

Application No: S/04/02250/FUL

Date Registered: 23rd December 2004

Applicant: Trade Counter Investments Ltd
C/o Agent

Agent: Montagu Evans
37 Melville Street
Edinburgh
EH3 7JF

Development: Erection of 3 New Retail Warehouse Units each measuring 5,000 square feet and Reconfiguration of Access, Car Parking and Servicing Arrangements

Location: Texstyle World And Linda Reid Birkenshaw Industrial Estate
Rannoch Road Uddingston Glasgow

Ward: 21: Tannochside Councillor David Saunders

Grid Reference: 269566 662344

File Reference: **S/PL/B/9/74/JD**

Site History: No relevant history

Development Plan: Southern Area Local Plan (Modified 2001 and 2004) – zoned as Retail Warehouse Development
Uddingston – Tannochside Town Map – zoned as Area Primarily for Industrial Use

Contrary to Development Plan: No

Consultations: British Gas Transco (comments)
Scottish Power (no responses)
NLC Countryside And Landscape (comments)
NLC Protective Services (comments)

Representations: 7 Representation Letters

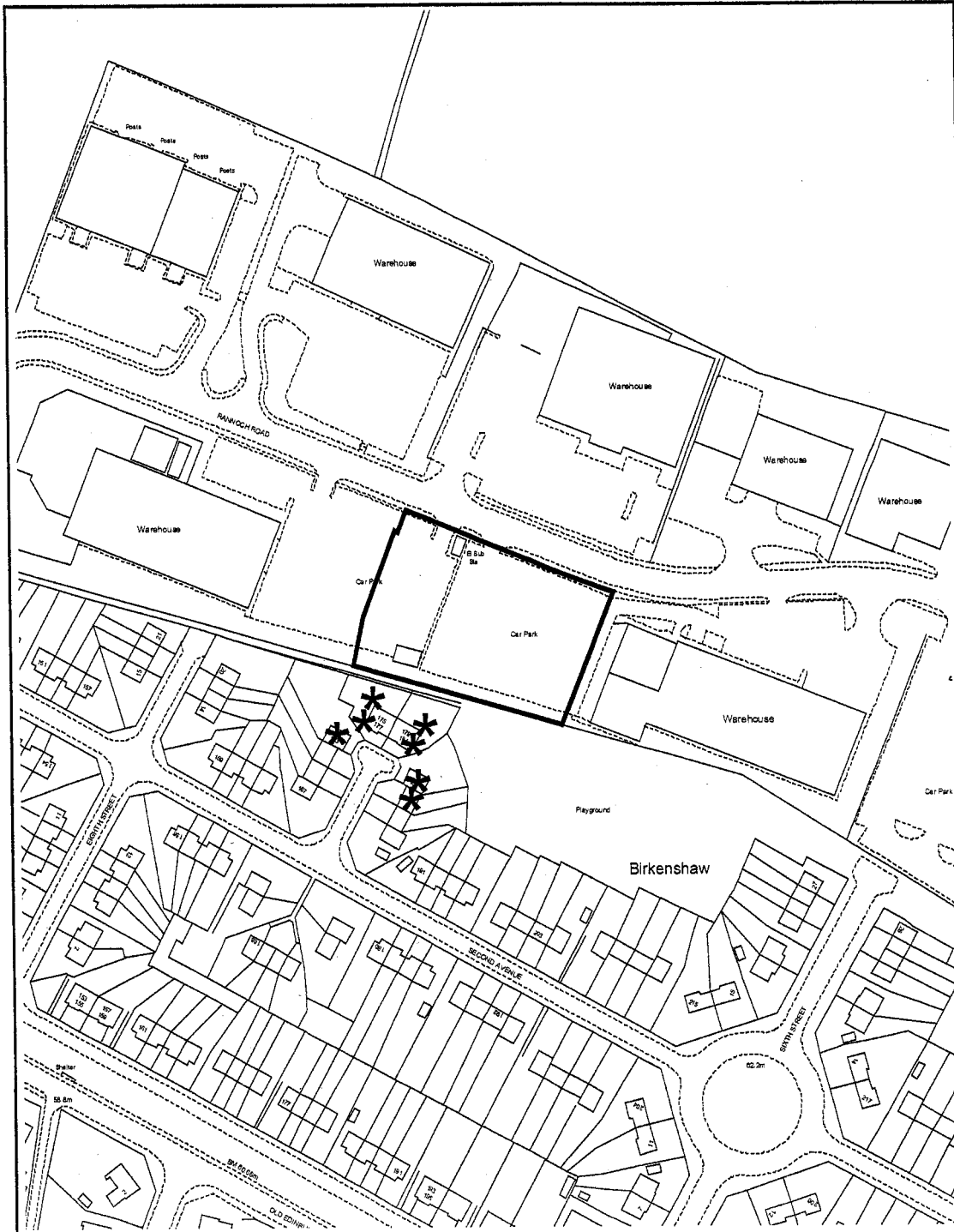
Newspaper Advertisement: Not Required

Comments:

Recommendation: Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.



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PLANNING APPLICATION No. S / 04 / 02250 / FUL
 ERECTION OF THREE NEW RETAIL WAREHOUSE
 UNITS (5000 SQ. FT. EACH) , RECONFIGURATION
 OF ACCESS, CAR PARKING AND SERVICING ARRANGEMENTS
 TEXTILE WORLD / LINDA REID, RANNOCH ROAD,
 BIRKENSHAW RETAIL PARK, UDDINGSTON.

* Representation

Site Area = 4.45 ha.

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2. That the use of the units hereby permitted shall be restricted to the sale of DIY, home furnishings, carpets and flooring, electrical and garden goods notwithstanding the terms of Class 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

Reason: To accord with Policy RTL3 of the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004).

3. That before the development hereby permitted starts, a report from a professionally qualified source detailing noise levels resulting from the development shall be submitted to, and approved in writing by the Planning Authority, and that any measures required to mitigate noise shall be implemented in full within a timescale agreed by the Planning Authority. This report should be submitted in hard copy and electronic format.

Reason: To protect the amenity of adjoining residents.

4. Notwithstanding condition no. 3 above, the design, installation and operation of any air conditioning/ventilation or other plant for the proposed units shall be such that any noise generated, when measured within any nearby dwelling (with windows open), complies with the requirements of the Environmental Protection Act 1990 and in particular, shall not exceed the equivalent of Noise Rating Curve NRC35 between the hours of 7 am and 8 pm, and Noise Rating Curve NRC25 at all other times.

Reason: In the interests of the amenity of adjoining residents.

5. That before the development hereby permitted is completed, all the parking and manoeuvring areas shown on the approved plans, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing work and clearly marked out, and shall, thereafter, be maintained as parking and manoeuvring areas.

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

6. That within 6 months of the occupation of the units hereby permitted, the 2 metre high timber fencing to be erected along the southern boundary, shall be erected and thereafter maintained as necessary.

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

7. That within 12 months of the completion of the development hereby permitted, the planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, shall be completed and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the completion of the development, shall be replaced within the following year with others of a similar size and species. Furthermore, for the avoidance of doubt, the girth of the proposed trees shall be increased to 20/22 cm.

Reason: In the interests of the visual amenity of the site and surrounding area.

8. Notwithstanding condition no. 7 above, within 6 months of the date of this consent, an ornamental landscaping scheme shall be submitted to, and approved in writing by the Planning Authority for the embankment area on the southern boundary of the site and shall incorporate similar planting to that approved under condition no. 7.

Reason: In the interests of the visual amenity of the site and surrounding area.

9. That before the development hereby permitted starts, a management and maintenance scheme shall be submitted to and approved in writing by the Planning Authority, for the continuing care, maintenance and protection of the existing and proposed grassed, planted and landscaped areas coloured GREEN on the approved plans and the rear yard area of the units.

Reason: To enable the Planning Authority to consider these details in the interests of the visual amenity of the site.

10. That before completion of the development hereby permitted, the management and maintenance scheme approved under the terms of condition 9 shall be in operation.

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

Background Papers:

Application form and plans received 23rd December 2004

Letter from British Gas Transco received 11th January 2005

Memo from Countryside And Landscape Manager received 21st January 2005

Memo from NLC Protective Services received 31st January 2005

Letter from Thomas Delaney, 181 Second Avenue, Birkenshaw, Uddingston, Glasgow, G71 6BD received 7th January 2005.

Letter from Mrs Sadie McCabe, 175 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 21st January 2005.

Letter from Mr Gilluley, 173 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 21st January 2005.

Letter from Mr McKinnon, 183 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 21st January 2005.

Letter from Mr McQuade, 185 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 21st January 2005.

Letter from Mrs S Herbertson, 179 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 21st January 2005.

Letter from Mr D Shaw, 177 Second Avenue, Birkenshaw, Uddingston, G71 6BD received 24th January 2005.

Any person wishing to inspect these documents should contact Joanne Delaney at 01698 302137.

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REPORT

1. Description of Site and Proposal

- 1.1 Planning consent is sought for the construction of 3 new retail units within the grounds of the Texstyle World and Linda Reid units at Birkenshaw Industrial Estate, Rannoch Road, Uddingston. The application site currently comprises underused car parking for those units and generally slopes gently from east to west with the exception of a grassed area on the southern boundary which slopes steeply upward to adjoining houses which sit approximately 2 metres above the site. The site is located almost centrally within the retail park and is adjoined to the north, east and west by other retail units. Residential properties lie immediately to the south but are located a minimum of 26 metres from the proposed units.
- 1.2 The application constitutes a speculative development as there are no known end clients appointed as yet. The proposals involve the reconfiguration of the vehicular accessing arrangements to the site and car parking layout to afford sufficient parking for the existing units to the east and the proposed new units. The proposals also necessitate the usage of some parking currently assigned to the Focus unit to the west. The units will each measure 464 square metres and will be 8.6 metres high. They will present similar shopfronts to those prevalent within the estate in the form of large glazed pedestrian entrances with projecting canopy signage and will be finished in a mixture of facing brick and cladding. The rear elevation of the building will only comprise emergency exit doors as all servicing of the units will be conducted from the front to minimise noise disturbance to adjacent residents. Landscaping will be employed adjacent to Rannoch Road to soften the built form, the rear yard area will be tidied up and new timber fencing will be erected along the rear boundary in keeping with the adjacent residential properties.

2. Development Plan

- 2.1 The application raises no strategic issues and can therefore be assessed in terms of the local plan policies. The adopted Uddingston-Tannochside Town Map zones the site as an Area Primarily for Industrial Use. The emerging Southern Area Local Plan Finalised Draft (Modified 2001 & 2004) zones the site for Retail Warehouse Development. Policy RTL3 supports new retail warehouse developments within the Birkenshaw Trading Estate and Policy RTL4 lists the criteria which should be considered when assessing applications for such developments. Among these are the consideration to be accorded to the character of the area; design elements such as building height, materials and positioning; and provisions made for access, vehicle circulation, parking and pedestrian safety.

3. Consultations and Representations

- 3.1 The utility bodies confirmed that they can service the site and raised no objections to the proposals.
- 3.2 NLC Transportation Section originally objected to the proposals as there would be a deficit in parking provision for the existing Linda Reid and Texstyle World units. However, following the relocation of the building 5 metres to the east to create 11 additional parking spaces, the proposals would achieve 96% of the maximum parking requirement collectively for the Focus, Linda Reid, Texstyle World and proposed new units, which I consider acceptable.
- 3.3 NLC Protective Services Section advised on suitable noise levels from any ventilation equipment or plant in association with the development and requested that a noise survey be

undertaken to assess any noise disturbance resulting from the development on adjoining residents.

3.4 NLC Community Services were generally satisfied with the landscape proposals and suggested minor amendments to the girth of trees and arrangement of shrubs.

3.5 7 letters of objection were received from adjoining neighbours on Second Avenue. Their concerns can be summarised as follows:

- the close proximity of the units to housing represents a potential fire hazard;
- the secluded rear yard area of the units will undoubtedly be an area where youths will congregate and conduct anti-social behaviour;
- privacy will be disrupted;
- the development will result in a loss of sunlight/daylight;
- the view will be disrupted by the unsightly buildings;
- the existing landlords of the Linda Reid and Textstyle World units have proven to be bad tenants and have allowed the rear fencing and yard areas to fall into disrepair;
- there will be noise and environmental pollution; and
- the proposals will de-value properties

4. Planning Assessment and Conclusions

4.1 The application raises no strategic issues and can therefore be assessed in terms of the local plan policies. The development is in accordance with the Development plan and is thus, considered acceptable in principle.

4.2 The scale, design and material finish of the building is also considered acceptable and complements the existing adjoining units within the retail park. NLC Transportation have confirmed that access and parking arrangements are satisfactory and the employment of landscaping will assist in softening the built form.

4.3 With regard to the objections, each concern will be discussed in turn. It is not considered that the building will represent a fire hazard as the construction will have to comply with Building Regulations in this regard. Anti-social behaviour to the rear of the units is a matter to be dealt with by the Police, not the Planning Authority. Privacy will not be disrupted as there are only fire exit doors located on the rear elevation facing the houses and some parking will be retained as currently exists therefore resulting in no reduction in privacy. There will be no loss of sunlight/daylight resulting from the development as the site is located to the north of the houses where no shadow can be cast given the directional path of the sun. There is no legal entitlement to a view, but in any case, residents currently have a view of a car park and it is not considered that the siting of a warehouse will detract from the view. Maintenance of the rear yard and boundary fencing has been an issue in the past, however conditions have been imposed to enforce a maintenance regime. It is not considered that there will be significant levels of environmental pollution from e.g. car emissions such that would warrant refusal given that the site currently operates as a car park, however, noise pollution may be an issue due to servicing etc. and a condition has been imposed requiring the developer to demonstrate related noise levels resulting from operations on the site. Finally, de-valuation of properties does not constitute a material consideration and cannot therefore be taken into account in the determination of the application.

4.4 Overall, I consider that the proposal will not detrimentally affect the character and amenity of the adjoining residential area, and will complement the retail park through the provision of additional units built of a similar scale, design and finish. The development accords with local plan policies and will seek to bring an area of underused car parking into productive use contributing to the vitality of the retail park. I therefore recommend that planning consent be granted.