

White Elephant Property Limited
134 Merrylee Road
Glasgow,
G44 3DL



Planning Statement

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Document Control

Applicant: White Elephant Property Limited

Project: 134 Merrylee Road, Glasgow

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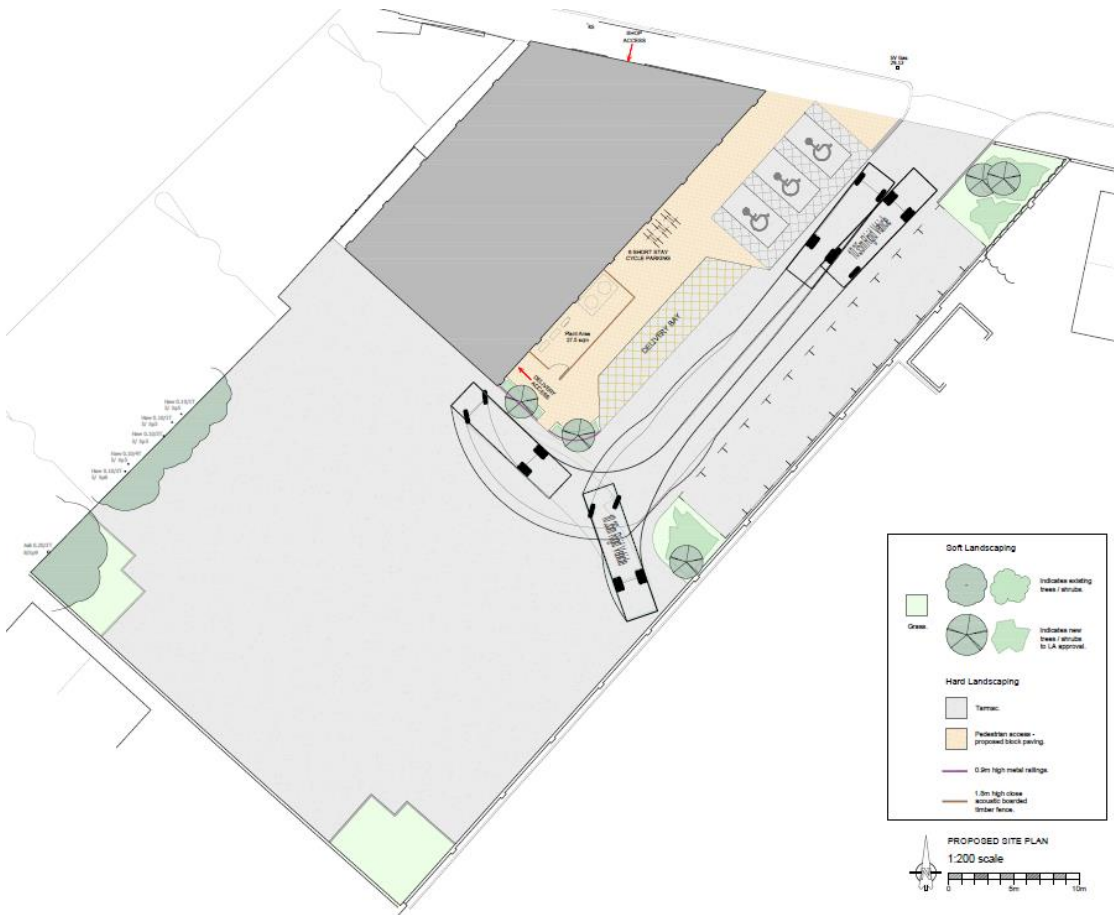
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1.0 Introduction

- 1.1 CPC Planning Consultants Limited (“**CPC**” or the “**Agent**”) have produced this Planning Statement, on behalf of White Elephant Property Limited (the “**Applicant**”), in support of the planning application at the application site (the “**Site**”): 134 Merrylee Road, Glasgow, G44 3DL.
- 1.2 Planning permission is sought from Glasgow City Council (the “**Council**”) for the following:
“Conversion of White Elephant Public House (Sui Generis) into a convenience store (Class 1) following partial demolition of the building, utilising the existing access, with associated car parking and landscaping”.
- 1.3 The floor space of the convenience store measures 374 sqm plus a plant area of 27.5m² GIA. The floorspace of the convenience store comprises a sales area 267m² GIA and a back of house of 107m² GIA.
- 1.4 This Planning, Design and Access Statement has been informed by, and should be read in conjunction with, the following documentation:
 - Completed planning application form
 - Covering letter – prepared by CPC
 - Existing and proposed plans – prepared by PLC
 - Design and Access Statement – prepared by PLC
 - Retail Statement – prepared by Edgeplan
 - Flood Risk Assessment – prepared by JDL
- 1.5 The proposed site layout is reproduced below for illustrative purposes.

Proposed site layout



2.0 Application Site and Surroundings

- 2.1 The site currently accommodates a single storey building fronting Merrylee Road which was formerly a public house. A railway line forms the western boundary of the Site, linking Glasgow and Neilstone. There is a modern flatted development to the east of the site and an industrial unit/builder's yard to the south.
- 2.2 The Cathcart/Muirend Local Town Centre is located approximately 100m to the east of the site, comprising local shops and services, with a Sainsbury's supermarket located approximately 0.7km from the site.
- 2.3 Regular bus services run from outside the site on Merrylee Road and from Clarkston Road 100m to the east. The nearest train stations are at Cathcart and Muirend, which are each about 0.6km away.

3.0 Planning History

3.1 The following planning applications relate to the application site:

- 23/01882/FUL - Erection of mixed-use development, comprising convenience store (Class 1A) and 12No. residential flatted dwellings (Sui generis) with photovoltaic panel installation, access, delivery bay, car parking, landscaping and associated works. Currently pending decision.
- 22/00941/FUL – Erection of mixed use development comprising convenience store (Class 1A) and 20no. residential flatted dwellings (Sui generis) with rooftop terrace and photovoltaic panel installation, access, delivery bay, car parking, landscaping and associated works. Refuse – 23 May 2023. Currently subject to a Local Review Planning Appeal (23/00055/LOCAL)
- 02/01327/DC – Extension to bar restaurant and alterations to frontage - Permission 2002
- 83/1859 – Use of industrial building as lounge bar with associated car parking and partial demolition of building – Permission 1983

3.2 The following planning applications relate to nearby sites;

- 17/03516/DC – Site Formerly Known as 40 Muirend Avenue Glasgow – Erection of residential development with associated parking and amenity. Permission – 6 Mar 2018.
- 17/00316/DC – Site Formerly Known as 83 Brunton Street Glasgow – Erection of residential development with associated access, landscaping and open space. Permission – 23 Nov 2017.
- 15/02153/DC – Merrylee Lodge 55 Muirsketh Road Glasgow G43 2JX – Erection of residential development (31 Units), residential care unit (Class 8), associated vehicular access and landscaping. Permission – 9 Aug 2016.

4.0 Planning Policy Context

- 4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The Development Plan comprises the National Planning Framework 4 (February 2023) and the Glasgow City Development Plan (March 2017), while Supplementary Guidance documents (SG) provide further detail in relation to each of the CDP policies. Relevant SG documents are quoted below.

National Planning Framework 4

- 4.3 National Planning Framework 4 (NPF4) was published on 13 February 2023 sets out a national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy. The relevant policies are quoted below:
- **Policy 1 Tackling the Climate and Nature Crises**
 - **Policy 2 Climate Mitigation and Adaptation**
 - **Policy 3 Biodiversity**
 - **Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings**
 - **Policy 12 Zero Waste**
 - **Policy 13 Sustainable Transport**
 - **Policy 14 Design, Quality and Place**
 - **Policy 15 Local Living and 20 Minute Neighbourhoods**
 - **Policy 16 Quality Homes**
 - **Policy 21 Play, Recreation and Sport**
 - **Policy 22 Flood Risk and Water Management**
 - **Policy 28 Retail**

Glasgow City Development Plan

4.4 The Glasgow City Development Plan ('the CDP') was adopted on 29th March 2017. It sets out the Council's land use strategy and provides the basis for assessing planning applications. The following policies are the most relevant to the application:

- **CDP 1 The Placemaking Principle**
- **CDP 2 Sustainable Spatial Strategy**
- **CDP 4 Network of Centres**
- **CDP 5 Resource Management**
- **CDP 7 Natural Environment**
- **CDP 8 Water Environment**
- **CDP 11 Sustainable Transport**
- **CDP 12 Delivering Development**

4.5 Each policy in the CDP has a corresponding piece of Supplementary Guidance (with the exception of Policy CDP2 Sustainable Spatial Strategy), with the relevant ones listed below:

- **SG 1 – The Placemaking Principle**
- **SG 4 – Network of Centres**
- **SG 5 – Resource Management**
- **SG 7 – Natural Environment**
- **SG 8 – Water Environment**
- **SG 11 – Sustainable Transport**
- **Interim Planning Guidance 12 – Delivering Development**

5.0 Key Development Considerations

Introduction

5.1 This section underlines why the proposed development is both acceptable and desirable with regards to the planning policy context as discussed in Section 4. This section will similarly address the technical considerations that are relevant to the proposal.

Principle of development

- 5.2 The site is a brownfield site located within Glasgow, a suitable location for sustainable development within Scotland.
- 5.3 The site currently comprises a former public house with car parking for patron use. The pub will be converted to provide a convenience store, along with partial demolition of the public house.
- 5.4 The proposed convenience store will measure 374 sqm, consisting of a sales area of 267 sqm and a back of house (“BoH”) of 104 sqm, plus an external plant area equating to 27.5 sqm. The bin store will be located inside the BoH.
- 5.5 The Handling Report for the previous application (ref no. 22/00941/FUL) confirms that the proposed commercial element complies with policies contained in NPF 4, including Policy 9 relating to brownfield, vacant and derelict land and empty buildings; and Policy 28 relating to retail.
- 5.6 In relation to the City Development Plan and Supplementary Guidance, the Handling Report confirms that the scheme is compliant with Policy CDP 2 relating to sustainable spatial strategy and Policy CDP 4/SG 4 relating to the network of centres.
- 5.7 As such, the principle of development is considered to be acceptable.

Economic

- 5.8 The proposals represent the repurposing of the unviable public house into a viable business, adding to the number of jobs presently provided at the site.
- 5.9 The convenience store will bolster the local economy, complimenting the existing retail offering in the City whilst enabling residents to meet their day-to-day shopping needs.

Social

- 5.10 There will be an opportunity for 25 staff to be employed at the convenience store which will provide a better opportunity for employability than the current public house use.

Environmental

- 5.11 The relationship between the existing neighbours and proposed convenience store will continue as before with a commercial use on the site.
- 5.12 The proposals will promote sustainable transport by enabling those residents within walking/ cycling distance to meet their day-to-day shopping needs without having to use a vehicle.

Loss of the public house

- 5.13 Paragraph 1.46 of SG1 (part 2) sets out four different criteria on what can be demonstrated to show that the loss of a community facility is acceptable. The proposals need to prove that;
- a) there is adequate existing local provision of facilities of equivalent community value;
- or**
- b) the facility can be replaced, to at least its existing level and quality, within the new development;
- or**
- c) suitable replacement community facilities of equivalent quality, quantity and community value will be provided at new locations accessible in terms of active travel and public transport;
- or**
- d) there is no longer a need within the local community for the facility.
- 5.14 There are a multitude of alternative community facilities with equivalent community value close by. There are 6 alternative pubs within a mile catchment, with 4 of these offering comparable facilities. The Bank, the Old Smiddy, Church on the Hill, and the Beechwood offer similar services to the White Elephant.
- 5.15 According to the Handling Report of the refused application, the Council raised no objection against the proposed loss of an existing public house. Therefore, the proposal meets criterion (a) of this policy, the replacement of the public house with a convenience store allows a new community facility to be introduced onto the site.

Introduction of Convenience Store

- 5.16 The development proposes a convenience store which will function as a small, local food store helping to meet the day-to-day needs of local residents, comprising a local walk-in catchment population and a limited amount of pass-by trade. The store is expected to carry a basic range of groceries, ready meals, sandwiches and snacks, beers, wines and spirits and a range of fresh fruit and vegetables.
- 5.17 Some 15+ staff are expected to be employed, and there will be job opportunities for experienced retail employees as well as part-time and shift work for young adults and retirees. Given the nature of local retailing, the majority of staff are expected to be recruited locally, and the scope exists for training and promotion, with sales assistants often continuing on to make a career in the retail industry.
- 5.18 The Handling Report of the previous application acknowledged that the application site is less than 100m away from the Cathcart/Muirend linear 'local town centre', thus it might be considered as an edge of centre site. The local town centre is focused on Clarkston Road, stretching from Muirend railway station, next to the Sainsbury's supermarket in the south, up to Cathcart Station in the north.
- 5.19 Despite the site being an edge of centre site, the Council considered the proposed commercial element being compliance with criteria (c) of Policy 28 "Retail" of the CDP, which supports proposals for new small scale neighbourhood retail development provided that the proposed development:
- *contributes to local living, including where relevant 20 minute neighbourhoods and/or*
 - *can be demonstrated to contribute to the health and wellbeing of the local community.*
- 5.20 Convenience stores in the centre include a Premier newsagent/off-licence at 18-20 Clarkston Rd, opposite Cathcart station; a Lonsis newsagent/off-licence at 67 Clarkston Road; a small Scotmid Co-op convenience store and the Sainsbury's supermarket. All the convenience stores with the exception of Sainsbury's are small (less than 275sqm gross) and only the Sainsbury's and the Scotmid have customer parking.

Sequential Assessment

- 5.21 Given the new store has the potential to generate significant footfall and in light of the guidance that sites should be thoroughly assessed, a sequential analysis has been undertaken as part of the Retail Statement which accompanies the application.
- 5.22 Given the scale of the proposed development and its likely catchment area, there are no other centres identified in the City Development Plan which are considered to be sequentially preferable. Shawlands Major Town Centre is 2km to the northeast of the application site and beyond a reasonable distance to travel for day-to-day essentials and top-up items.
- 5.23 The closest and only defined centre for the sequential assessment is Cathcart/Muirend local town centre. There are no vacant sites in or on the edge of the centre which could accommodate the proposed development.
- 5.24 In addition, none of the vacant units identified in the town centre survey offers a suitable opportunity to accommodate the proposed development, which comprises a single storey 468sqm (gross) retail unit with on-site customer parking.
- 5.25 In the first instance, all of the vacant units have a smaller floorspace than that proposed, and none are easily extendable or in a contiguous location where they could be combined with another to meet this requirement.
- 5.26 Secondly, none of the vacant units have on-site car parking. Convenience store operators aim to provide around 15-20 dedicated on-site customer parking spaces for a store of the size proposed.
- 5.27 Taking account of the principles confirmed at Dundee (2012), the appropriate test is therefore not whether a sequential site is suitable for retail development generally, but whether it is *“suitable for the proposed development”* i.e. in this case including the parking component.
- 5.28 Without the on-site parking component, the proposed development could not be accommodated at any of the examples identified.
- 5.29 The principle established in case law is that the applicant need not be required to alter or reduce their proposal so that it can be made to fit an alternative site. Indeed, the sequential site which was the subject of the Dundee case was very similar, in that it was not suitable as its car parking facilities were inadequate.
- 5.30 The sequential assessment demonstrates that there are no other sites within or on the edge of Cathcart/Muirend Town Centre which would be acceptable for retail development in policy terms, and suitable/viable/available in practical terms.

- 5.31 The Handling Report confirms that Policy 28 of NPF 4 is complied with, as the proposals will contribute to local living and 20 minute neighbourhoods, and would therefore contribute to the health and wellbeing of the local community.
- 5.32 On this basis, it is considered that the town centre first approach has been followed, and the scheme demonstrates compliance with Policy 28 of NPF 4 and Policy CDP 4/SG 4 of the City Development Plan.

Residential Amenity

- 5.33 The site lies in a mixed use area and as such impacts on residents' amenity are discussed below.
- 5.34 The proposed opening hours of the store are to be 6am – 11pm, seven days a week. There will be approximately one delivery per day, undertaken during opening hours, apart from an early delivery of newspapers, which will be transported by a transit-type van and will not involve roll cages.
- 5.35 A delivery bay is located to the southeast of the proposed convenience store, with goods being delivered through the service yard. Thus, the residential properties to the east of the site will not be adversely impacted due to the separation distances.
- 5.36 The noise of the plant has been considered. The external plant area is located on the south east elevation of the existing building. It will be at sufficient distance from the existing properties to the east, with acoustic fencing utilised, the noise impact would be minimal.

Ecology

- 5.37 An Ecological Appraisal Report was submitted as part of the previous application (ref no. 23/01882/FUL) related to a mixed-use development. Whilst the nature of the proposed scheme has changed under this application, the result of the bat survey detailed in the report remains valid and could be referred to for this conversion application. The summary of the report is detailed below:
- 5.38 The site is neither designated nor immediately adjacent to any designated areas of nature conservation. However, there is one nationally designated site within 2km. This will not be directly affected by this small scale development and all links will be maintained.
- 5.39 The majority of the habitats and plant species observed on site are widespread and common; the habitats are of negligible nature conservation value from a botanical perspective. No plant species listed on Schedules 8 or 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded on the site.

- 5.40 The public house is the only building that lies within the development footprint. The roof of the public house appears well-sealed and in good condition. Therefore, this building has negligible bat roost suitability and the proposed works may commence without further survey or constraints regarding bats (subject to any planning constraints).
- 5.41 All the trees on site have negligible bat roost suitability. Therefore, the proposed works may commence without further survey or constraints regarding bats (subject to any planning constraints).
- 5.42 The adjacent trees on the west boundary provide suitable bat foraging habitat. They also link to a network of hedges and tree-lines along the railway line and through neighbouring gardens, which providing links into and from the wider landscape in all directions. These connect the site to high quality foraging habitat for a number of different species of bat such as woodland and waterways.
- 5.43 No badger setts or evidence of badger activity was found. A walkover by a suitably qualified ecologist should be undertaken prior to any site clearance to ensure no badgers have moved on or within close proximity of the site.
- 5.44 All of the trees on the site are small and only offered limited potential to support nesting birds during the breeding season. However, the trees adjacent to the site are mature and offer suitable nesting habitat for breeding birds.
- 5.45 The grassland on site is long from being unmown and could be used as foraging habitat for reptiles. In addition, the base of the trees adjacent to the site along the western boundary provides suitable hibernation habitat. The area of suitable habitat for reptiles to be lost is considered too considered too small to necessitate further surveys and is also surrounded by hardstanding apart from one small area.
- 5.46 To minimise the impact on the retained trees adjacent to the boundaries, Heras fencing or similar should be used to protect the roots of the trees and bushes during construction. The guidance provided in BS 5837 Trees in relation to Construction provides further advice.
- 5.47 Changes in lighting can affect foraging and roosting bats. Therefore, no works should take place in the hours of darkness or under artificial lighting

Flooding

- 5.48 A Flood Risk Assessment has been submitted in support of the application. It confirms that SEPA mapping shows the site wholly outside of areas with a likelihood of river flooding, taking into account

climate change to the 2080s. The site is not at risk of coastal, groundwater or reservoir flooding. The site has no history of flooding.

- 5.49 While there are four areas of potential surface water flood risk in proximity of the site, the area within the site is noted as being Low Likelihood only, with the others Medium Likelihood with the exception of the courtyard area to the south which is noted as High Likelihood. The topographical survey confirmed that the proposed development is separated from the courtyard area by a brick wall, which is to be retained by the proposed development. Therefore, in the event of a failure/exceedance event of the neighbouring properties, the surface water flooding is unlikely to affect the proposed development.
- 5.50 Given that the existing building is largely retained with minor modifications to , the existing discharge rate to public/private sewers would be retained. Therefore, there is very low risk of flooding from the proposed development. A preferential overland flow route to the outer boundaries of the site has been proposed and appended to the Report.
- 5.51 The reduction in flow and attenuation of surface water within the proposed development will also reduce the loading on the public sewers in the local area and therefore reduce the risk of flooding to the proposed development, and the local area.
- 5.52 Safe access and egress to and from the development can be gained at all times.
- 5.53 Based on the assessment result, the Report concludes that the site is at a low/negligible risk of flooding from all sources and is therefore suitable for development, confirming the proposals being in compliance with NPF 4 Policies 2 and 22, and Policy CDP 8/SG 8 of the City Development Plan.

6.0 Conclusion

- 6.1 CPC have produced this Planning Statement in support of the Applicant's White Elephant Property Limited planning application at the White Elephant public house.
- 6.2 The application proposes the conversion of the White Elephant public house (Sui Generis) to provide a convenience store (Class 1) following partial demolition of the building, utilising the existing access, with associated parking and landscaping.
- 6.3 This statement, and enclosed documentation, confirm that the proposed development has been designed in accordance with National Planning Framework 4 and the City Development Plan.
- 6.4 The proposed development creates various sustainable benefits for the local community, including introducing employment opportunities, providing alternative shops and products for the local residents, and encouraging local investment.
- 6.5 A sequential assessment has been undertaken which identified no suitable vacant site within the town centre.
- 6.6 It is concluded that the proposed development is fully compliant with national and local policies, as confirmed by the Council under the previously refused mixed-use scheme and as such planning permission should be granted.