

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>24 January 2023</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/1217
Planning proposal:	Erection of Class 1 retail unit with associated works

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	IA Real Estate Limited
Location:	151 Western Road Cambuslang G72 8PE

## 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: David Aitcheson
- ◆ Council Area/Ward: 13 Cambuslang West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**  
Policy 2 - Climate Change  
Policy 5 - Development Management and Placemaking  
Policy 10 - New Retail/Commercial Proposals  
Policy 11 - Housing  
Policy DM1 - New Development Design

### ◆ Representation(s):

▶	7	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

SP Energy Networks

Estates Services

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to land at 151 Western Road, Cambuslang which is currently in use as a car park and storage area associated with the adjacent ongoing regeneration of East Whitlawburn. The site, which is predominantly flat throughout, is currently accessed from both Western Road and Morven Road.
- 1.2 The site is bounded to the north by Western Road, to the east by Morven Road, to the south by Arkle Terrace and to the west by residential flatted dwellings forming part of the Whitlawburn area. An existing Class 1 food retail unit, operated by Nisa, is also located within the application site.

### **2 Proposal(s)**

- 2.1 Planning permission is sought for the erection of a Class 1 food retail unit at 151 Western Road, Cambuslang. An ancillary delicatessen counter would also be provided as part of the proposed development. The proposed development would have a gross floorspace of approximately 695 square metres.
- 2.2 It is proposed that the existing adjacent Nisa retail store would relocate to this proposed development, which would be slightly larger and more easily accessible than the existing retail unit. Any proposals for the future change of use of the existing retail unit would be dealt with in due course through the planning process as separate applications. The vehicular access from the site to Morven Road would be closed off as part of the proposals, with the access from Western Road being retained. Car parking would be provided within the existing parking area to serve the development.

### **3 Background**

#### **3.1. National Policy**

- 3.1.1 The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023. The next step is its formal adoption and publication by Scottish Ministers. Due to its advanced stage, the Revised Draft NPF4 is now considered to be a material consideration in the determination of this application. However, there are not considered to be any specific implications in respect of the provisions of the draft framework relating to this application.

#### **3.2 Local Plan Status**

- 3.2.1 The application site is designated as housing land in the South Lanarkshire Local Development Plan 2 (adopted 2021) as the site forms part of the East Whitlawburn regeneration area. As such, Policy 11 – Housing is of relevance to the application, albeit the proposals in this case do not relate to residential development. The following Local Development Plan policies are also considered to be of relevance to the application:-

- Policy 2 - Climate Change
- Policy 5 - Development Management and Placemaking
- Policy 10 - New Retail/Commercial Proposals
- Policy DM1 - New Development Design

#### **3.3 Planning Background**

- 3.3.1 Planning application reference P/19/0299 related to the wider redevelopment of the East Whitlawburn Area including the provision of 311 residential dwellings and associated works. Consent for this development was granted in August 2019 and development works are currently ongoing on site.

- 3.3.2 Planning application reference P/21/1569 relates to the proposed erection of four dwellinghouses on the area where the retail unit is now proposed. It is now not anticipated that this development will proceed with the proposed retail unit being constructed instead, subject to receipt of planning permission from the Council.

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – initially deferred their recommendation pending the submission of additional details relating to pedestrian connections and electric vehicle charging points. Following the submission of this additional information they confirmed their satisfaction with the proposals, subject to conditions that could be attached to any consent issued.

**Response:** Noted. The requested conditions would be attached to any consent issued.

- 4.2 **Roads and Transportation Services (Flood Risk Management Team)** – have not responded to date.

**Response:** Noted. Standard conditions would be attached to any consent issued to ensure that flood risk management issues would be fully accounted for as part of the proposed development.

- 4.3 **Environmental Services** – Offered no objection to the proposed development subject to conditions relating to noise, waste and dust management on site.

**Response:** Noted. The requested conditions would be attached to any consent issued.

- 4.4 **Estates Services** – Offered no objection to the proposed development.

**Response:** Noted.

- 4.5 **Scottish Water** – Offered no objection to the proposed development.

**Response:** Noted.

- 4.6 **SP Energy Networks** – Offered no objection to the proposed development.

**Response:** Noted.

#### **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press. Seven letters of objection were received in respect of the proposed development. The points of objection are summarised as follows:-

- a) **The writer is of the view that the applicants do not have full ownership control of the land to which the development relates.**

**Response:** In general, issues of land ownership are not planning matters but are civil matters to be resolved separately between the parties involved. In this case, it is noted that the applicants have confirmed their satisfaction that they maintain control over all of the land associated with this planning application.

- b) **Car parking provision associated with the proposed development would be provided within existing parking areas that are already allocated to other nearby commercial units. This would cause a particular issue as car parking is at a premium in this area.**

**Response:** The Council's Roads and Transportation Services were consulted in respect of the application and have confirmed that, in terms of their car parking requirements, there is sufficient space available in the sizeable car park located within the application site boundary to accommodate the requirements of both the proposed development and the existing adjacent commercial

premises. As such, there are no concerns relating to car parking provision associated with this proposed development.

- c) **The proposals would result in the closure of the access from the site onto Morven Road, which would have an adverse impact on traffic in the local area.**

**Response:** As part of their consideration of the application, the Roads Service undertook a detailed assessment in respect of the proposed closure of the access from the site onto Morven Road. From observation of the usage of the site they noted that the access onto Western Road is, by far, the primary access point to the site and that only a small number of vehicles, by comparison, utilise the Morven Road access. As such, they are of the view that the removal of the access onto Morven Road is acceptable and would not have any significant impact on traffic in the local area. As such, there are no concerns in this regard.

- d) **The reduction in car parking provision to existing commercial units that would result from the proposed development would have an adverse impact on the economic viability of the existing commercial units.**

**Response:** As noted above, there are no concerns with regard to car parking provision as there is considered to be sufficient space to accommodate both the existing and proposed commercial facilities within the existing car park. It is also noted that the proposed unit would be occupied by Nisa, who would relocate from their current premises within the commercial area. However, in any event, it would not be considered appropriate in planning terms to refuse consent for the proposal based on economic viability grounds. Instead, market forces would determine whether existing business premises would remain viable following the development of the proposed retail unit.

- e) **There is no requirement for this development given that there is already a food retail store in close proximity to the proposed development site.**

**Response:** As noted above, the proposed unit would be occupied by Nisa, who would relocate from their current premises within the commercial area. As such, an additional food retail store would not be formed. However, given the relatively small scale of the retail stores in question, it would not be considered unacceptable for two small food retail units to co-exist at this location in any case.

- f) **The issues that would arise from the reduction in car parking provision, including vehicle idling and congestion, would have an adverse impact locally in terms of local environmental considerations such as noise, disturbance and pollution matters.**

**Response:** As detailed above, it is not considered that the proposed development would create issues in terms of car parking, traffic or congestion. It is also noted that the Council's Environmental Services have offered no objection to the proposed development, subject to conditions that would be attached to any consent issued. As such, there are no concerns held by the Planning Service with regard to these matters.

- g) **Given the current wider economic issues, including Covid and inflation, it is likely that the development of a retail store at this location would put existing commercial properties out of business.**

**Response:** As set out above, the proposed unit would be occupied by Nisa, who would relocate from their current premises within the commercial area. However, in any event, it would not be considered appropriate in planning terms to refuse consent for the proposal based on economic viability grounds.

Instead, market forces would determine whether existing business premises would remain viable following the development of the proposed retail unit.

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

## **6 Assessment and Conclusions**

6.1 Planning permission is sought for the erection of a Class 1 food retail unit at 151 Western Road, Cambuslang. An ancillary delicatessen counter would also be provided as part of the proposed development. The proposed development would have a gross floorspace of approximately 695 square metres.

6.2 It is proposed that the existing adjacent Nisa retail store would relocate to this proposed development, which would be slightly larger and more easily accessible than the existing retail unit. Any proposals for the future change of use of the existing retail unit following its closure would be dealt with in due course through the planning process as separate planning applications. The vehicular access from the site to Morven Road would be closed off as part of the proposals, however, the access from Western Road would be maintained. Car parking would be provided within the existing parking area to serve the development. The proposed development requires to be considered against the relevant provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021) as well as any other relevant material considerations.

6.3 The application site is located within an area designated as housing land under Policy 11 – Housing, due to the ongoing regeneration of the East Whitlawburn area that lies directly adjacent to the site to the south and east. Although no housing is proposed to be formed as part of this development, the provision of ancillary, small-scale, retail facilities is considered to be appropriate within residential areas. Additionally, it is noted that it is proposed for the existing Nisa retail store located adjacent to the site to relocate into the proposed retail unit. As such, the principle of the proposed development does not raise any concerns in respect of Policy 11.

6.4 Given the nature of the proposed development as a retail unit, Policy 10 - New Retail/Commercial Proposals is also of relevance. Policy 10 seeks to ensure that proposed new retail developments do not undermine designated retail centres, complement local regeneration strategies, promote sustainable development and do not create any unacceptable environmental or traffic issues. In addition, Policy 2 – Climate Change seeks to ensure that all proposed developments seek to minimise and mitigate against climate change impacts.

6.5 In this case, the view is taken that the proposed development would allow the relocation of the existing Nisa retail store at Western Road into a slightly larger and more accessible unit, while retaining the provision of a local food retail store to serve the local community, including the area at East Whitlawburn which is currently the subject of a significant regeneration project. It is not considered that the provision of a local, relatively small scale, food retail store would have any significant impact on any larger designated retail centres. The development would also promote sustainable development and the 20-minute neighbourhood concept by providing improved retail facilities in close proximity to a residential area. As such, the proposed development is considered to be fully compliant with the provisions of Policies 2 and 10 of the Local Development Plan.

- 6.6 Policies 5 - Development Management and Placemaking and DM1 – New Development Design provide general development management policy and guidance for all new developments and seek to ensure that proposed developments are appropriately designed and sited and do not have any significant adverse amenity impact. In this case, a simple rectangular structure is proposed that is typical of small-scale convenience stores of this type. It is not considered that the design of the development raises any concerns and it is considered that its location would not raise any significant amenity issues in respect of nearby residential properties. Additionally, it is noted that both the Council's Roads and Environmental Services have confirmed their satisfaction with regard to the proposed development, subject to conditions that would be attached to any consent issued, and that no other consultees have raised any concerns regarding the proposals. As such, the proposed development is considered to be fully compliant with the provisions of Policies 5 and DM1 of the Local Development Plan.
- 6.7 Following the undertaking of statutory neighbour notification and the advertisement of the application in the local press, seven letters of objection were received in respect of the proposals. The points raised are considered in detail in Section 5 above. It is not considered that any of the points raised merit the refusal of the application in this instance.
- 6.8 In summary, following a detailed assessment of the application, it is considered that the proposed development would allow the relocation of the existing retail unit at Western Road into a slightly larger and more accessible premises and would also be fully compliant with the relevant provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021) with specific regard to Policies 2, 5, 10, 11 and DM1. It is therefore recommended that planning permission is granted for the proposed development, subject to the attached conditions.
- 7 Reasons for Decision**
- 7.1 The proposal would have no significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (Policies 2, 5, 10, 11 and DM1). There are no additional material considerations which would justify refusing to grant consent.

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

Date: 13 January 2023

**Previous references**

- ◆ P/19/0299 – Planning Committee – 13 August 2019
- ◆ P/21/1569

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 6 September 2022

►	Consultations	
	Roads Development Management Team	12.12.2022
	Environmental Services	09.09.2022
	Scottish Water	11.09.2022
	SP Energy Networks	09.09.2022
	Estates Services - Housing and Technical Resources	09.09.2022
►	Representations	Dated:
	Ruqayyah Ahmed, By Email	15.12.2022
	Fatima Iqbal, Upper Level, 151 Western Road, Cambuslang, G72 8PE	31.10.2022
	Abdul Malik, Unit 4, 151 Western Road, Cambuslang, G72 8PE	31.10.2022
	Mr Atif Hayat, 151 Western Road, Unit 8 - Kids Complex, Glasgow, G72 8PE	28.09.2022
	Samiya Ishaq, Upper Level, 151 Western Road, Cambuslang, G72 8PE	31.10.2022
	Atif Hayat, By Email	04.10.2022
	Arieg Hussain, 151 Western Road, Cambuslang, G72 8PE	01.11.2022

### **Contact for further information**

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

Declan King, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
 Phone: 07551 843 111  
 Email: [declan.king@southlanarkshire.gov.uk](mailto:declan.king@southlanarkshire.gov.uk)



### Conditions and reasons

01. That, notwithstanding the provisions of the Town & Country Planning (Use Classes) (Scotland) Order 1997, the development hereby approved shall be utilised as a Class 1 food retail use (including the provision of an ancillary delicatessen counter) and for no other use without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

02. That no development shall commence until drainage and flood risk details to include signed appendices A to E are submitted to and approved in writing by the Planning Authority. The development shall not be occupied until the surface drainage works and any required flood mitigation works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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.

03. 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).

04. That no sub-division of the development hereby approved, or formation of mezzanine areas within the development hereby approved, shall be undertaken without the prior written approval of the Council as Planning Authority.

Reason: In order to retain effective planning control.

05. Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises (L<sub>Ar</sub>,1hr) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises (L<sub>Ar</sub>,15min) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30min) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

All lifts and/or hoists, including doors, guide rails and ancillary plant and machinery, as well as mechanical air handling/ air conditioning plant and ducted systems, shall be suitably isolated from the structure of the building to minimise transmission of noise and vibration to adjacent dwellings/premises, all to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

06. Details for the storage and the collection of waste arising from the proposed development shall be submitted to, and approved in writing by the Planning Authority. The agreed details shall be in place prior to the development being brought into use and thereafter be implemented and satisfactorily maintained to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

07. Prior to development commencing on site, a scheme for the control, monitoring and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

08. That, before the development hereby approved is completed or brought into use, the existing access to the site from Morven Road shall be permanently closed to vehicular traffic and the ground within the area formerly occupied by the access shall thereafter form part of the proposed development with a footpath connection provided on to Morven Road, all to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

09. That, before the development hereby approved is completed or brought into use, all of the parking spaces shown in Drawing 02 Rev A of the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

10. That, before any works start on site relating to the development hereby approved, a Traffic Management Plan (TMP) for that construction phase with information such as, but not limited to, construction phasing, site deliveries routing/timings, construction compound layout, turning facilities, site car parking for visitors and site operatives and wheel washing facilities shall be submitted to and approved by the Council as Planning Authority. The TMP shall include a Travel Plan element to encourage less reliance on individual private car trips to the site for those personnel involved in construction activities on a routine basis and those attending through the course of site inspections and site meetings. The TMP shall be produced in consultation with the Council's Roads and Transportation Service, Police Scotland and Transport Scotland.

Reason: In the interests of traffic and public safety.

11. That the recommendations contained within the approved Traffic Management Plan shall be implemented and adhered to at all times. The developer shall notify the Council in writing, as soon as reasonably practical, of any changes in construction activities where these will have an impact on the approved TMP. The developer will consult with the Council, as Roads Authority, together with Police Scotland and Transport Scotland to agree in writing any changes to the TMP, and thereafter adhere to and implement the agreed changes to the satisfaction of the Council as Planning Authority.

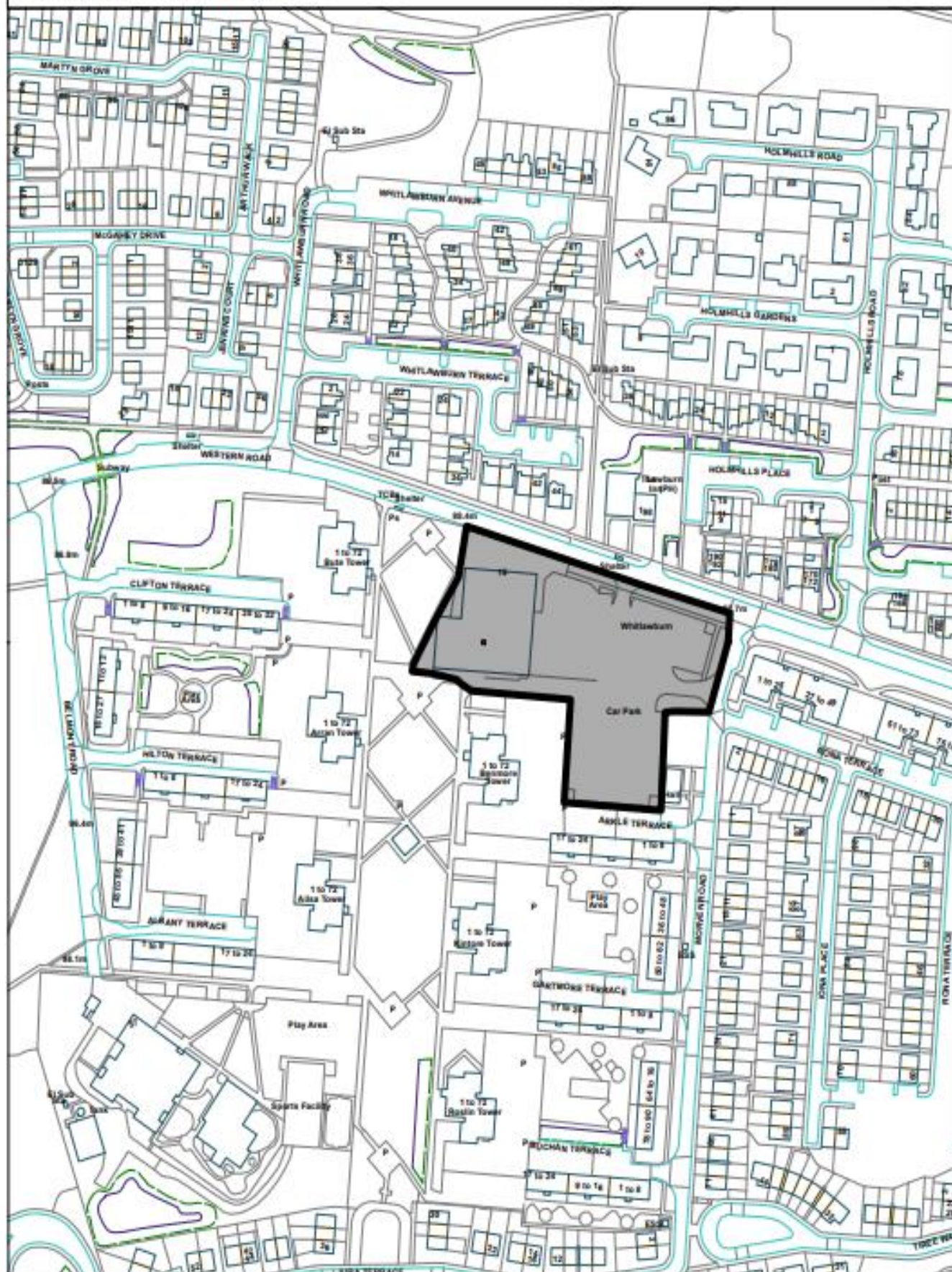
Reason: In the interests of traffic and public safety.

12. That, prior to commencement of any works on site and unless otherwise agreed with the Council as Roads and Planning Authority, the applicant shall submit, for the written approval of the Council as Roads and Planning Authority, details of the electric vehicle charging (EVC) facilities. Details shall also include arrangements for siting of charging posts taking account of parking bays/boundary features/pedestrian movement and be accompanied by proposals for maintenance arrangements. All information shall be submitted for the written approval of the Council as Roads and Planning Authority. Thereafter the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications before the development hereby approved is brought into use.

Reason: To ensure the appropriate provision of electric vehicle charging facilities within the site.

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151 Western Road, Cambuslang



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Scale:  
1:2,500  
Date:  
21/12/2022



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development