

Report

Report to:	Planning Committee
Date of Meeting:	12 December 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/22/1234
Proposal:	Erection of neighbourhood centre (including Classes 1, 2, 3, 11 and Sui Generis) with associated access, parking and landscaping
Site Address:	Land 100m Northeast of 227 Westburn Road, Grayline Avenue, Newton, Cambuslang
Applicant:	Crucible Developments (Scotland) Ltd
Agent:	North Planning and Development Ltd
Ward:	14 – Cambuslang East
Application Type:	Full Planning Permission
Advert Type:	Schedule 3: Rutherglen Reformer 21 September 2022
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. This application must be presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the approved South Lanarkshire Council Planning Application Decision Making Process April 2015.

2. Site Description

- 2.1. The application site extends to approximately 1.7 hectares and is bound to the north by a housing site currently under construction. Residential developments from Phase 1 of the Community Growth Area (CGA) are located to the east; Westburn Road and the railway line are to the south, and the Light Burn with residential properties beyond are situated to the west.

3. Description of Proposed Development

- 3.1. The proposal is for the erection of a neighbourhood centre (including Classes 1, 2, 3, 11 and Sui Generis) with associated access, parking and landscaping on land off Grayline Avenue, Newton, Cambuslang.
- 3.2. This would comprise of three main sections providing 15 separate units made up of a mix of uses including Class 1 (shops), Class 2 (financial, professional and other services) Class 3 (food and drink), Class 11 (Assembly and Leisure) and Sui Generis (uses in a class of their own such as hot food takeaway shops). Access to the site would be via a new access off Grayline Avenue.
- 3.3. The proposal also includes 130 parking spaces - including 17 EV parking spaces. As required by the masterplan, the development will incorporate a Sustainable Urban Drainage (SUDs) system with a SUDS pond located to the rear (west) of the site adjacent to the service yard.

4. Relevant Planning History

- 4.1. Planning permission in principle was granted for the site under CR/09/0139. The first 5 housing pods (2A-E) were granted as per Approval of Matters Specified in Conditions on 28 January 2015 (CR/14/0155) and are complete, other than Pod 2E which is currently under construction. Pods 2H, 2G, 2I and 2J are nearing completion. The final housing site application (Pod 2F) has yet to be submitted. As such, the proposed neighbourhood centre (Pod 2L) is the next stage in the Newton CGA masterplan.

5. Supporting Information

The following information was submitted by the agent in support of the application.

- 5.1. Design Statement – this outlines the site context, proposed siting, design and materials of the development.
- 5.2. Retail Planning Statement – outlines the proposed development including a breakdown of the use class mix, site history and includes a policy assessment in relation to SLLDP2.
- 5.3. Transport Statement – reviews the existing site and surrounding travel opportunities and details the proposed access, parking, servicing arrangements and sustainable travel options in relation to local and national transport planning policies.
- 5.4. Drainage Strategy – reports on any existing drainage and flooding issues at the site including existing surface water and foul drainage systems and includes a drainage strategy.

- 5.5. Ecological Constraints Survey – this presents the findings of an ecological survey carried out at the site.

6. Consultations

- 6.1. Environmental Services - no objections subject to the attachment of conditions and advisory notes.

Response: Noted.

- 6.2. Roads Development Management – no objections subject to the attachments of conditions including parking, provision of a traffic management plan and extension of a footway to the south of the site.

Response: Noted.

- 6.3. Roads Flood Risk Management – no objections subject to the attachment of conditions requiring the provision of a SUDS drainage system.

Response: Noted. Appropriate conditions can be attached to any consent issued.

- 6.4. Scottish Water – no objections to the proposal but advised the applicant must seek Technical Approval for the site to be connected.

Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 161 representations have been received (45 objections, 111 support and 5 comments). The issues raised in the objections are summarised as follows:-

- ◆ Road safety
- ◆ Over-provision of parking
- ◆ Delivery times
- ◆ Pedestrian access
- ◆ Flood risk and drainage issues
- ◆ Impact on air quality
- ◆ Noise pollution
- ◆ Anti-social behaviour
- ◆ Increase in vermin
- ◆ Over-provision of takeaways
- ◆ Loss of open space for wildlife
- ◆ Lack of consultation with residents
- ◆ Totem poles

The points noted in support of the proposal are summarised as follows:-

- ◆ Provision of much needed amenities
- ◆ Reduction in travel to amenities for local residents
- ◆ Encourage local residents to walk to amenities
- ◆ Encourage residents to spend locally
- ◆ Employment opportunities

The above will be considered in the assessment below and full copies are available to view on the planning portal.

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crises
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 3 – Biodiversity
- ◆ Policy 13 – Sustainable transport
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 15 - Local living and 20-minute neighbourhoods
- ◆ Policy 22 - Flood Risk and Water Management
- ◆ Policy 27 – City, town, local and commercial centres

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will also assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan (SLLDP2). In this regard the application site and associated proposals are affected by the following policies:-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 – Climate Change
- ◆ Policy 3 – General Urban Areas and Settlements
- ◆ Policy 5 – Development Management and Placemaking
- ◆ Policy 10 - New Retail/Commercial Proposals
- ◆ Policy 15 – Travel and Transport
- ◆ Policy 16 – Water Environment and Flooding

SLLDP2 Volume 2 Policies

- ◆ Policy DM1 – New Development Design
- ◆ Policy SDCC2 – Flood Risk
- ◆ Policy SDCC3 – Sustainable Drainage Systems
- ◆ Policy SDCC4 – Sustainable Transport

9. Guidance

9.1. None applicable.

10. Assessment and Discussion

10.1. Principle of Development

The site is located on an area of land within the Newton Community Growth Area designated for retail development within the masterplan approved under Permission in Principle CR/09/0139.

10.2. NPF4 Policy 27 City, town, local and commercial centres advises that Local Development Plans should identify and support a network of centres that reflect the principles of the 20 minute neighbourhoods vision. Proposals that enhance local centres and increase the mix of uses will be supported. SLLDP2 Policy 10 New

Retail/Commercial Proposals lists a number of criteria that proposals of this nature require to comply with.

- 10.3. At present, there are limited commercial facilities within the Newton CGA and in response to this planning application, a significant number of letters of support have been submitted.
- 10.4. In this respect, while letters of objections noted that Cambuslang town centre and Halfway already provide amenities and services that could be used by residents of Newton, as detailed throughout this report, this site is allocated for this use and there is an identified need for amenities in this area. It is therefore considered the proposal is consistent with Policy 27 of NPF4 and Policy 10 of SLLDP2.
- 10.5. Climate Change
NPF4 Policy 1 Tackling the Climate and Nature Crises and NPF4 Policy 2 Climate Mitigation and Adaptation aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The site, designated as part of the masterplan development as part of the CGA, will provide services and facilities within walking distance to many residential properties in Newton. EV charging and cycle parking will be provided, and the site is also within walking distance of train and bus routes. The development will not result in the loss of any trees and will incorporate landscaping as part of the development. It is therefore considered the proposal is consistent with Policies 1 and 2 of NPF4.
- 10.6. NPF4 Policy 3 – Biodiversity, aims to protect and reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. In this case, the proposed development will develop a vacant site within the settlement boundary. It is noted that the applicant has provided an ecological survey which confirms no protected species are present on the site. Moreover, the overall CGA has extensive open space, including wildlife corridors and development exclusion zones.
- 10.7. SLLDP2 Policy 2 Climate Change aims to ensure that developments seek to minimise and mitigate against the effects of climate change and that development does not result in any significant environmental or amenity impacts. The proposed development would provide facilities within walking distance for the residents of Newton and as noted above, would also be served by bus and rail routes. This would reduce reliance on private vehicles and the need to travel out with the local area for amenities. It is therefore considered that the proposal is also consistent with Policy 2 of SLLDP2.
- 10.8. Layout, Siting and Design
NPF4 Policy 14 Design, Quality and Place aims to encourage, promote, and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. It sets out six qualities of successful places. The proposal is consistent with these qualities and is consistent with Policy 14.
- 10.9. NPF4 Policy 15 Local Living and 20 Minute Neighbourhoods seeks to create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling, or using sustainable transport options. In this case, the provision of a neighbourhood centre would provide the facilities to allow the residents of Newton the benefit of local living and would create a 20-minute neighbourhood. As such, the proposal is considered to be consistent with Policy 15 of NPF4.

- 10.10. SLLDP2 Policy 5 Development Management and Placemaking and DM1 New Development Design require all planning applications to take fully into account the local context and built form in terms of layout, scale, design and external materials. SLLDP2 Policy 3 General Urban Areas and Settlements advises proposals within or adjacent to residential areas will be assessed on their individual merits, with particular regard to their effect on the amenity and character of the area.
- 10.11. It has been raised through objection that the number of units is larger than that indicated under the masterplan for the site and that the proposal is out of scale with surrounding residential properties. It should be noted that the masterplan was a Permission in Principle which required detailed plans of the neighbourhood development to be submitted and agreed at a later date. As such, the neighbourhood centre shown on the masterplan was only indicative. In terms of the layout, the proposed units have been located centrally within the site with parking to the front which the Council considers minimises the impact on adjacent properties.
- 10.12. In terms of scale and design, the proposed buildings are primarily single storey with some two storey elements which the Council is satisfied will be in keeping with the surrounding area and will form an attractive commercial development. The Council is satisfied the layout, scale and design are acceptable and in keeping with the surrounding residential properties. The proposed finishes are a mix of modern materials which are considered to be acceptable and will integrate with the surrounding residential areas. Should permission be granted, a condition would be attached for samples of all materials to be submitted and approved prior to works commencing on site. As such, the proposal is considered to be consistent with Policies 3, 5 and DM1 of SLLDP2.
- 10.13. Other issues
An issue raised through objection suggested the applicant did not undertake consultation with local residents prior to submission of the application and that some housebuilders previously advised residents this site was to be retained as open space. Whilst this is noted, there was no requirement for the applicant to carry out consultation prior to application submission. As outlined above, under the masterplan for the Newton CGA, this site has always been designated for a neighbourhood centre.
- 10.14. Another objection has noted that the plans indicate a number of totem poles around the boundary of the site. The Council has advised the applicant that any proposed signage would require to be submitted and assessed under a separate application for Advertisement Consent. As such, no consent is granted for signage as part of this application.
- 10.15. Technical Matters
NPF4 Policy 22 Flood Risk and Management aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. The proposal includes the provision of a sustainable drainage system. The applicant has submitted a Drainage Strategy and the Council's Flood Risk Management Team have advised that they have no objections to the proposed development subject to conditions in relation to the implementation of a Sustainable Drainage Design designed and independently checked in accordance with the Council's SUDS Design Criteria Guidance. In addition, the applicant has applied for technical approval from Scottish Water as requested under their consultation response. Given the above, and subject to the imposition of the requested conditions, it is considered the proposal is consistent with Policy 22 of NPF4.

- 10.16. SLLDP2 Policy 16 – Water Environment and Flooding is also relevant and advises any development that has an unacceptable impact on the water environment will not be permitted. In determining proposals, consideration shall be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment. Policies SDCC2 – Flood Risk and SDCC3 – Sustainable Drainage Systems also expand on this. The requirement for appropriate drainage provision and concern for increased flood risk have been noted through objections to the proposal. However, as detailed above, flooding and drainage details have been submitted and reviewed by the Council's Flood Risk Management section and have been agreed subject to the attachment of conditions. The proposal is therefore also considered to be consistent with Policies 16, SDCC2 and SDCC3 of SLLDP2.
- 10.17. In terms of road safety and impact on the road network, SLLDP2 Policy 15 – Travel and Transport is applicable and requires all new development proposal to consider the impact of traffic growth. Some of the issues raised through objections refer to increased traffic as a result of the development, road safety, the proximity of the access in relation to nearby roundabouts, lack of visibility, congestion, lack of a Transport Assessment, insufficient turning areas and the possibility of a drive-thru restaurant. A Transport Assessment was submitted and the impact of the proposal on the local road network, formation of a new access, turning space and associated parking provision have been assessed by the Council's Roads Development Management Service who have offered no objections to the proposal subject to the attachment of conditions. It is further noted that the proposal does not include a drive-thru restaurant. The proposal is therefore considered to comply with Policy 15 of SLLDP2.
- 10.18. NPF4 Policy 13 Sustainable Transport also aims to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport or everyday travel and reduce the need to travel unsustainably. SLLDP2 Policy SDCC4 Sustainable Transport requires new developments to be accessible by walking, cycling and public transport, recognising the needs of cyclists, pedestrians and people with disabilities, as well as the provision of cycle parking and storage. Whilst support letters for the application note that this development will encourage locals to walk to it, some objections consider the level of parking provided within the proposal will potentially encourage users to drive instead. The Council would note that parking provision is required for all new development therefore the level of provision in this case is in proportion to the scale of the development. That said, the proposed development includes cycle parking, disabled parking, pedestrian access throughout the site as well as a link to the housing development to the north of the site for those who wish to use them. It is therefore considered the proposal complies with the aims of Policy 13 of NPF4 and Policy SDCC4 of SLLDP2.
- 10.19. Other issues raised in objection was impact of the proposal on air quality, noise pollution affecting the adjacent residential properties, and an increase in vermin. It was also noted that the proposed opening hours of the units have not been provided and a request from local residents is that the car park be closed in the evenings. In terms of air quality and noise, the Council's Environmental Service were consulted as part of the application and have raised no objections to the proposal subject to the attachment of standard conditions. The applicant also confirms the car park would not be closed in the evenings. However, should permission be granted, a condition requiring an operational management plan to be submitted and approved would be attached.

10.20. Conclusion

In conclusion it is noted that the principle of this development is supported by the approved masterplan for Newton Community Growth Area. It is considered that the proposal will not result in any significant adverse amenity, environmental or safety impacts, and therefore complies with the relevant policies of the adopted National Planning Framework 4 and the adopted South Lanarkshire Local Development Plan 2. It is therefore considered appropriate for planning permission to be granted subject to the attached conditions.

11. **Recommendation and Conditions**

11.1. The Committee is asked to agree the following recommendation:-

Grant Full Planning Permission subject to the following conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval, and it shall include:-

- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
- (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
- (c) details of any top-soiling or other treatment to the ground;
- (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
- (e) proposals for the initial and future maintenance of the landscaped areas;
- (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

04. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

05. That before development starts, full details of the design and location of all fences and walls, including any retaining walls to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

06. That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 5 shall be erected to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

07. That before the development hereby approved is brought into use, details of the storage and collection of waste arising from the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To minimise nuisance, littering and pest problems to nearby occupants.

08. That prior to commencing works on site the developer shall submit, for the written approval of the Council as Roads Authority, a Traffic Management Plan (TMP) which shall include construction traffic access/egress arrangements and routes. The TMP should include information such as, but not limited to, construction access routes to/from the site, wheel washing facilities, site car parking for operatives/visitors and any temporary site access arrangements. Once approved, all works shall be undertaken in accordance with the TMP. No construction traffic access shall be permitted on routes not agreed with the Council as Planning Authority as written through the TMP.

Reason: In the interests of road safety.

09. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

10. The SUDS basin and associated infrastructure shall be designed to current industry standards, ensuring appropriate gradients, to the satisfaction of the Council as Roads and Planning Authority.

Reason: These details have not been submitted.

11. That no development shall commence until details of surface water drainage arrangements and maintenance responsibilities have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements (Appendices A, B, C, D and E).

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

12. That the development hereby approved shall not be occupied until surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 13 above.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

13. Should discharge from the sustainable drainage system be to the Scottish Water system, a copy of the letter from Scottish Water, confirming approval to connect to their system, shall be submitted to the Council.

Reason: This detail has not been submitted.

14. That prior to the development coming into use, an operational management plan including details of proposed opening hours and delivery times for the units, shall be submitted to and approved by the Council.

Reason: These details have not been submitted.

12. Reason for Decision

- 12.1. The proposal will have no significant adverse impact on amenity, public safety or the local environment and complies with the provisions of Policies 1, 2, 3, 13, 14, 15, 22 and 27 of the adopted National Planning Framework 4 (2023) and Policies 2, 3, 5, 10, 15, 16, DM1, SDCC2, SDCC3 and SDCC4 of the adopted South Lanarkshire Local Development Plan 2 (2021).

David Booth

Executive Director (Community and Enterprise Resources)

Date: 1 December 2023

Background Papers

Further information relating to the application can be found online:

[P/22/1234 | Erection of neighbourhood centre development \(including Classes 1, 2, 3, 11 and Sui Generis\) with associated access, parking and landscaping | Land 100M Northeast Of 227 Westburn Road Grayline Avenue Cambuslang \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

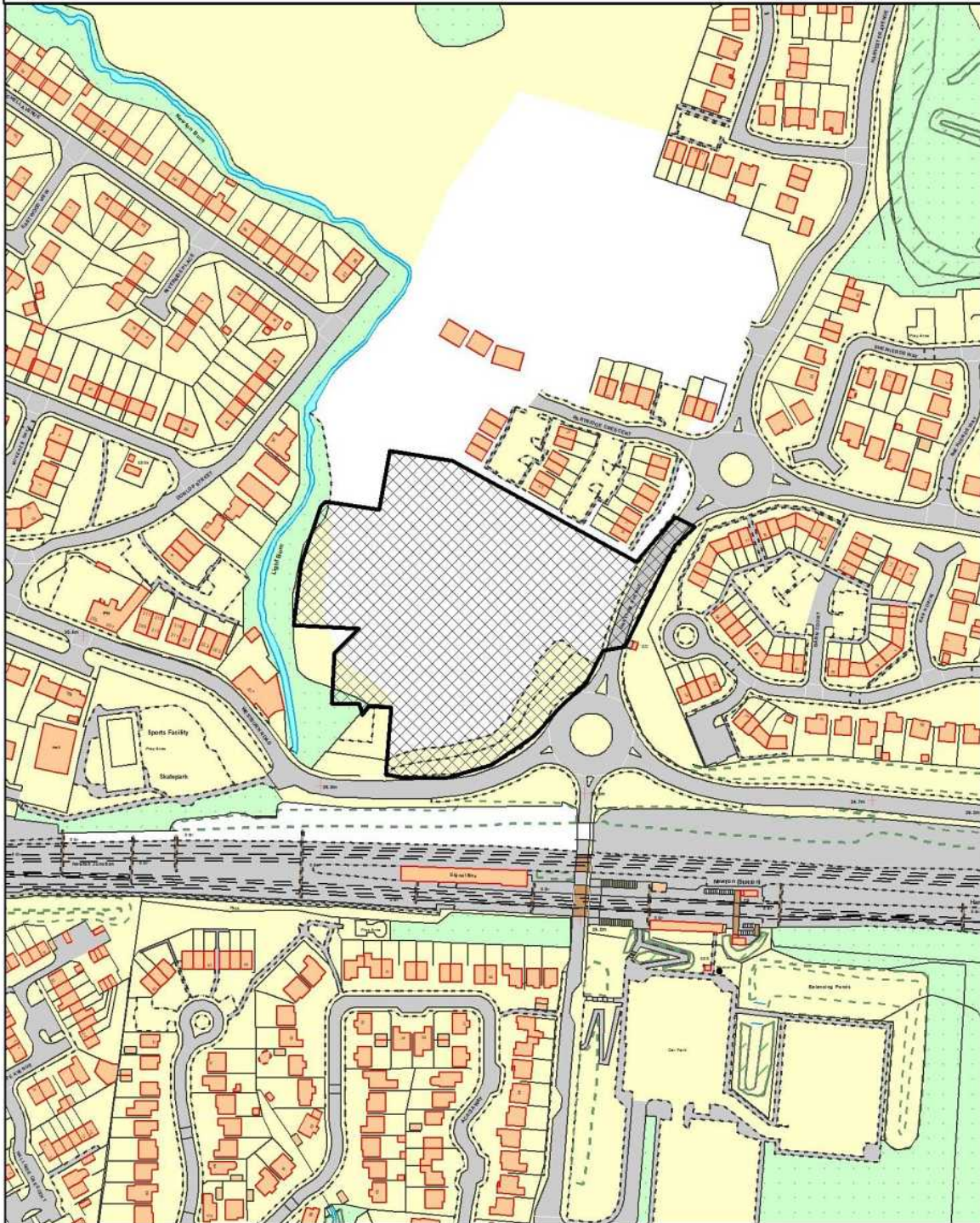
Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/22/1234 Land 100m Northeast of 227 Westburn Road and East of Grayline Avenue, Cambuslang



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Scale:
1:2,500
Date:
16/11/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services