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RETAIL STATEMENT

Retail Store (Class 1)

The White Elephant
128 Merrylee Rd,
Glasgow G44 3DL

White Elephant
Property Limited

December 2023

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1 INTRODUCTION

- 1.1 This statement has been prepared to accompany an application for planning permission for the erection of a retail store (Class 1) with apartments above on the site of the White Elephant, Muirend. Its purpose is to address the retail planning policies contained in the Development Plan, taking account of guidance in Scottish Planning Policy (Revised December 2020).
- 1.2 The Development Plan comprises the Glasgow City Development Plan which was formally adopted in March 2017. Work has commenced on a new local development plan - Glasgow City Development Plan 2 (CDP2). However, production of CDP2 has been delayed until revised Development Planning Regulations have been produced in order to allow the new plan to align with emerging National Planning Framework (NPF4) policy priorities.

2 PROPOSED DEVELOPMENT

- 2.1 The development proposes the conversion of the vacant public house into a convenience retail store with parking for customers. The new store will have a new sale area of 267sqm, along with the staff and storage facilities, internal refuse area and external plant area, extending to 401.5sqm in total.
- 2.2 The convenience store will function as a small, local food store helping 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.

3 SITE CONTEXT

- 3.1 The White Elephant is a bar/restaurant serving food and drink, with a private function room for private dining and parties.
- 3.2 It occupies a single storey building fronting Merrylee Road, with an outside patio area and customer parking at the rear. The railway line from Glasgow to Neilston forms the western boundary at an elevated level and residential flats/parking at the corner of Clarkston Road and Merrylee Road lie to the east. There is an industrial unit/builder's yard at the rear/south of the site.
- 3.3 Shops on Clarkston Road, 100m to the east make up a linear shopping centre interspersed with residential properties, known as Cathcart/Muirend Local Town Centre. It comprises mainly local shops and services, although a Sainsbury's supermarket is located at the southern end of the centre, approx. 0.7km from the site.
- 3.4 Local bus services on Merrylee Road are accessible from an eastbound stop immediately outside the property, and a southbound stop within 200m on Clarkston Road.

4 PLANNING POLICY

- 4.1 Planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan comprises the **Glasgow City Development Plan** which was formally adopted in March 2017. A review of the Plan is currently taking place but is currently on hold.
- 4.2 The Plan is supported by supplementary planning documents including **SG4: Network of Centres** which sets out the context of the city's network of centres and the criteria for assessing development proposals affecting them.
- 4.3 The latest version of **Scottish Planning Policy** (SPP) dates from December 2020 and sets out national planning policies for the operation of the planning system and for the development and use of land. It relates to the preparation of development plans, the design of development and the determination of planning applications. It is not statutory but carries significant weight as a material consideration.
- 4.4 The **National Planning Framework** provides a statutory framework for Scotland's long-term spatial development and sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. It is not considered relevant to the determination of this application.

Local Planning Policy

Glasgow City Development Plan

- 4.5 The adopted Plan dates from 2017 and its land use policies remain relatively up to date, particularly in relation to town centres and retail development. The Plan's Strategy seeks to deliver:
- A vibrant place with a growing economy;
 - A thriving and sustainable place to live and work;
 - A connected place to move around and do business in; and
 - A green place.
- 4.6 Town centres will be a focus for public transport networks and will support a range of shops, services and community facilities.
- 4.7 Policy CDP4 establishes a diverse network of 40 town centres which are the preferred location for town centre uses, in a hierarchy which ranges from the City Centre down to small high street centres that serve local communities. The Plan reflects the 'Town Centres First' approach in Scottish Planning Policy and the network includes Local Town Centres which serve local communities, but vary widely in scale, function and character.
- 4.8 The Plan does not provide detailed criteria for the assessment of development proposals outwith town centres. It states that these will be assessed in line with the sequential approach and other criteria set out in SPP and Supplementary Guidance.

Supplementary Guidance 4: Network of Centres

- 4.9 SG4 supports Policy CDP4 by providing more detail and guidance on the role and function of the City's Network of Town Centres. It provides a detailed description of the City Centre, the five

'Major Town Centres' (Partick/Byres Road, Shawlands, Parkhead, Easterhouse and Pollok) and identifies the 34 Local Town Centres, including Cathcart/Muirend as having the following role and function:

- To cater for the day-to-day shopping needs of surrounding neighbourhoods.
- To provide accessible locations for a range of other local services required by the public.
- Act as a source of employment to the local community.
- Comprise places of social interaction that provide a focus for community life.

4.10 The aims are to maintain a balance between retail and non-retail uses that protects the shopping function and permits other appropriate town centre uses; to reduce vacancy levels; promote accessibility and to support investment to ensure centres are desirable and attractive.

4.11 In relation to the sequential approach, SG4 states in Assessment Guideline 1 that the sequential approach will be applied to all large scale developments (over 1,000 sqm (gross) convenience retail floorspace and that smaller scale retail development should also be assessed where it is likely to generate significant footfall. (Additional tests also apply to large scale/above 1,000sqm developments in Assessment Guideline 9, including Need, Impact, Scale etc. but these will only be applied to smaller developments in "exceptional circumstances").

4.12 The first preference will be for development in town centres, followed by edge-of-centre locations which are defined in the Glossary as "within easy walking distance of a Town Centre" and then "Other Retail and Commercial Leisure Centres", which principally comprise bulky goods retail parks and large food superstores. Out of Centre locations will be considered last, and only where they are easily accessible by a choice of transport modes. In addition, proposals at edge-of-centre locations should demonstrate that the site is well connected to the Town Centre.

Scottish Planning Policy (December 2020)

4.13 The Scottish Government's purpose is to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. There should be a positive approach to enabling high-quality development and making efficient use of land while protecting and enhancing natural and cultural resources.

4.14 In retail terms, SPP adopts a town centre first principle to maintain the health and vibrancy of town centres. Plans should identify a network of centres which may be organised as a hierarchy, with a diverse mix of uses, good accessibility, a sense of place which furthers the well-being of the community, economic and social activity and integration with residential areas. They should adopt a sequential town centre first approach, although planning authorities should apply the approach in a flexible and realistic way to ensure that different uses are developed in the most appropriate locations.

4.15 New development in a town centre should be of a scale which is appropriate to that centre, and its impact will be a material consideration in decision making in order to support vibrancy, vitality and viability.

4.16 Edge of centre development should demonstrate that more central options have been thoroughly assessed and a retail impact analysis should be undertaken for proposals over 2,500sqm.

Judicial Precedent

4.17 Finally, the Courts have from time-to-time interpreted planning policy in relation to a number of matters put before them. The conclusions drawn in such cases will be material considerations in the determination of planning applications.

4.18 In relation to the application of the sequential approach, the 2012 case at Dundee¹ established that the question to be answered was “whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site”.

4.19 The Dundee case set the tone for subsequent sequential assessments which are no longer required to demonstrate the degree of flexibility including disaggregation previously sought.

¹ Tesco Stores Limited (Appellants) v Dundee City Council (Respondents) (Scotland)

5 RETAIL ASSESSMENT

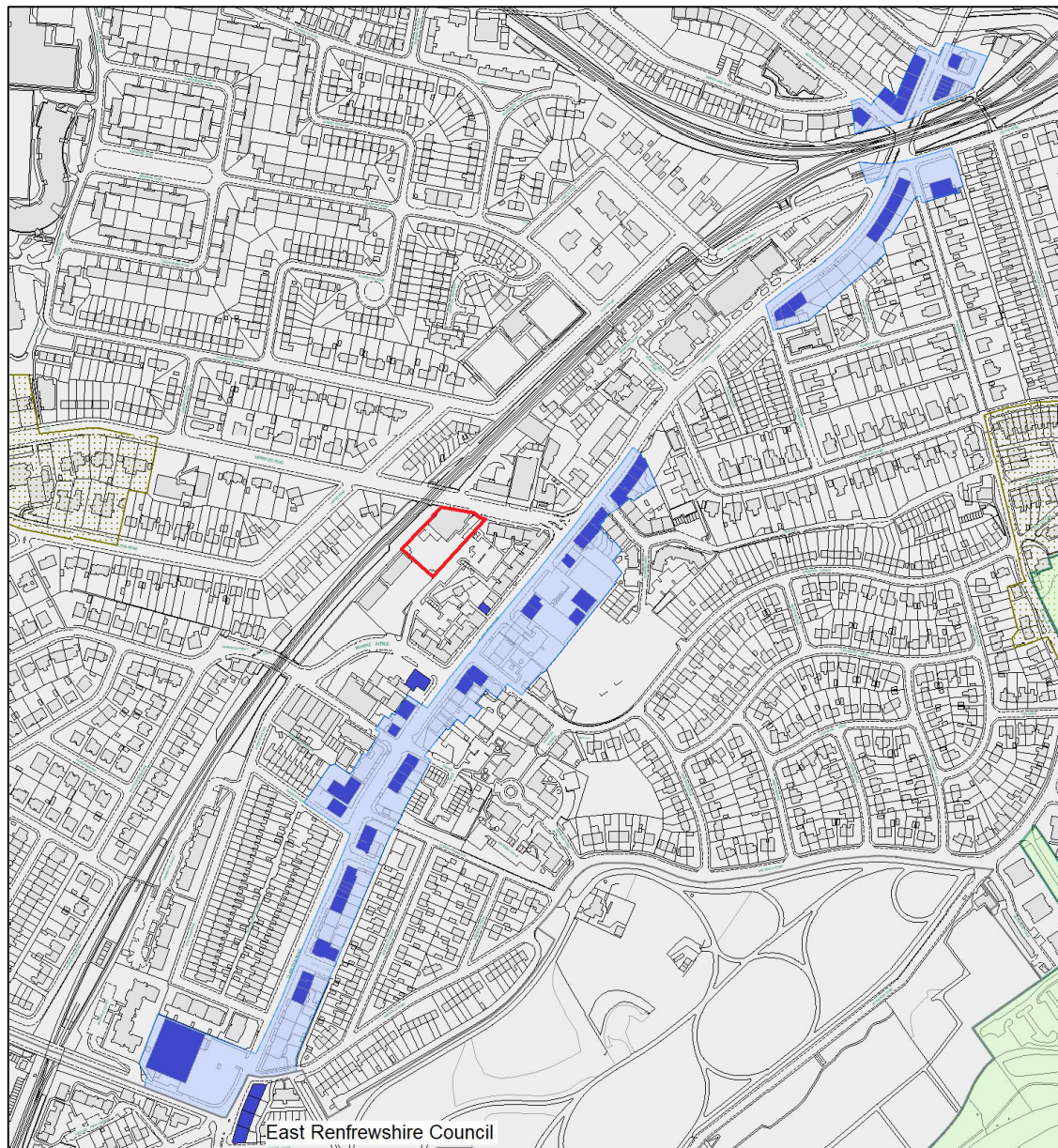
Proposed Development

- 5.1 The new development on the site of the White Elephant will provide a local convenience store, with a sales area of around 300sqm serving residents in the Muirend and Cathcart districts of Southern Glasgow. It will allow for an improved range and choice of goods to support local shopping provision in a modern new retail environment with an open and spacious floorplan as well as a storage area fit for requirements. The location will be easily accessible on foot/cycle offering scope for linked trips with the centre, as well as having customer parking spaces and room for on-site deliveries.
- 5.2 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.

Retail Context

- 5.3 The application site is situated close to the Cathcart/Muirend linear 'local town centre', which lies in a predominantly residential part of south Glasgow, easily accessible by local residents. The local town centre is focussed on Clarkston Road, stretching from Muirend railway station, next to the Sainsbury's supermarket in the south, up to Cathcart Station in the north. The centre includes a range of principally independent shops and local services interspersed with residential properties. It displays a tenemental structure with town centre uses at street level and residential use above.
- 5.4 The extent of retail/commercial uses in the defined centre is illustrated on the Proposals Map extract overleaf. This illustrates the dispersed, linear nature of the centre.
- 5.5 Convenience stores in the centre include a Premier newsagent/off-licence at 18-20 Clarkston Rd, opposite Cathcart station; a Londis 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.
- 5.6 In addition, there are two independent butchers/bakers and several small newsagents, at the corner of Newlands Road/Tankerland Road, and on Clarkston Road opposite Montreith Rd E; opposite Merrylee Rd; opposite Gavinton St.
- 5.7 There are non-food shops selling a range of goods including children's uniforms, bicycles, carpets, clothing/fashions and kitchens/furniture.
- 5.8 A range of other local business services include a number of hair/beauty salons, cafés/takeaways medical services, a funeral director, pharmacies, bookmakers and other commercial business including local solicitors and accountants.

- 5.9 The centre appears to be well used by local residents and passers-by with a mixture of speciality retailers and local services meeting day-to-day needs (principally hairdressers and takeaways). There are only two national operators (Sainsbury's and Scotmid) although there are a number of franchise/fascia stores including the Premier, Londis and Coral/William Hill bookmakers.



Commercial uses in Cathcart/Muirend local town centre (application site marked in red)

Sequential Assessment

- 5.10 The application site is closely related to Cathcart/Muirend local town centre being only 100m away and therefore well connected and within easy walking distance. It is in an edge-of-centre location according to the Council's supplementary guidance although below the 1,000sqm threshold where the sequential approach will normally be applied. However it is accepted that the new store has the potential to generate significant footfall and in light of the guidance in SPP that sites should be thoroughly assessed, a sequential analysis has been undertaken.

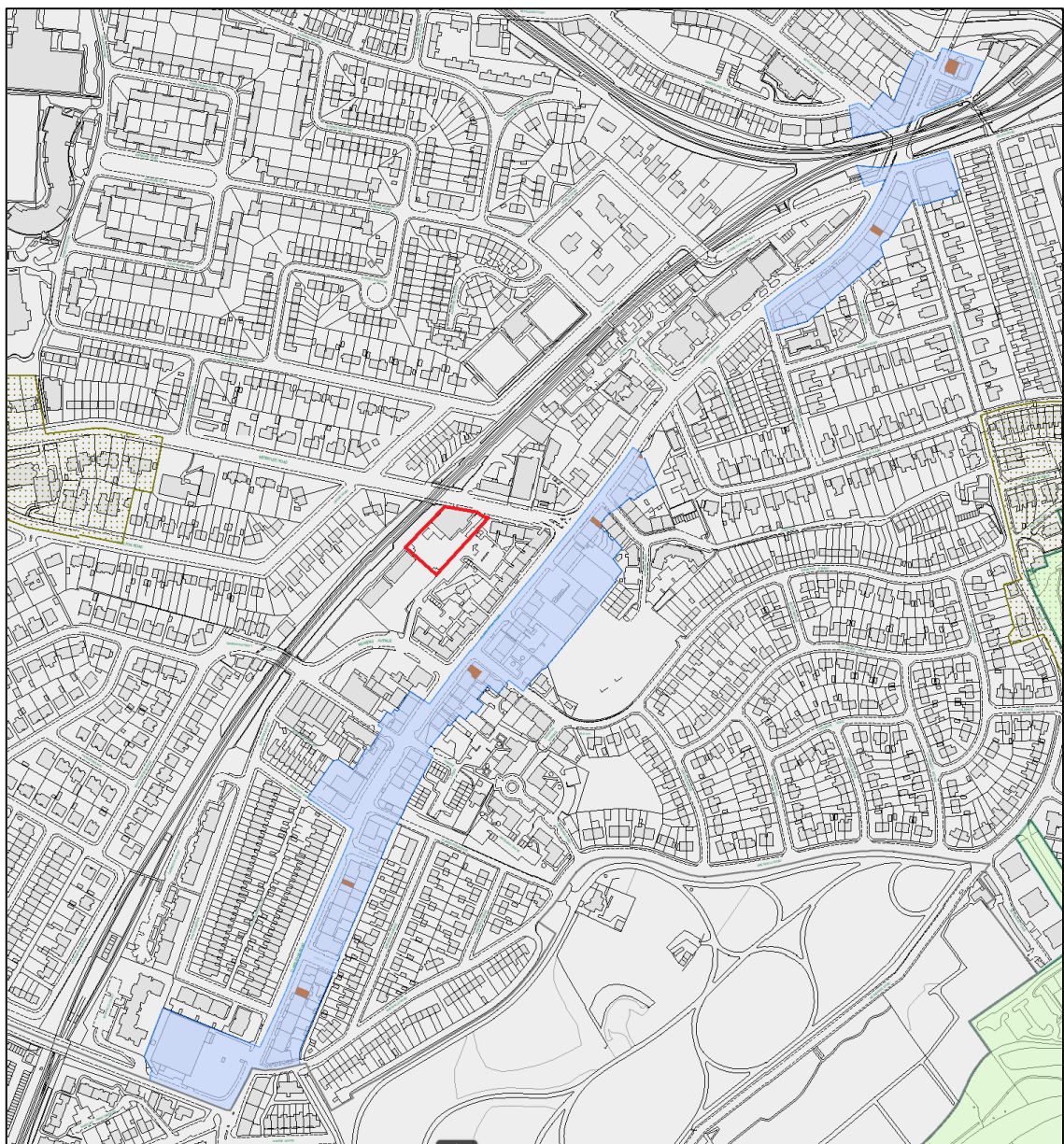
5.11 Given the scale of the proposed development and its likely catchment area, there are no other centres identified in the City Development Plan which are considered to be sequentially preferable. Shawlands Major Town Centre is 2km to the northeast of the application site and beyond a reasonable distance to travel for day-to-day essentials and top-up items.

CATHCART/MUIREND LINEAR LOCAL TOWN CENTRE

5.12 A town centre survey was undertaken in late Summer 2021, following the decision to move Glasgow from level three to level two in the Scottish Government’s COVID-19 protection levels system.

5.13 At the time of the survey, the town centre was relatively quiet, although trade was expected to build steadily as restrictions continued to be lifted.

5.14 A number of vacant units were identified in the centre, highlighted in the plan below.







Cathcart/Muirend local town centre - Vacant Units, Summer 2021 (application site marked in red)

- 5.15 There are no allocated sites or vacant/underused land or development sites in or on the edge of the town centre. There are not known to be any development proposals for new retail floorspace in or on the edge of the town centre.
- 5.16 The vacant units are listed in the table which follows (floorspace from Scottish Assessors Association except where noted). Vacancies are dispersed relatively evenly throughout the centre, with no part suffering from a particular concentration.

Property Description	Ground Floor Area	
<p>3 Clarkston Road Former The Now vegan restaurant</p> <p>Vacant part occupies ground floor of front half of building only.</p> <p>Shared car parking area to rear</p>	150sqm	
<p>63 Clarkston Road Former Arrow Homecare Glaziers</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	31.0sqm	
<p>173 Clarkston Road Former Pure Munchied Deserts</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	13.0sqm	

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<p>211 Clarkston Road Former Rebellion of Angels Tattooist</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	<p>22.8sqm</p>	
<p>313-315 Clarkston Road Former Couture Salon</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	<p>68.6sqm</p>	
<p>417 Clarkston Road Former Bonnie Pet Parlour</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	<p>54.1sqm</p>	
<p>465-467 Clarkston Road Former Green Beauty Bar and Store</p> <p>Ground floor unit below residential tenement</p> <p>No external space available for parking.</p>	<p>58.9sqm</p>	

SEQUENTIAL ASSESSMENT CONCLUSIONS

- 5.17 The closest and only defined centre for the sequential assessment is Cathcart/Muirend local town centre. Shawlands major town centre is beyond the catchment area of the proposed store and beyond a reasonable distance to travel for day-to-day convenience items and top-up shopping. There are no vacant sites in or on the edge of the centre which could accommodate the proposed development.
- 5.18 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.
- 5.19 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.
- 5.20 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.
- 5.21 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.
- 5.22 Clearly all of the vacant units appear to be suitable for retail development generally. However the latter point is extremely pertinent in that without the on-site parking component, the proposed development could not be accommodated at any of the examples identified.
- 5.23 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.
- 5.24 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.
- 5.25 On this basis, it is considered that the sequential test is satisfied and has demonstrated compliance with Policy CDP4 in terms of the sequential approach to site selection. The proposal also accords with Scottish Planning Policy in this respect.

6 SUMMARY AND CONCLUSIONS

- 6.1 This statement supports an application for a new development on the site of the White Elephant to form a new convenience retail unit (267sqm net internal sales area).
- 6.2 The retail unit will be occupied as a local convenience store to help meet the needs of local residents and will serve a local catchment population and some pass-by trade, open from early morning until late evening. 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.
- 6.3 The site is located on Merrylee Road, between the railway and the junction with Clarkston Road, and is accessible to the surrounding residential population to meet day-to-day and top-up shopping needs. It is in an edge-of-centre location within easy walking distance from Cathcart/Muirend local town centre and the new store will complement the existing small scale retail provision in the centre, allowing for linked trips to provide an improved range of convenience shopping in accordance with the Council's retail objectives. New staff will be employed in the store, with opportunities for part-time working, formal training and career development.
- 6.4 The only defined town centre in the anticipated catchment area of the store is Cathcart/Muirend local town centre. Shawlands major town centre is located approx. 2km from the application site which is beyond a reasonable distance to travel for top-up shopping. An assessment of Cathcart/Muirend local town centre has not revealed any sequentially preferable sites which could accommodate the proposed development.
- 6.5 The application site is accessible by public transport and accessible to pedestrians and cyclists; and has strong links with the local town centre and the surrounding residential area, although car parking will be provided to accommodate those who are unable, or choose not to, visit on foot/cycle.
- 6.6 For these reasons, it is considered that the proposed development accords with the provisions of the development plan and reflects the guidance in Scottish Planning Policy. In the absence of any material considerations which indicate otherwise, planning permission should be granted without delay.