 3.44. Concerns have been raised by representations regarding the potential for increased noise, cooking odours, activity and disturbance associated with the proposed use.
- 3.45. Whilst hot food takeaways have the potential to impact neighbouring amenity if poorly designed or operated, the application property occupies a commercial location where a degree of activity is to be expected. It is single storey and although there are residential properties are present nearby, it is sufficiently detached.

- 3.46. The Environmental Health Team has confirmed that it does not object to the proposal subject to conditions requiring approval of the extraction and ventilation system, noise mitigation measures, carbon filtration arrangements and waste storage facilities. These matters can be adequately controlled through planning conditions.
- 3.47. Appropriate provision is shown on the plan and exist to the rear of the premises for refuse and recycling storage, thereby a condition in this respect is not considered necessary for planning purposes.
- 3.48. Subject to compliance with the recommended conditions, the proposal is not considered likely to result in any unacceptable impacts on residential amenity and is considered consistent with Policy 23 of NPF4 and Policy EA11 of the Local Development Plan.
- 3.49. Other Material Considerations
- 3.50. No other material planning considerations have been identified.
- 3.51. Equalities Impacts
- 3.52. In reaching a recommendation on this application, the Planning Authority has to have due regard to its duties under the Equality Act 2010, including the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons who share a protected characteristic and those who do not.
- 3.53. The proposal relates to the reuse of an existing commercial unit and would provide an additional service within the local commercial centre. There are no aspects of the proposal that are considered likely to result in any foreseeable unlawful discrimination or adverse impacts on persons with protected characteristics. The premises benefits from an accessible town centre location that is well served by public transport and is within walking and wheeling distance of surrounding residential areas. No equalities issues have been identified that would alter the recommendation set out in this report.
- 3.54. Conclusion
- 3.55. Overall, the proposal would bring a vacant commercial unit back into productive use within Sauchie village centre, supporting the vitality and viability of the local commercial area.
- 3.56. Subject to conditions securing appropriate extraction and filtration, there are not considered to be any unacceptable impacts as a result of this proposal and no foreseeable conflicts with NPF 4 or the LDP. Approval is therefore recommended, subject to the conditions set out in Appendix 1.

4.0 Sustainability Implications

- 4.1. The site is in a sustainable location that supports the aims of local living and the 20 minute neighbourhood. The proposal also reuses a vacant building. The recommendation to approve planning permission is not considered to raise any sustainability concerns.

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. Staffing

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) Our Priorities

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) Council Policies

Clackmannanshire Council Local Development Plan 2015

8.0 Impact Assessments

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty?

No, the Planning Report forms the basis of the committee's decision. A combined Equalities Impact Assessment has been embedded within the report of handling and is considered throughout. A dedicated section references how the application assesses the equalities impacts of this proposal.

9.0 Legality

- 9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

- 10.1 Appendix 1 – Conditions

11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes (please list the documents below) No

- 11.2 Adopted Clackmannanshire Local Development Plan (2015)
National Planning Framework 4 (2023)


12.0 List of Plans and Other Documents Forming Part of the Planning Application

- 12.1 Location Plan - 2601
12.2 Existing and Proposed Floor Plans, Elevations and Roof Plan – 2601 01 REV A

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Mark Stoddart	Principal Planning Officer	2615

Approved by

NAME	DESIGNATION	SIGNATURE
Jacob Muff	Team Leader	

Appendix 1 – Conditions

1. The development to which this permission relates must be begun not later than the expiration of 3 years from the date of this permission or, as the case may be, when the permission is deemed to be granted.

Reasons: As required by Section 58 of The Planning (Scotland) Act 2019.

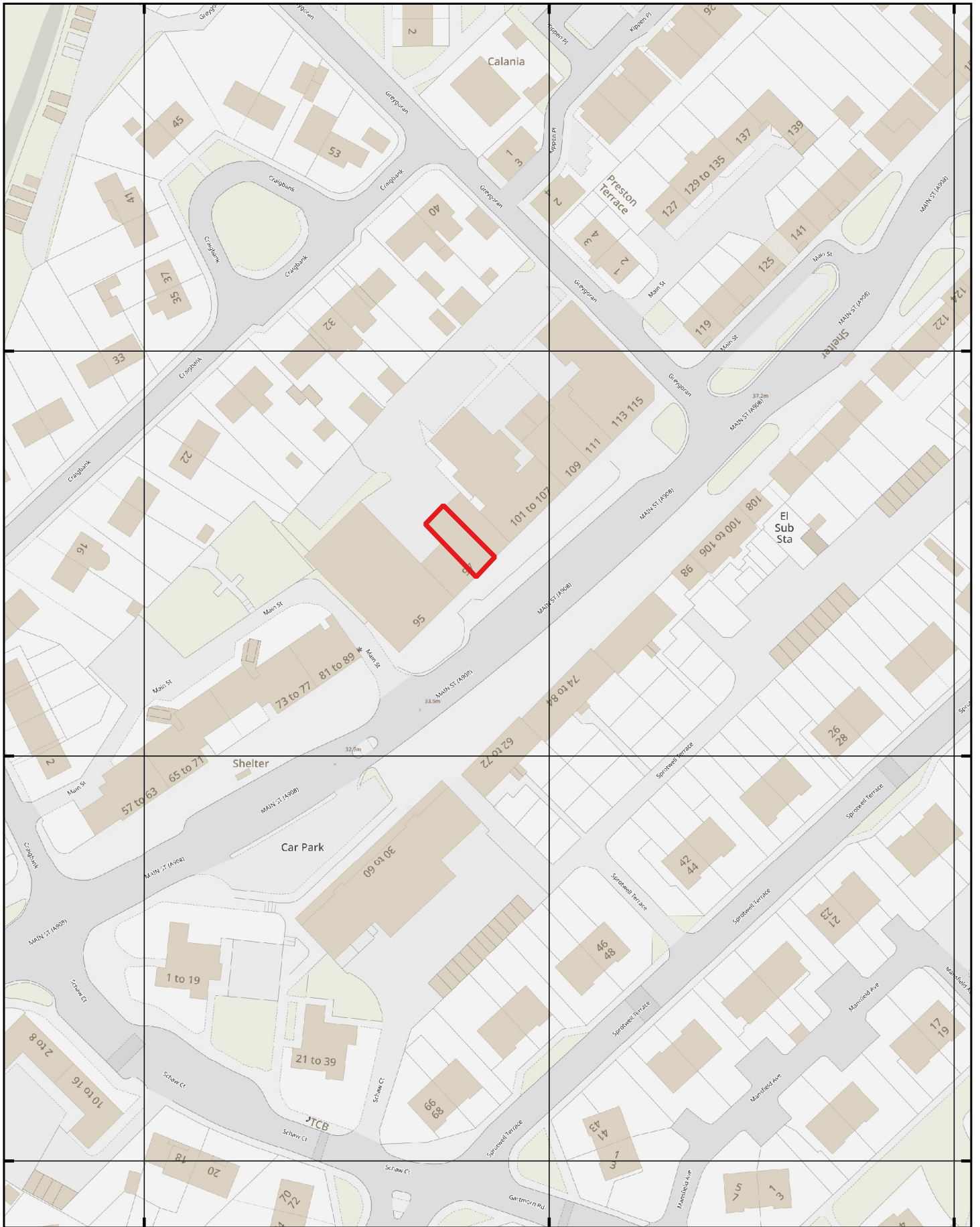
2. Before any works start on site to convert any part of the building to use as a hot food takeaway, a detailed specification for the design, operation and location of the ventilation systems to be installed within the respective business premises shall have been submitted to and approved in writing by the planning authority. The specification shall be prepared by a suitably qualified and experienced person and shall include the following details:
 - (a) the ventilation and filtration equipment, including details of the layout and position of the canopy, filtration equipment and ducting and the dimensions, design and external finish of any equipment and flue to be fitted to the exterior of the building. The external elements shall be a dark colour with a matt finish and located on the rear elevation of the building.
 - (b) the location of fans, specific mounting points and installation.
 - (c) the height and position of the external flue outlets and their termination point in relation to the eaves level of the building and the ridge lines and tops of any upper floor window openings in neighbouring buildings. The design shall accord with the guidance in “Noise from Commercial Kitchen Exhaust Systems”, DEFRA, 2005.
 - (d) the acoustic specification of all fixed plant and equipment and details of measures to mitigate potential noise and vibration impacts transmitting through the ceiling and walls of the building to minimise the risk of nuisance to the adjoining properties.
 - (e) the efflux velocity of the flue.

Thereafter, the ventilation system shall be installed in accordance with the approved details for the premises before the first use of that premises for hot food takeaway use, unless otherwise agreed in writing by the planning authority

Reasons: To ensure there are sufficient details in order to safeguard the amenity of neighbours, the visual amenity of the area and the environmental quality of the area.

3. Before any works start on site, the following details shall have been submitted to and approved in writing by the Council, as planning authority

Reasons: In order to ensure that the alterations and proposed use of the building satisfactorily preserve and enhance the character and appearance of this building and the surrounding area.



26/00003/FULL – 97B Main Street, Sauchie, FK10 3JT
 Change Of Use From Dance Studio to Hot Food Takeaway Including
 Installation Of Flue

 **Clackmannanshire Council** | Comhairle Siorrachd Chlach Mhanann
www.clacks.gov.uk

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Scale: 1:1250

Date:
09 Jun 2026

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