

Planning Application: Report of Handling



Renfrewshire
Council

Reference No. 22/0057/PP

KEY INFORMATION

Ward:
(6) Paisley Southeast

Applicant:
Mr Zubair Malik

Registered:
31 January 2022

Report by Head of Economy & Development

PROSPECTIVE PROPOSAL: Erection of drive-through dessert parlour (Class 1) with associated access and parking

LOCATION: Unit E, 1 Glenburn Road, Paisley, PA2 8TA

APPLICATION FOR: Full Planning Permission



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RECOMMENDATION

Refuse

Alasdair Morrison
Head of Economy &
Development

IDENTIFIED KEY ISSUES

- The application site is within an area of open space covered by Policy P1 of the Adopted Renfrewshire Local Development Plan.
- There have been forty one letters, and one petition received which object to the development.
- There have been no objections from consultees.

RENFREWSHIRE COUNCIL
 REPORT OF HANDLING FOR APPLICATION 22/0057/PP

SITE ADDRESS	Unit E,1 Glenburn Road, Paisley, PA2 8TA
PROPOSAL	Erection of drive-through dessert parlour (Class 1) with associated access and parking
RECOMMENDATION	Refuse

PROPOSALS	<p>This application seeks planning permission for the erection of a drive-through dessert parlour with associated access and parking on an area of grassland at the junction of Glenburn Road and Caplethill Road.</p> <p>The semi circle area of grassland is approx. 800 square metres. There is a single mature tree on the site, and no boundary treatment. It is bound by a hand car wash to the south, with Glenburn Road to the west and north and Caplethill Road to the east. The nearest residential properties are on Southfield Avenue approx. 15m to the north west, and Fintry Avenue approx. 40m to the south west.</p> <p>The proposed development comprises a single storey container unit positioned centrally within the area of open space. The container will be clad in treated cedar wood battens, and will incorporate a dual pitched roof. A semi circle area of approx. 440 square metres will be hard surfaced around the building to provide parking and manoeuvring space for vehicles. The remainder of the site will be left as grassland, and the mature tree will be retained.</p> <p>Access will be shared with the hand car wash. There are two points of access to the site in this regard, one from Glenburn Road to the west and the other from Caplethill Road to the east. The development will also use the bin storage arrangements associated with the hand car wash.</p> <p>This report relates to an application for planning permission that would normally fall within the Council's scheme of delegation to be determined by an appointed officer. However, a request has been submitted by three members, within 21 days of an application appearing on the weekly list, that the matter be removed from the scheme of delegation and that it be determined by the Board due to its potential impact on the amenity of the surrounding residential area.</p> <p>This request was submitted in line with the scheme submitted to Scottish Ministers and approved by Council on 1 March 2018 and was subject to discussion between the Convenor of the Communities Housing & Planning Board and the Head of Economy and Development who agreed that in this instance it would be appropriate for Board to consider this application.</p>
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SITE HISTORY	Application: 11/0134/PP Proposal: Change of use from petrol station and car wash to 24-hour hand car wash and valeting site (in retrospect). Decision: Grant subject to conditions
CONSULTATIONS	<p>Communities & Housing Services (Environmental Protection Team) – Comments made with respect to potential for ground contamination, and noise associated with plant, machinery, and equipment.</p> <p>Environment & Infrastructure Services (Roads) – Confirmation sought over junction sightlines, pedestrian provision, parking and internal circulation, traffic generation in close proximity to busy junctions, anticipated vehicle trips, and management of access and egress across the site as a whole.</p> <p>Glasgow Airport Safeguarding – No objections.</p>
REPRESENTATIONS	<p>Forty one letters of representation and one petition have been received. The letters and petition object to the application on the following grounds.</p> <p>1 – Safety and increased traffic at the busy T junction</p> <p>2 – Access to the site for pedestrians (especially children) is unsafe</p> <p>3 – Cars waiting for orders could cause tail backs onto Glenburn Road</p> <p>4 – Loss of green space which is aesthetically pleasing and provides visibility for drivers</p> <p>5 – Lack of parking</p> <p>6 – Litter</p> <p>7 – Noise and disturbance from late opening hours</p> <p>8 – Potential for anti-social behaviour</p> <p>9 – Over concentration of business uses within a residential area</p> <p>10 – Noise</p> <p>11 – Area is already well served by amenities</p>
DEVELOPMENT PLAN POLICIES	<p><u>Adopted Renfrewshire Local Development Plan (2021)</u></p> <p>Policy P1 – Renfrewshire’s Places Policy P6 – Open Space Policy C2 – Development Outwith Renfrewshire’s Network of Centres Policy I1 – Connecting Places</p>

	<p><u>Draft New Development Supplementary Guidance</u> Delivering the Places Strategy – Creating Places and Open Space Delivering the Centres Strategy – Meeting Local Neighbourhood Demand Delivering the Infrastructure Strategy – Connecting Places</p> <p><u>Material considerations</u> Renfrewshire's Places Residential Design Guide March 2015</p>
<p>PLANNING ASSESSMENT</p>	<p>Policy P1 states that within uncoloured areas on the proposals maps there will be a general presumption in favour of a continuance of the built form. New development proposals within these areas should make a positive contribution to the place and be compatible and complementary to existing uses.</p> <p>The existing area of grassland makes a positive contribution to the amenity of the area. The grassland is not a formal recreational resource as such, and its value primarily derives from the positive contribution it makes to the place shaping of the residential environment at the eastern end of Glenburn Road and Southfield Avenue.</p> <p>The positive value of areas of open space is recognised by Policy P6 of the adopted Local Development Plan. Whilst the site is not formally identified on the proposals map as an area of open space, the associated draft new development supplementary guidance states that areas of open space not formally identified will nevertheless be protected from development unless certain criteria can be satisfied. Each criterion will be assessed in turn.</p> <p>The proposed development is not for recreation or physical activity use and will not improve the quality and range of facilities.</p> <p>There is not considered to be an excess of public open space in the immediate area surrounding the site. It is recognised that agricultural land to the east of Caplethill Road provides an open outlook to the area. However, the site makes a positive contribution to the amenity value of the residential environment, and this contribution will be eroded should the site be developed.</p> <p>The development will lead to the loss of approx. half of the area of open space.</p> <p>There are no existing facilities on this area of open space, and it has no formal function as a recreational resource. Therefore, there is no requirement for off setting of recreational facilities in this regard.</p> <p>In terms of replacement of the loss of this area ground it is not considered that alternative provision of equal value could be made available at another location.</p> <p>The proposed development would provide an additional service in the local area. However, there is a parade of units on Glenburn Road</p>

approx. 130m to the south west of the site which already serve local neighbourhood demand in this area. There is also a detached unit approx. 30m to the south west of the site which has recently been granted planning permission to operate as a class 3 with hot food takeaway (see application 19/0679/PP). On this basis it is not considered that the potential benefit associated with another food related establishment in the area would outweigh the open space value of the site.

The letters of representation have raised concerns over the potential impact of the proposed development on the amenity of nearby residential properties. However there have been no objections from statutory consultees (subject to the imposition of conditions and the submission of further information). On this basis, it is possible that the principle of the proposed use may be acceptable within a residential environment.

However, it should be noted that the proposal does not constitute the redevelopment of a brownfield site, and instead it would constitute the loss of an area of open space that makes a positive contribution to the amenity of the local area. The presumption is in favour of protecting these areas of open space, and erosion of the space would have a negative impact on the amenity of the area.

On balance it is considered that the loss of open space associated with the proposed development would have a detrimental impact on the character and amenity of the place, and the value of the proposed development does not outweigh the present value of the site. There is not considered to be justification for the development in this regard, and on this basis, it is contrary to Policies P1 and P6.

Policy C2 states that proposals for new commercial development should be located in accordance with the sequential approach. Development outwith the network of centres must be justified against several criteria including that the proposals are of an appropriate scale and do not significantly impact upon the function, character or amenity of the surrounding area.

As noted above, the proposed development will have a detrimental impact on the character and amenity of the area as it will erode an area of open space. It has not been demonstrated that the proposed development would be of value in meeting a local neighbourhood demand that would off set the loss of the open space. The development is also therefore considered to be contrary to Policy C2.

Policy I1 states that all development proposals require to ensure appropriate provision and accessibility including the ability to connect to active travel and public transport networks. Development proposals which give priority to sustainable modes of travel and have no significant impact on the safe and efficient operation of the local or trunk road network will be supported.

Environment & Infrastructure Services (Roads) has sought clarification

	<p>on several aspects of the development, namely accessibility for pedestrians and the potential impact on the local road network with respect to access, sightlines, and traffic generation.</p> <p>The proposed development is vehicle orientated, and the layout at present does not make provision for accessibility by other modes of transport. The applicant has also not provided any evidence in support of the development with respect to its potential impact of the development on the local road network. In view of the above, the proposal as it stands is contrary to Policy I1.</p> <p>In view of the above assessment, it is concluded that the proposed development is contrary to Policies P1, P6, C2 and I1 of the Adopted Renfrewshire Local Development Plan. Presumption is therefore weighted in favour of retaining the area of open space in its current form, and the proposed development does not justify the loss of open space in this regard. It is therefore recommended that the proposed development is refused.</p>
RECOMMENDATION	Refuse

Reason for Decision

1. The proposed development is contrary to Policy P1 and P6 of the adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance on Open Space in that it will result in the loss of an area of open space which makes a positive contribution to the amenity of the place.
2. The proposed development is contrary to Policy C2 of the adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance on Meeting Local Neighbourhood Demand as it has not been justified and will have a detrimental impact on the character and amenity of the surrounding area.
3. The proposed development is contrary to Policy I1 of the adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance on Connecting Places in that it does not make adequate provision for accessibility for sustainable modes of travel nor has it been demonstrated that the development is compatible with the safe and efficient operation of the local road network with respect to access and traffic.