

Report

Report to:	Planning Committee
Date of Meeting:	10 August 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/0786
Planning proposal:	Change of use from Class 1 (Retail-hairdressing salon) to Class 2 (Office-estate agent)

1 Summary application information

Application type: Detailed planning application

Applicant: Clyde Property Ltd
Location: 290 Stonelaw Road
Rutherglen
G73 3RP

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: Thomas McNally
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **South Lanarkshire Development Plan 2**
Policy 2 Climate Change
Policy 5 Development Management and Placemaking
Policy 8 Employment
Policy 9 Network of Centres and Retailing

◆ Representation(s):

▶	21	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

None

Planning Application Report

1 Application Site

- 1.1 The application site relates to a retail shop at 290 Stonelaw Road, Burnside, Rutherglen. The site is bound by a funeral director to the south and an access close to the three storey tenements above and a café / delicatessen to the north. To the west of the site is a road junction where Dukes Road meets Stonelaw Road on the opposite side of the main road. The application site is located within a neighbourhood centre (Burnside) and comprises a mixture of businesses including a large number of shops, several class 2 units (dentist, optometrist, betting shop, estates agents etc) together with both hot-food takeaways and restaurant / café uses. It is noted that there is a good mix and choice of shops and other services at this location, with around 50% of the units remaining as shops (retail use). Most of the commercial units are situated on the ground floor with residential flats on the first and second floor.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for a change of use from Class 1 (retail) to Class 2 (office). The applicant intends to operate an estate agent from the site. There would be minimal external changes to the property.
- 2.2 The current use of the unit is a hairdresser (Class 1 Retail). The shop unit is however currently vacant with the hairdressers no longer trading.

3 Background

3.1 Local Plan Status

- 3.1.1 In determining the application, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Development Plan 2 (SLDP2).
- 3.1.2 In land use terms, the site lies within a Neighbourhood Centre, where Policy 9 – Network of Centres and Retailing of the SLDP2 applies. This policy requires these areas to retain an appropriate mix of uses to serve the local community as a commercial and community focal point. In addition, Policy 8 – Employment of the adopted SLDP2 states that the Council will support sustainable economic growth and regeneration by encouraging the development of business in South Lanarkshire through the identification of employment land uses. It further states that Class 2 offices shall be supported in town and neighbourhood centres. Policy 5 – Development Management and Placemaking of SLDP2 is also relevant and states that all development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment. Policy 2 – Climate Change is also relevant and seeks to minimise and mitigate against the effects of climate change. The proposal would involve minimal change to an existing shop unit with the applicant utilising the existing floorspace within the unit. The proposals do not involve any large scale construction and, therefore, would not have a detrimental impact upon the local environment nor biodiversity and air quality.

3.3 Planning Background

- 3.3.1 There is no recent planning history pertaining to this site.

4 Consultation(s)

- 4.1 No consultations have been carried out regarding this application.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and 21 letters of objection were received. The issues raised in these representations can be summarised as follows:-

- a) **There are already 6 estate agents within the neighbourhood centre. The loss of another retail unit would not benefit the area. Diversity needs to be encouraged to increase the attractiveness of the area as a local shopping centre.**

Response: While it is noted that there are 6 estate agents in this area, this represents around 15% of the total number of units, which is not considered excessive for a neighbourhood centre. Following a site visit, it was noted that there are several vacant units in the neighbourhood centre, including this unit, a former hair salon. Given the recent impact of Covid-19 on the ability of shops to trade, it is considered that, in this instance, increased weight can be given to the economic benefits of a new business with additional employment being brought into the area. Whilst it is acknowledged that a hairdresser provides a service to Stonelaw Road and while the Planning Service supports a diverse and interesting neighbourhood centre, a decision has to be taken on this proposal for a change of use to a Class 2. Given the relatively high number of shops that will remain in the locality and the current adverse economic conditions, there would be no planning reasons to merit refusal of the application. It is further considered that the change of use proposal would not result in a substantial change to the character or vitality of this neighbourhood centre given the number of commercial units available and the relatively good health of the centre as is apparent by the range of goods and services on offer.

- b) **There are more than enough Estate Agents, (already 5 or 6) in Burnside. It would be more beneficial for it to remain in a retail status.**

Response: Noted. This matter has been addressed at point a), above.

- c) **Adding another estate agent will further reduce the ability for the current smaller businesses to thrive with varied footfall and the residents to better local choice.**

Response: This matter has been addressed at point a), above.

- d) **As a Council you should be supporting the local community by encouraging diversity in retail. Delis, cafes, grocers, fishmongers, butchers. If retail variety is lost further then more and more units will become empty due to decline in footfall.**

Response: The Council is not responsible for closing a privately owned business and has no involvement in the rental/ownership situation relative to the units. It is evident that there is still a demand for estate agents to have a high street presence.

- e) **If the Covid pandemic has taught us anything, being able to shop locally is an ideal situation. This is being eroded with businesses like estate agents being allowed to open in this area.**

Response: Noted. This matter has been addressed at point a), above.

- f) **The main street in Burnside has fewer and fewer amenities to visit. Replacing a salon with an estate agent does a disservice to the area.**

Response: Noted. This matter has been addressed at point a), above.

- g) **Having lost to appeal another change of use in Stonelaw Rd, Burnside we simply cannot have another shop unit lost to more office type space**

rather than a shop. In the time of (hopefully) coming out of the pandemic we need local shops more than ever for our community.

Response: It should be noted that the previous change of Use application (Class 1 to Class 2) referred to was refused at Planning Committee on 26 January 2021. The decision was subsequently appealed and the Reporter allowed the grant of planning permission. The Reporter intimated in his decision letter dated 4 June 2021 that he was satisfied that by allowing this change of use, the local centre would still maintain a mix of uses appropriate to the area and that the number of estate agencies already present is not so significant to impact on the existing retail offer. He concluded that an additional class 2 use should therefore not impact, detrimentally, on the local centre.

- h) The Scottish Government is promoting the '20 minute neighbourhood' where people can access everything they need on a daily basis within 20 minutes of their homes. There should be greater thought and support put in by all agencies to proactively manage and encourage our high streets to thrive and meet this ambition.**

Response: Through the policies within the adopted local development plan the Council aim to control and manage local shopping areas to encourage a diverse mix of uses. As stated previously, it is considered that the change of use proposal would not result in a substantial change to the character or vitality of this neighbourhood centre given the number of commercial units available and the relatively good health of the centre as is apparent by the range of goods and services on offer.

- i) There is a need to maintain a good mix of retail, office and food/hospitality in the area. At the moment there is 16.7% office, 16.7% food related / hospitality and 61.9% retail there is also 4.7% unoccupied which were retail. A further reduction in retail would lead to a diminution of the attractiveness of the area as a local shopping centre. A previous application in the area was refused in January 2021 as the Planning Committee felt Class 1 retention would protect the vibrancy and diversity of the neighbourhood centre. Retaining this unit as retail would do this.**

Response: While it is agreed that there is a need to maintain a good mix of uses in the local shopping area, it is considered that increased weight can be given to the economic benefits of a new business with additional employment being brought into the area, given that this unit is currently lying vacant. As mentioned above, the previous Change of Use application (Class 1 to Class 2) referred to was refused at Planning Committee in January 2021, the decision was subsequently appealed and the Reporter allowed the grant of planning permission in June 2021. The Reporter was satisfied that by allowing the change of use, the local centre would still maintain a mix of uses appropriate to the area and that the number of estate agents already present is not so significant to impact on the existing retail offer. He concluded that an additional class 2 use should therefore not impact, detrimentally, on the local centre.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for a change of use from Class 1 (retail) to Class 2 (office). The applicant intends to operate an estate agent from the site. There are minimal external changes proposed to the property. The application site is located within a neighbourhood centre which currently comprises of a mix of class 1 (shops) class 2 (professional services), class 3 (food and drink) and sui generis uses (i.e. hot food take away).

- 6.2 In determining the application, the Council must assess the proposed development against the policies (Policy 2: Climate Change, Policy 5: Development Management and Placemaking, Policy 8: Employment and Policy 9: Network of Centres and Retailing) contained within the adopted South Lanarkshire Development Plan 2021 (SLDP2).
- 6.3 With regard to Policy 2 (Climate Change), minimal change is proposed to the existing unit with the proposals not involving any large scale construction. Therefore, the proposals would not have a detrimental impact upon the local environment nor biodiversity and air quality. In terms of Policy 8 (Employment), it is noted that the principle of a class 2 office within Local Centres is supported. Any proposals for change of use will be assessed with regard to the provision of an appropriate mix of uses that will meet economic and social need. In terms of the principle of the development, it is noted that Policy 9 of the SLDP2 states that within Local Centres, such as Burnside, there are typically small groups of shops including grocers, newsagents, chemists, bakers and other services which serve the local community. They provide a day-to-day service and are particularly important to less mobile people in communities. It is important to preserve the retail function of these centres. In this regard, it is noted that while the proposal will result in the loss of a retail unit (in this instance a vacant unit, previously a hairdressers), over 50% of the remaining units will still be shop units (class 1). As such, given that this part of Stonelaw Road primarily serves the Burnside area only, this is considered to be a relatively substantial and healthy number of shop units remaining to serve the community. Furthermore, given the recent economic impact of Covid-19 and the resultant increase in online shopping, it is considered that the economic benefits of a new business, which seeks to invest in the area, outweighs any potential adverse impact in terms of the loss of this particular service (hairdressers) to this neighbourhood centre. In addition, there are other existing hairdressers' businesses operating in Stonelaw Road and a hairdressers business could locate within another unit locally if any unit was to become vacant and the business was a viable option.
- 6.4 In respect of general development impacts, Policy 5 (Development Management and Placemaking) seeks to ensure that any development does not have an adverse impact on local amenity. In this regard, it is considered that an estate agent is an appropriate use for this Local Centre and will not have an adverse impact on local amenity. As such, the proposal is considered to comply with Policies 2, 5, 8 and 9 of the South Lanarkshire Development Plan2 (2021). Whilst it is noted that 21 objections have been raised, in this instance, it is considered that the objections are not sufficiently strong material considerations to recommend refusal of the application.

7 Reasons for Decision

- 7.1 The proposal will have no adverse impact on climate change, nor on amenity or the vitality of the neighbourhood centre and is, therefore, in compliance with Policies 2, 5, 8 and 9 of the adopted South Lanarkshire Development Plan 2. The objections received are not considered to be a sufficient material consideration in this case to outweigh the policy presumption in favour of approval.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 20 July 2021

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 14 May 2021

- ▶ Consultations
 - None

- ▶ Representations

Dated:

Mrs Sheona Brightey, 12 Chatelherault Avenue, Cambuslang, Glasgow, G72 8BJ	17.05.2021
Mrs Marianne McKay, 37 St Ronans Dr, Burnside, Glasgow, G73 3SR	18.05.2021
N/A Burnside Community Council, 23 Blairbeth Road, Rutherglen, Glasgow, South Lanarkshire, G73 4JF	20.05.2021
Moira Shaw, 52 Highburgh Drive, Rutherglen, G73 3RZ	28.05.2021
Mr Joe Timms, 160 Stonelaw Road, Rutherglen, Glasgow, G73 3PB	02.06.2021
Mrs Jean Leitch, Flat 1/2, 3 Highburgh Drive, Glasgow, G73 3RR	28.05.2021
Mrs Paula Ogilvie, 196 Dukes Road, Burnside, Glasgow, G735AA	03.06.2021
Mr Barry Hope, 82 Blairbeth Road, Burnside, G73 4JA	07.06.2021
Mrs Jennifer Payne, 30 East Kilbride Rd, Rutherglen, G73 5EB	08.06.2021
Dr M Todd, 17 Highburgh Drive, Glasgow, G73 3RR	07.06.2021
Mr Graeme Hunter, 46 Rowantree Avenue, Blairbeth, Rutherglen, G73 4NB	07.06.2021
Miss Vivienne Vine, 1/2, 1 Highburgh drive, Burnside, Glasgow, G73 3RR	08.06.2021
Mrs Christine Prentice, 19 Drumsargard Road, Burnside, Rutherglen, G73 5 AJ	17.05.2021
Mrs Claire Kavanagh, 7 Larchfield Drive, Burnside, Rutherglen, G73 4HA	17.05.2021
Ms Stella Sichi, 15, Dunkeld Place, Newton Mearns, Glasgow, G77 5UB	27.05.2021
Ms Ann Gordon, 53 Springfield Park Rd, Burnside, Rutherglen, G73 3RQ	27.05.2021

Mr Colin Beck, 15 Dunkeld Place, Newton Mearns, Glasgow, 27.05.2021
G775UB

Mrs Charlotte Wight, 6 Wardlaw Avenue, Rutherglen, 02.06.2021
Glasgow, G73 3EL

Mrs Anna Timms, 160 Stonelaw road, Burnside, Glasgow, G73 02.06.2021
3PB

Mrs Jean Wynne, 141 Dukes Road, Burnside, Glasgow, G73 23.05.2021
5ae

Miss Alison Black, 23 Blairbeth Road, Glasgow, G73 4JF 19.05.2021

Contact for further information

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3
6LB

Phone: 01698 455043

Email: maud.mcintyre@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/21/0786

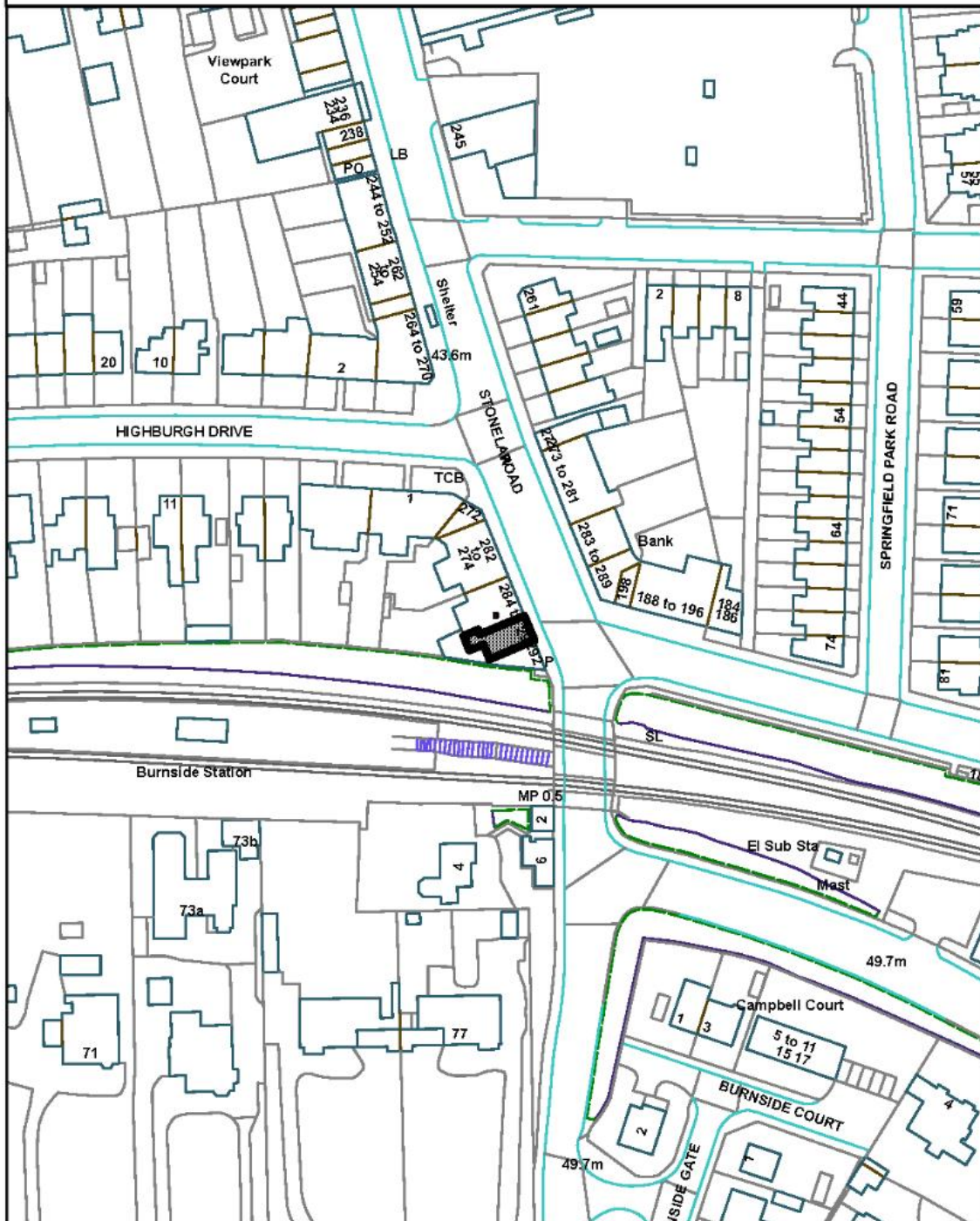
Conditions and reasons

01. No conditions to be attached.

Reason: Planning permission is granted unconditionally.

P/21/0786

290 Stonelaw Road, Rutherglen



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Scale:
1:1,250
Date:
07/07/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development