

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
15th May 2019

Reference No: 2019/0085/TP

Ward: 1

Page 5

Applicant:

Sava Estates
2 Glasgow Road
Hurlet
Barrhead
G53 7TG

Agent:

Bennett Developments and Consulting
10 Park Court
Glasgow
Scotland
G46 7PB

Site: The Toby Carvery, Glasgow Road, Hurlet, Barrhead, East Renfrewshire

Description: Change of use of public house to funeral parlour

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REPORT OF HANDLING

Reference: 2019/0085/TP

Date Registered: 18th February 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 251425/:660907

Applicant/Agent:

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Proposal: Change of use of public house to funeral parlour

Location: The Toby Carvery

Glasgow Road

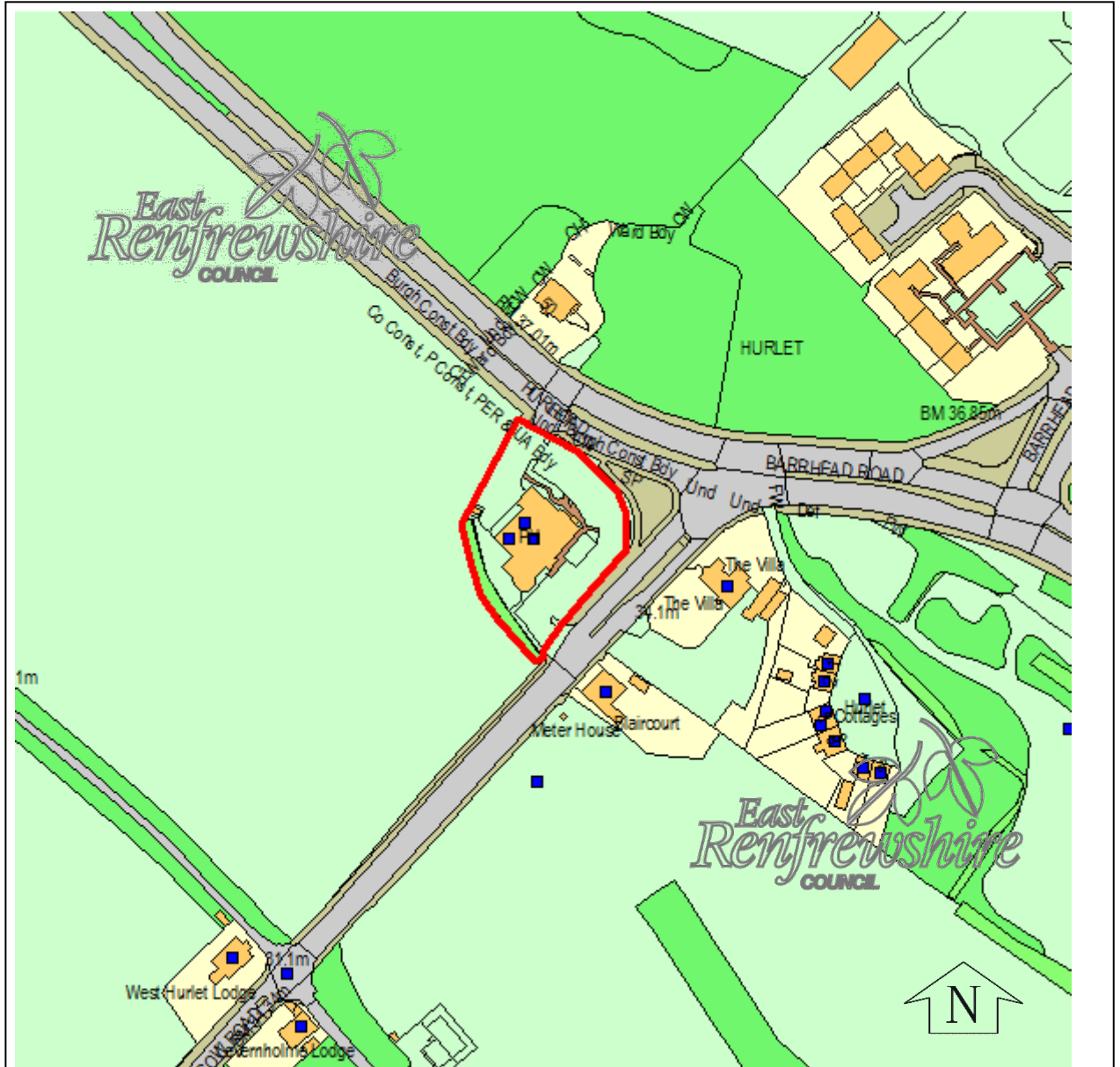
Hurlet

Barrhead

East Renfrewshire

G53 7TG

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objection.
East Renfrewshire Council Environmental Health Service	No objection.
Glasgow City Council	No reply at time of writing.
Transport Scotland Trunk Roads Network Management	No objection.

PUBLICITY:

01.03.2019	Barrhead News	Expiry date 15.03.2019
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SITE NOTICES: None.

SITE HISTORY:

2003/0026/AD	Erection of two free standing signs and four wall mounted signs	Approved Subject to Conditions	31.07.2003
2006/0007/AD	Erection of freestanding, externally illuminated sign	Approved Subject to Conditions	14.06.2006
2006/0458/TP	Erection of two smoking umbrellas (in retrospect)	Granted	01.08.2006
2008/0011/AD	Display of 3 no. internally illuminated wall mounted signs; 6m high internally illuminated totem sign; 1 no. internally illuminated free standing signs	Approved Subject to Conditions	05.06.2008
2009/0030/ADV	Erection and display of 3 externally illuminated double sided free standing signs, 1 externally illuminated single sided freestanding sign and 3 internally illuminated wall mounted signs	Approved Subject to Conditions	26.02.2009
2019/0247/ADV	Display of three externally illuminated free standing signs; externally illuminated fascia and wall mounted signs; four wall mounted signboards	Pending consideration	

REPRESENTATIONS: Nineteen objections and one petition (containing 14 signatures) objecting to the proposal have been received and can be summarised as follows:

Increase in traffic and inadequate car-parking
Noise pollution
Impact on green belt
Impact on visual amenity
Impact on wildlife
Emissions from crematorium
Loss of public house/restaurant
Alternative use should be found
Alternative sites should be considered
Impact on property values
Wider neighbour notification should be carried out.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Statement – The statement describes the site and the proposal and makes an assessment against local planning policy. It concludes that the proposed use would be suited to the site.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application requires to be determined by the Planning Applications Committee as more than 10 objections have been received.

The application site comprises a disused public house, its car-park and yard areas and lies in the greenbelt to the north-east of Barrhead. It occupies a site at the junction of Glasgow Road with the A726 Hurllet Road on the northern boundary of the Council area. The premises operated until recently as The Toby Carvery. The site measures approximately 3600 sqm in area.

Hurllet Road is a busy A class road linking the south side of Glasgow and East Renfrewshire with Paisley. The site has two vehicular accesses, one from Glasgow Road on the site's eastern boundary and the other from Hurllet Road on the site's northern boundary. There are presently 69 car-parking spaces within the site. Residential properties lie opposite, across Glasgow Road at Hurllet Cottages, approximately 20 metres away. Further residential properties lie opposite, across Hurllet Road at Hurllet Hill, within the Glasgow City Council area, approximately 30 metres away.

Planning permission is sought for a change of use of the public house to a funeral parlour. A funeral parlour falls within Class 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1992.

Internal alterations are proposed to form a service area for the carrying out of funeral ceremonies measuring approximately 100 square metres with a capacity of 40-50 persons; four viewing areas; a foyer; and reception areas. Offices, meeting rooms and a preparation area are also proposed.

No external alterations are proposed to the building. The car-parking and accesses are to remain unchanged with the 69 spaces retained for the proposed use. The proposed hours of operation are 9am to 5pm seven days per week, with staff in the premises from 8am to 6pm. The applicant proposes to undertake between 500 and 1000 funerals per year from the site. 1000 funerals per year would equate to 3 per day. Deliveries are proposed to be undertaken by smaller vehicles and vans.

The application requires to be assessed with regard to Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a loss of character or amenity to the surrounding area and that the Council's access and parking requirements should be met. Policy D3 states that development in the greenbelt will be controlled and limited to that which is required and appropriate for a rural location.

In terms of Policy D1, given the former use as a public house and the site's location adjacent to the A726, the proposed use would not be considered to give rise to a significant reduction in the amenity of the nearby residential properties in terms of noise and disturbance. It is noted that the Council's Environmental Health Service has no objection to the proposal and that the proposed use would not operate beyond 5pm, with staff leaving by 6pm. In terms of access and parking, the Council's Roads Service and Transport Scotland have no objection to the proposal. The proposal is therefore considered to comply with Policy D1.

Policy D3 relates to development in the greenbelt and states that development in the greenbelt will be strictly controlled and limited to that which is required and appropriate to a rural location. Policy D3 goes on to indicate that where planning permission is sought for development proposals in the Green Belt and these relate to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the LDP. Any decision will take into consideration the impact of proposals will have on the function of the greenbelt and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

In strict terms this proposal is not a development type referred to in Policy D3. However it should be noted that this part of the greenbelt is not completely undeveloped countryside and does not have landscape designations. There is some development at this location as well as with some wooded areas and agricultural land between Barrhead and the southern edge of Glasgow. There are incidences of development in the area, but it continues to serve as a break between the urban areas. Historically there has been limited scattered development in the area in the form of a few large houses in extensive grounds. The proposal represents the re-use of an existing disused building and the general principle of development in the greenbelt at this location has therefore been established. As no exterior changes to the building are proposed, the proposal would not be considered to have a significant impact on the character or amenity of the rural area. The proposal does not therefore raise any conflict with Policy D3.

It should be noted that in the future the use of the premises could change from a funeral parlour to another Class 1 retail use without the need for planning permission. In order to consider the impact of such a use it is considered necessary to attach a condition restricting the approved use to a funeral parlour only.

The following comments are made in respect of the points of objection not specifically considered above.

As no external changes are proposed to the building, the proposal is not considered to impact on visual amenity. The proposal would be unlikely to have any significant impact on wildlife given its nature and scale and the site is not covered by a nature designation. The proposal does not comprise a crematorium. The Council must consider the application that has been submitted and cannot consider the loss of the previous use, alternative sites or alternative uses for the building. The impact on property values are not a material planning consideration. The neighbour notification has been carried out in accordance with the relevant planning legislation and the Council has no power to vary the legislation. It should be noted that the application was advertised in the Barrhead News.

Overall conclusion

The proposal is considered to generally comply with the adopted East Renfrewshire Local Development Plan. There are no material considerations that indicate the application should not be approved.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITIONS:

1. Notwithstanding the terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the premises hereby granted planning permission shall operate as a funeral parlour only and for no other use in Class 1 of the specified Order.

Reason: To ensure the Council retains control over the future use of the site.

2. The car-parking shown on the approved site plan reference 26193/11 shall be available for use prior to the operation of the funeral parlour use hereby approved and shall be maintained within the site free from obstruction thereafter.

Reason: To ensure that adequate car-parking is provided, in the interest of public road safety.

ADDITIONAL NOTES: None

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Development Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2019/0085/TP
(DESC)

DATE: 8th May 2019

DIRECTOR OF ENVIRONMENT

Reference: 2019/0085/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;

12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy indicates that where a planning authority considers it appropriate, such as in the most pressured areas, the development plan may designate a green belt around a town to support the spatial strategy by: directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space. Local development plans should show the detailed boundary of any green belt and describe the types and scales of development which would be appropriate within a green belt.