

**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**

Application continued from the Planning Applications Committee dated 5th September 2018 to be considered by the Planning Applications Committee dated 3rd October 2018

Reference No: 2017/0482/TP

Ward: 4

Applicant:

Byrne Home Improvements Ltd
311 Clarkston Road
Glasgow
G44 3EJ

Agent:

Robert Thompson Designs
5 Queen Square
Glasgow
G41 2BG

Site: Site to rear of 17 Eaglesham Road, Clarkston, East Renfrewshire

Description: Erection of units for use as office and storage space

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REPORT OF HANDLING

Reference: 2017/0482/TP

Date Re-registered: 27th February 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4: Clarkston, Netherlee and Williamwood

Co-ordinates: 257471/:656920

Applicant/Agent:

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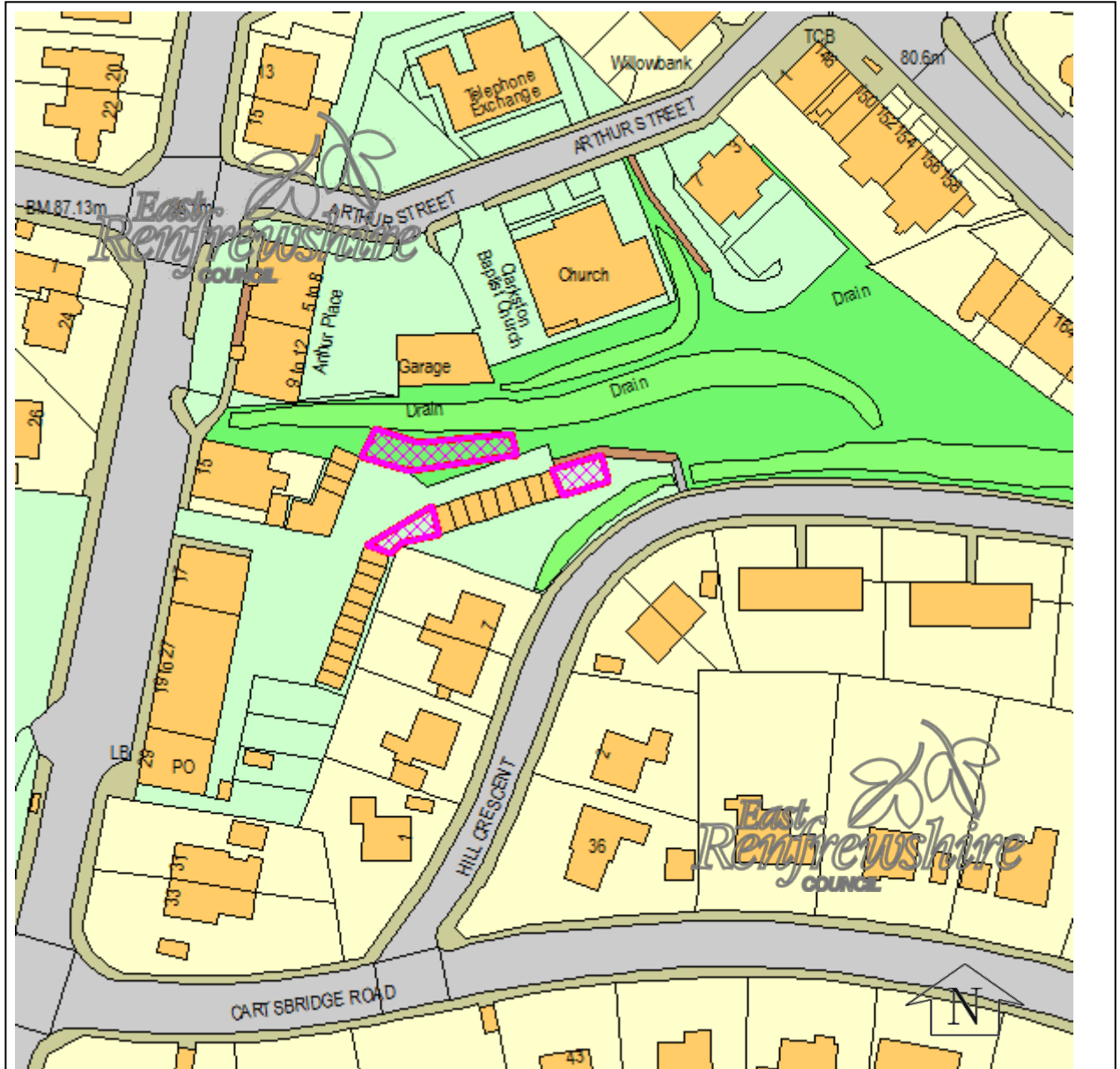
Proposal: Erection of units for use as office and storage space.

Location: Site to rear of 17 Eaglesham Road

Clarkston

East Renfrewshire

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CONSULTATIONS/COMMENTS:

Scottish Environment Protection Agency	No objection.
East Renfrewshire Council Roads Service	No objection.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.

PUBLICITY:

08.09.2017	Glasgow and Southside Extra	Expiry date 22.09.2017
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SITE NOTICES: None.**SITE HISTORY:** None relevant.**REPRESENTATIONS:** Sixteen representations have been received and can be summarised as follows:

Detrimental to public road safety and pedestrian safety
 Poor state of access road
 Impact on existing car-parking
 Impact on residential amenity from noise and odours
 Detrimental to visual amenity/incongruous design and materials
 A waste recycling centre is not appropriate
 Drainage issues
 Existing utilities cannot be accessed, moved or at capacity
 No indication of what is to be stored
 Build-up of industrial waste
 Loss of trees
 Industrial use out of character
 The proposed development lies within 5 metres of the site boundary and does not satisfy planning policy
 Legal issues
 Ownership issues
 Advertising on premises may appear to relate to existing businesses
 Issues relating to the sale of the land

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1**SUPPORTING REPORTS:** No reports have been submitted for consideration as part of this application**ASSESSMENT:**

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

The application site comprises three separate areas of land that lie within and adjacent to an existing service yard/parking area to the rear of commercial and residential properties on the east side of Eaglesham Road, Clarkston. An tarmac footpath links the east of this yard area to Hill Crescent. The sites lie within the general urban area as defined in the adopted East Renfrewshire Local Development Plan and adjacent to the Sheddens Neighbourhood Centre. They are accessed from Eaglesham Road via an access that also serves the rear of the commercial premises, a hair dressing salon, rows of lock-up garages and an informal, unsurfaced car-parking area.

The sites are referred to on the location plan and site plan as units 1-3 to the north adjacent to a watercourse (measuring 5.3 metres by 25 metres), unit 4 (5.2 metres by 14.5 metres) to the south west of a row of lock-ups and unit 5 (5 metres by 9.3 metres) to the east of the row. The sites are undeveloped and partially overgrown. The sites identified as unit 4 and unit 5 are level and may have been, or were intended to have been, sites for lock-up garages given their general dimensions. The site identified as units 1-3 is partly sloping as the land falls towards the watercourse to the north.

Whilst domestic lock-up garages lie adjacent to the sites, the wider area is of mixed commercial and residential character. As noted above, the sites lie within the Sheddens Neighbourhood Centre. The buildings on the east side of Eaglesham Road are generally in retail use and ground level with flats above. Garage premises lie to the north across the watercourse at a lower level with a church further to the north-west. Further residential properties lie to the south and east, elevated above the sites on Hill Crescent. Some self-seeded trees and shrubs have been removed from the sites.

Planning permission is sought for the erection of five units for use as office and storage space. On the submitted application form the use of the units is referred to "Class 5 General Industry". Class 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 can cover a range of uses including manufacturing. The nature of the proposed use of the units has subsequently been clarified by the applicant's agent. The units are to provide a base with storage and parking facilities for individual traders such as plumbers, joiners and electricians and no manufacturing would take place. The proposed use would therefore be considered to be Class 4 Business use.

One block of three units (units 1-3) and two individual units (units 4 and 5) are proposed. The units are proposed to be externally finished with wood-effect cement weatherboard cladding, facing brick, single ply uPVC roofing and with units 1-4 having roller shutter doors allowing internal access by a vehicle. Units 1-3 measure 5.3 metres deep by 25 metres wide by 7.4 metres high taking account of the underbuilding to the rear. From the front units 1-3 will stand 4.8 metres high. Unit 4 measures 5.2 metres deep by 14.5 metres wide by 4.8 metres high and unit 5 measures 5 metres deep by 9.3 metres wide by 4.8 metres high. Each unit has a mono-pitch roof.

The application requires to be assessed with regard to Strategic Policy 2, Policy D1 and Policy D2 of the adopted East Renfrewshire Local Development Plan.

Strategic Policy 2 applies a sequential approach to all development, giving priority to brownfield sites within the urban area. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area and that it should be of a size, scale, massing and density that is in keeping with the area and that it should respect local architecture and design. It also states that the Council's access and parking requirements should be met. Policy D2 supports development within the general urban area where compatible with the character and amenity of the area.

The proposal is for a commercial use within the general urban area. The development is therefore generally acceptable in principle subject to its impact on character and amenity and compliance with other local development plan policies. The proposal represents a further commercial use within an area of mixed commercial and residential use. It is therefore considered to be in keeping with the established character of the area. In terms of impact on the amenity of the adjacent residential properties, it is noted that the proposed use is for storage and office space. Given the relatively small scale of the units and their location adjacent to the Sheddens Neighbourhood Centre, it is not considered that the proposal would have such a significant impact on residential amenity. It is noted that the Council's Roads Service has not objected to the application as it would have no impact on the public road network.

The proposed units are considered to be acceptable in appearance. Samples of materials can be approved prior to work commencing and this can be secured by a condition. A further condition can be attached to any planning permission granted requiring submission of details of the storage and disposal of waste in the interest of amenity. It should be noted that the Council's Environmental Health Service has no objection to the proposal and conditions can be attached to any planning permission granted to control the construction hours and the noise output from the development when in use. The proposal is therefore considered to comply with Policy D1 of the Local Development Plan.

Given its location within the general urban area and that it would be in keeping with the general character of the area, the proposal complies with Strategic Policy 2 and Policy D2 of the Local Development Plan.

With regard to the points of objection that have not been specifically addressed above, the following comments are made. The Council's Roads Service has not objected to the proposed development in terms of parking, the use of the existing access and public road safety. This position is noted, however following further assessment of unit 5 its design has been amended to remove the roller shutter /vehicular access arrangement. It was considered that this would conflict with the existing footpath running immediately in front of the unit. The roller shutter has been replaced with a front window.

The proposed business use would not be considered to give rise to significant noise impact, odours and environmental pollution. It should be noted that following confirmation of the proposed use of the units neighbours were re-notified.

The "waste-recycling" annotation on the location plan is part of the base map and does not form part of the application. A waste recycling centre is not proposed. The drainage of the site has been considered by SEPA who do not object to the application. The applicant will have to liaise with utility providers to ensure the development can be serviced. The ability of existing utilities to service the proposals, access to them or their need to be moved is not therefore a material planning consideration.

The storage of hazardous substances is controlled by the Health and Safety Executive under separate legislation. It is not therefore a material planning consideration. The use is not considered to give rise to industrial waste.

The site is not covered by a Tree Preservation Order. The Council has no control over the felling of trees on the site. The vegetation removed was mainly self-seeded trees and shrubs.

The location of the development has been assessed and complies with planning policy. Legal and ownership issues are not material planning considerations. Subsequent advertisements will be assessed with regard to the Town and Country Planning (Control of

Advertisements) (Scotland) Regulations 1984 and are not considered as part of this application.

In conclusion, the proposal accords with the relevant policies of the adopted East Renfrewshire Local Development Plan and there are no material considerations that outweigh these policies.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITIONS:

1. Development shall not commence until samples of materials to be used on all external surfaces of the buildings have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details for the storage and disposal of waste have been submitted and approved in writing by the planning authority. Thereafter the development shall be complete in accordance with the approved details.

Reason: In the interest of environmental amenity.

3. Noise from the premises must not exceed Noise Rating Curve 35 (as described in BS8233:2014) during the hours of 0700 - 2300 hrs and Noise Rating Curve 25 during the night-time hours of 2300 - 0700, as measured at any neighbouring residential property.

Reason: To safeguard the amenity of the occupants of the adjacent residential properties.

4. Any previously unsuspected ground contamination which becomes evident during the development of the site shall be brought to the attention of the planning authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the planning authority. If appropriate, the development shall continue in accordance with the recommendations of the assessment.

Reason: In the interest of environmental amenity.

5. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority.

Reason: To prevent noise nuisance to the surrounding area.

6. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

ADDITIONAL NOTES:

The applicant is requested to comply with the requirements of Scottish Environment Protection Agency (SEPA).

ADDED VALUE:

Design, layout and/or external material improvements have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Plan policies.

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.: 2017/0482/TP
(DESC)

DATE: 29th August 2018

DIRECTOR OF ENVIRONMENT

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Reference: 2017/0482/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

Strategic Policy 2

Assessment of Development Proposals

Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), will be assessed against relevant criteria below as well as Policy D1:

1. Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact Assessment and the requirement for proposals to provide a defensible green belt boundary and links to the green network;
9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;
10. The potential for remedial or compensatory environmental measures including temporary greening;
11. The contribution to energy reduction and sustainable development.
12. The impact on health and well being;
13. The cumulative impact of the development;
14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;

15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

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 D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

GOVERNMENT GUIDANCE: None

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